



**Signature Report**

**February 19, 2014**

**Motion 14078**

**Proposed No. 2013-0456.1**

**Sponsors Lambert**

1           A MOTION acknowledging receipt of a report regarding  
2           human trafficking in King County in compliance with the  
3           2013 Budget Ordinance, Ordinance 17476, Section 57,  
4           Proviso P1; and authorizing the release of \$125,000 to the  
5           sheriff's office and the release of \$125,000 to the Seattle-  
6           King County department of public health.

7           WHEREAS, the 2013 Budget Ordinance, Ordinance 17476, Section 57, Proviso  
8           P1, requires the executive to transmit a motion and report by September 1, 2013, and

9           WHEREAS, the King County executive convened an interagency workgroup of  
10          representatives from the department of community and human services, Seattle-King  
11          County department of public health, the sheriff's office, the transit division, the  
12          prosecutor's office, the council, superior court, youth-serving organizations, faith-based  
13          organizations, organizations serving refugees and human trafficking victims and other  
14          organizations as appropriate, to produce a report on human trafficking in King County,  
15          and

16          WHEREAS, the 2013 Budget Ordinance, Ordinance 17476, Section 20, Proviso  
17          P1, requires the King County sheriff's office to submit data and recommendations  
18          regarding human trafficking in King County to the director of public health by June 1,  
19          2013, and

20 WHEREAS, the sheriff's office sent the report with data and recommendations  
21 regarding human trafficking to the council on June 25, 2013, and

22 WHEREAS, the sheriff's office convened a working group of federal, state and  
23 local law enforcement, the prosecutor's office, superior court, council staff, executive  
24 staff, the United States Attorney's Office, the Washington state Attorney General's Office  
25 and other appropriate county or local agency representatives, to gather data and make  
26 recommendations to the council on the most appropriate methods for the suppression of  
27 human trafficking in King County, and

28 WHEREAS, the data gathered by the sheriff's office includes: identification of  
29 incidences of intelligence, investigations and arrests, related to commercially sexually  
30 exploited youth and human traffic victims; data on the linkage of human trafficking to  
31 interaction with gangs, transnational criminal organizations and other criminal  
32 enterprises; identification of the number of youth and adults involved as victims,  
33 including their entry point and mode of entry into the sex trade and their entry into King  
34 County; identification of trends and geographic data; and information on pimps,  
35 prostitution rings, massage parlors and points of contact where individuals are  
36 approached for entry into illegal sex trafficking or engage in related behavior, and

37 WHEREAS, the report includes identification of the opportunities for federal or  
38 other grant funding to support services that suppress human trafficking; and

39 WHEREAS, the report includes identification of strategic investments that the  
40 county could make into interdiction and suppression of human trafficking in the region,  
41 and

42 WHEREAS, the report includes a recommendation regarding the establishment of  
43 a multijurisdictional task force with the primary goal of the interdiction and suppression  
44 of human trafficking in the region;

45 WHEREAS, the full report includes data on individuals who are victims of human  
46 trafficking, including children who are involved in commercial sex trade, adults who are  
47 coerced or deceived into commercial sex acts and anyone forced into labor or services  
48 against their will, and

49 WHEREAS, the report includes demographic data on how the trafficked  
50 individuals entered the county and entered into the human trafficking activities, and how  
51 the activity was identified and demographic data on the perpetrators of human trafficking,  
52 and

53 WHEREAS, the report includes identification of best practices and necessary  
54 services for human trafficking prevention and intervention, and to assist individuals to  
55 exit human trafficking, and

56 WHEREAS, the report includes identification of best practices and necessary  
57 services to aid formerly trafficked individuals into successful community reentry,  
58 including, but not limited to, family reunification, education, housing and employment  
59 services, and

60 WHEREAS, the report includes identification of the opportunities for federal or  
61 other grant funding to support services for individuals involved in human trafficking, and

62 WHEREAS, the report includes identification of strategic investments that the  
63 county could make into prevention, intervention and exit services for victims of human  
64 trafficking, and

65           WHEREAS, the report includes a recommendation on the establishment of a  
66 countywide task force with the primary goal of coordinating the prevention, intervention  
67 and exit services for victims of human trafficking;

68           NOW, THEREFORE, BE IT MOVED by the Council of King County:

69           The report relating to human trafficking in King County in compliance with the  
70 2013 Budget Ordinance, Ordinance 17746, Section 57, Proviso P1, which is Attachment  
71 A to this motion, is hereby acknowledged and the \$125,000 held in reserve for the

72 sheriff's office and the \$125, 000 held in reserve for the Seattle-King County department  
73 of public health is hereby released.  
74

Motion 14078 was introduced on 11/12/2013 and passed by the Metropolitan King County Council on 2/18/2014, by the following vote:

Yes: 8 - Mr. Phillips, Mr. von Reichbauer, Ms. Hague, Ms. Lambert,  
Mr. Dunn, Mr. McDermott, Mr. Dembowski and Mr. Upthegrove  
No: 0  
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



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Anne Noris, Clerk of the Council

