## *REVISED* STAFF REPORT

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| **Agenda Item:** |  | **Name:** | Clifton Curry |
| **Proposed No**.: | 2019-0166 | **Date:** | August 27, 2019 |

**COMMITTEE ACTION**

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| ***Proposed Motion 2019-0166, passed out of committee on August 27, 2019 with a Do Pass recommendation. The Motion was amended in Committee with Amendment 1 that changed the due date of the report required in the Motion from October 1, 2019 to April 1, 2020. The Amendment was adopted unanimously.***  |

**SUBJECT**

A MOTION requesting that the executive develop a report with recommendations for adding requirements related to human trafficking and commercial sexual exploitation awareness training and testing for for-hire drivers.

**SUMMARY**

This motion would request that the Executive develop, or acquire, a curriculum for drivers as part of the required driver training for a for-hire license in King County. As required by County Code, all new for-hire driver applicants are required to complete driver training and pass the for-hire driver examination prior to operating taxis, for-hire vehicles, or Transportation Network Company (TNC) vehicles. This Motion asks that the Executive examine existing resources for training materials to help increase awareness and educate drivers on the indicators of human trafficking and commercial sexual exploitation, the identification of human trafficking and commercially sexually exploited victims and how to report human trafficking to the appropriate local authorities to protect victims and survivors. This training would be added to the training already required for a for-hire driver’s license.

**BACKGROUND**

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.

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: labor trafficking and sex trafficking.

Washington State has been considered a leader among the states in addressing human trafficking. In 2002, House Bill 2381 created the Washington State Task Force Against the Trafficking of Persons. In the subsequent years, the Task Force was renewed by the Legislature several times. In 2003, the State of Washington legislature 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, over 40 new state laws have been passed addressing aspects of trafficking, from mail order brides to stiffer penalties for commercial sexual abuse of minors.

King County has also worked actively 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 several task forces and groups. In addition, the Seattle Police Department and the King County Sheriff’s Office Street Crimes Unit have made the reduction of child sexual exploitation a major law enforcement area of emphasis.

The County has also 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. 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. Metro drivers receive training as well.

In 2012,[[3]](#footnote-3) the King County Council called for the Executive and Metro Transit 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. In 2014,[[4]](#footnote-4) The Council called for expanding this 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 education to prevent the crime from occurring[[5]](#footnote-5). The Council recently adopted legislation[[6]](#footnote-6) calling on the Executive to again engage in working with community partners to develop new public awareness of the impacts of human trafficking.

In addition, King County Superior Court, in partnership with the Center for Children and Youth Justice (CCYJ), has 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 participate on the task force.

**Regulating the For-Hire Transportation Industry** King County benefits from a healthy spectrum of transportation choices. Currently the region is served by taxis and for-hire services. In addition, there are also companies that offer opportunities for private citizens to use smartphone application-based technology (apps), and their phones’ GIS capabilities to pick up rides for fares or suggested donations. These companies are known as Transportation Network Companies (TNCs). King County, the City of Seattle, and the Port of Seattle have consistently worked over the years to regionalize taxicab and for-hire regulations and licensing by developing consistent regulations and services across jurisdictions. This regional approach has promoted public safety and customer service by standardizing fees, regulations, enforcement, and rate review procedures throughout King County.

In 1995, King County entered into an interlocal agreement with the City of Seattle, whereby King County’s Division of Records and Licensing Services manages all for-hire driver licensing functions for both jurisdictions while Seattle manages all taxicab licensing and vehicle inspection functions for both jurisdictions. In addition, King County has interlocal agreements with the Port of Seattle and 16 cities to provide taxicab and for-hire licensing services. Generally, King County Code and Seattle Municipal Code contain consistent provisions, thus allowing for continued joint regulatory efforts.