**Attachments:** A. Report and Recommendations on Human Trafficking Response by King County

Report and Recommendations  
On Human Trafficking Response by King County

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October 3, 2013

Submitted in response to 2013 Budget Proviso P1



**King County**

## **Executive Summary**

In Ordinance 17476 adopting the 2013 budget, the Metropolitan King County Council included two budget provisos requiring the County Executive to prepare a report on the response to human trafficking in King County. From January to August 2013, the Executive Office, Public Health – Seattle & King County, the Department of Community and Human Services, the Prosecuting Attorney’s Office and the King County Sheriff’s Office worked together to collect and analyze data, understand the policy frameworks and state of the human trafficking response field, and identify actions currently underway by King County. Other departments were also consulted, through an informal inter-branch team; Departments listed in the proviso were invited to participate; a focus group was also held including community providers. This report constitutes the Executive’s response, and includes data on human trafficking as available, strategies from the field of human trafficking response, and recommendations for continued King County activity on this important topic.

### ***What is human trafficking and who responds to it?***

Human trafficking has been called a type of ‘modern day slavery.’ Three different types of human trafficking are known to exist in the United States: Labor trafficking, commercial sex trafficking (prostitution) of youth and children, and commercial sex trafficking (prostitution) of adults when fraud, force or coercion are present. Victims of human trafficking may experience physical violence, economic and psychological manipulation, loss of economic and educational opportunity, isolation or imprisonment, and short and long-term physical and mental health impacts, including post-traumatic stress disorder.

Response to human trafficking comes from government, nonprofit agencies and the private sector. Through international treaty obligations and under federal law, the US government has developed a comprehensive, government-wide response to human trafficking, including several new initiatives launched in 2012. The state of Washington is a national leader in enacting strong legislation addressing all types of trafficking and has issued multiple statewide reports with recommendations on how to address trafficking in Washington. The legislature passed a bill in 2013 to create a time-limited commercially sexually exploited youth task force to address protocols and best practices for state agencies including data collection.

### ***King County response to human trafficking***

In addition to King County law enforcement and prosecution efforts, the county funds direct services for youth victims of commercial sex trafficking. At council direction the executive enhanced its work to raise community awareness of the signs of human

trafficking through a campaign of PHSKC ads on Metro buses. As a result of that enhanced effort, the national hotline saw an increase in calls. The county has also begun to train staff to recognize and respond to potential trafficking situations, including training law enforcement, human services and code inspection staff.

As well, King County has long been a partner in our region's collective efforts to address human trafficking. Some examples of those efforts:

- The King County Sheriff's Office (KCSO) is a partner, along with federal and local law enforcement agencies, in the Central Sound Child Exploitation Task Force, which is working to stop the production and distribution of child pornography facilitated by and perpetuated through the Internet.
- King County agencies participated in a statewide series of summits convened by the nonprofit Center for Children and Youth Justice (CCYJ) to develop a model protocol for responding to cases of commercial sexual exploitation of children (CSEC).
- As a result of that work, CCYJ is providing training and technical assistance to King County to implement model protocols. In April, 2013 King County Superior Court convened the King County Commercially Sexually Exploited Children Task Force. The task force is comprised of representatives from county and local agencies, schools, survivors, child welfare, and community services providers. The CSEC Task Force has three primary goals: the design and implementation of Multidisciplinary Teams (MDTs) across King County, ongoing oversight including data collection and evaluation, and coordination of trainings and communication efforts with the targeted population.
- King County participates in the Washington Anti-Trafficking Committee (WashACT), the regional committee on trafficking convened by the US Attorney General (US AG).

### ***Scope and extent of human trafficking in King County unknown***

For purposes of this report, for the years 2011-2012, quantitative data was collected from the Washington State Patrol for felony and misdemeanor arrests for human trafficking and other related crimes reported from arresting jurisdictions in King County; qualitative and quantitative data was collected by the KCSO and KCPAO from case files to provide more information. KCSO also provided arrest data from jurisdictions under their law enforcement authority. Victim services data was requested from local nonprofit agencies.



At the present time, data on the scope and extent of human trafficking in King County is limited. National and international reviews of literature on human trafficking interventions also note the lack of an evidence base due to the difficulty in data collection. Nevertheless, arrest and prosecution data remain the best source of quantitative information of those crimes related to human trafficking that are intercepted through law enforcement efforts. In King County the existing data depicts commercial sex trafficking (according to KCPAO data, none of the charges for trafficking in 2011-2012 were for labor). No comprehensive population data exists on victims and perpetrators of either labor or commercial sex trafficking to understand thoroughly the nature and location of recruitment, crimes and victim needs.

***Recommendations that reflect county priorities***

King County has many priorities in addressing public health and criminal justice issues and the needs of those in poverty and the underserved – including strategies to address homelessness, veterans services, access to health care for all residents, gun violence prevention, anti-gang initiatives and support for high-need health and human services system utilizers.

**The Executive is recommending an approach to human trafficking that emphasizes the county's continued participation in existing regional efforts and our targeted and focused roles in responding to trafficking.** The work of the recently established King County Commercially Sexually Exploited Children Task Force to establish Multidisciplinary Teams (MDTs) across King County, tackle the challenges of data collection and evaluation, and coordinate training and communication efforts, will serve to further inform county policymakers as they complete their work over the coming year. The Task Force is conducting its planning work within current resources.