In 2017 there were 2,453 taxi and for-hire drivers licensed and a further 27,842 transportation network company drivers that received permits from the county, and these drivers transported passengers on nearly 25 million trips countywide.[[7]](#footnote-7)

As required by K.C.C 6.64.070, all new for-hire driver applicants are required to complete driver training and pass the for-hire driver examination (offered on-line to applicants) in order to be licensed to operate taxis, for-hire vehicles, or TNCs. The prospective drivers are tested on fare determination, driver-passenger relations, driver conduct, ability to understand oral and written directions, vehicle safety requirements, driver regulations, emergency procedures, geographic knowledge of the county, and personal safety equipment. However, there are no training requirements related to trafficking. Nevertheless, there are significant federal, state and local resources, including those from the private sector, related to training regarding the identification of human trafficking and commercially sexually exploited victims and survivors. Further, some transportation network companies are voluntarily providing training to their drivers regarding trafficking. For example, one TNC has partnered with national and local anti-human trafficking organizations to develop new training materials used to train Seattle area drivers. This training mirrors training offered in the private sector to the hospitality industry to help those workers identify victims of trafficking.[[8]](#footnote-8)

**ANALYSIS**

This proposed Motion would request that the Executive develop (or acquire) a curriculum for for-hire drivers to educate, drivers on the indicators of human trafficking and commercial sexual exploitation, the identification of human trafficking and commercially sexually exploited victims, and how to report human trafficking to the appropriate local authorities to protect victims and survivors. This curriculum would be used as part of the required driver training for a for-hire license in King County.

The Motion requires that the training program focus on three goals:

1. Raising driver awareness about the nature of human trafficking, how and where it occurs locally and how to prevent and stop it;
2. Helping drivers identify potential victims and survivors; and
3. Providing drivers with information on how victims and survivors might gain access to services.

The motion asks that the Executive examine existing resources for training materials that use existing successful strategies for anti-human-trafficking education and training materials that are already available from federal, state and county agencies. In addition, the Motion asks that the Executive review human trafficking awareness training materials that have already been developed by companies from the private sector, especially any materials that have been developed by Transportation Network Companies or any other company that provides transport services to passengers.

Further, the Motion requires that Executive’s development of recommended training options for drivers should be done in collaboration with subject matter experts (such as national, state and local advocacy groups); King County Metro Transit; the Department of Community and Human Services; the City of Seattle, the Port of Seattle and Public Health - Seattle & King County. The Motion also requires that any human trafficking public information materials used in the driver education and training curriculum shall be accessible in multiple languages and should include contact information for the National Human Trafficking Resource Center Hotline. The motion further requests that the King County Prosecuting Attorney's Office and the Superior Court be encouraged to review the proposed education materials and curriculum.

The executive is required to evaluate these materials and make recommendations for a plan for a proposed training program for drivers, recommendations on how the drivers will be tested on the content of the education materials and an estimate of the costs and other resources necessary to implement the training and examination requirements and develop a report with this information for Council review. The Executive’s report would be due to the council by October 1, 2019.

**AMENDMENT**

The Committee adopted Amendment 1. The Amendment changes the due date for the Motion’s required report from October 1, 2019 to April 1, 2020, in order for the Executive to have sufficient time complete the required elements of the plan and report.

1. https://leb.fbi.gov/2017/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. Motion 13694, adopted July 9, 2012. [↑](#footnote-ref-3)
4. Motion 14083, adopted February 24, 2014. [↑](#footnote-ref-4)
5. Washington State Task Force Against the Trafficking of Persons Report, pg. 7. [↑](#footnote-ref-5)
6. Motion 15199, adopted July 30, 2018. [↑](#footnote-ref-6)
7. “2017 Annual Report, Taxi, For-hire Vehicle & Transportation Network Company Regulation in King County,” Division of Records and Licensing Services, King County Department of Executive Services, April 30, 2018. [↑](#footnote-ref-7)
8. MyNorthwest, “Seattle Drivers Train to Recognize Human Trafficking,” July 31, 2019, <https://mynorthwest.com/1466985/seattle-uber-drivers-train-to-recognize-human-trafficking/> . [↑](#footnote-ref-8)