This continued focused and targeted work includes ongoing law enforcement and criminal justice actions to arrest and prosecute perpetrators including cross-jurisdictional partnering, training of law enforcement and other staff as needed to identify and rescue victims, working to respond to commercially sexually exploited children through identification and referral to appropriate resources, and partnerships to raise public awareness of the issue. The Executive's recommendation recognizes that the county's response to human trafficking must fit within the context of broad King County priorities and intentionally places emphasis on where King County has had past success and where King County is focused currently. It also intentionally places emphasis on where King County has a clear role and defined strategies and recognizes the strong role that the federal and state governments play,

as well as community-based nonprofit organizations, in leading on this issue. It allows King County to continue to learn about the work of partners who are responding to human trafficking, including the federal and state governments and nonprofit agencies, as data regarding trafficked individuals and appropriate interventions become more available. The Executive is not recommending additional investment or formation of an additional countywide task force at this time.

King County remains committed to addressing human trafficking from an equity and social justice perspective. No person in King County should be a victim of human trafficking, and all King County residents have an obligation to be part of the solution, as does King County government.

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## **Proviso Text**

As part of the adopted 2013 budget, the Metropolitan King County Council included a two-part proviso regarding King County's response to human trafficking in our community. One part of the proviso required the King County Sheriff's Office to develop a report and recommendations, to submit to the King County Council and to Public Health – Seattle & King County. The other part of the proviso required the Executive to develop a report and recommendations to the King County Council, to be submitted with a motion to the Council. The text of both parts of the proviso is included below.

PROVISO P1, DIRECTED TO THE KING COUNTY SHERIFF'S OFFICE, PROVIDED THAT:

Of this appropriation, \$250,000 shall not be encumbered or expended until the executive transmits a report as required by section 57, Proviso P1, of this ordinance and a motion that acknowledges receipt of the report, and the motion is passed by the council. The motion shall reference the proviso's ordinance, ordinance section, proviso number and subject matter in both the title and body of the motion.

By June 1, 2013, the sheriff's office must submit the data and recommendations that are required by this proviso to the director of public health, with a copy in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the law, justice, health and human services committee or its successor.

The sheriff's office shall convene a working group comprised of federal, state and local law enforcement, the prosecutor's office, superior court, council staff, executive staff, the United States Attorney's Office, the Washington state Attorney General's Office and other appropriate county or local agency representatives, to gather data and make recommendations to the council on the most appropriate methods for the suppression of human trafficking in King County. The data and recommendations shall be integrated into a report compiled by public health - Seattle and King County, as required by section 57, Proviso P1, of this ordinance. The data gathered should include, but not be limited to:

- A. Identification of incidences of intelligence, investigations and arrests, related to commercially sexually exploited youth and human traffic victims;
- B. Data on the linkage of human trafficking to interaction with gangs, transnational criminal organizations and other criminal enterprises;
- C. Identification of the number of youth and adults involved as victims, including their entry point and mode of entry into the sex trade and their entry into King County;
- D. Identification of trends and geographic data;
- E. Information on pimps, prostitution rings, massage parlors and points of contact where individuals are approached for entry into illegal sex trafficking or engage in related behavior;

- F. Identification of best practices for the suppression of human trafficking;
- G. Identification of the opportunities for federal or other grant funding to support services that suppress human trafficking;
- H. Identification of strategic investments that the county could make into interdiction and suppression of human trafficking in the region; and
- I. Recommendation on the establishment of a multijurisdictional task force with the primary goal of the interdiction and suppression of human trafficking in the region.

PROVISO P1 DIRECTED TO THE KING COUNTY EXECUTIVE, PROVIDED THAT:

Of this appropriation, \$250,000 shall not be encumbered or expended until the executive transmits a report and a motion that acknowledges receipt of the report, and the motion is passed by the council. The motion shall reference the proviso's ordinance, ordinance section, proviso number and subject matter in both the title and body of the motion.

The executive must file the report and motion required by this proviso by September 1, 2013, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the law, justice, health and human services committee or its successor.

The executive shall convene an interagency workgroup of representatives from the department of community and human services, public health - Seattle and King County, the sheriff's office, the transit division, the prosecutor's office, the council, superior court, youth-serving organizations, faith-based organizations, organizations serving refugees and human trafficking victims and other organizations as appropriate, to produce a report that includes the following:

A. Data on individuals who are victims of human trafficking, including children who are involved in commercial sex trade, adults who are coerced or deceived into commercial sex acts and anyone forced into labor or services against their will including:

1. Demographic data on how the trafficked individuals entered the county and entered into the human trafficking activities, and how the activity was identified; and
2. Demographic data on the perpetrators of human trafficking;

B. Identification of best practices and necessary services for human trafficking prevention and intervention, and to assist individuals to exit human trafficking;

C. Identification of best practices and necessary services to aid formerly trafficked individuals into successful community reentry, including, but not limited to, family reunification, education, housing and employment services;

D. Identification of the opportunities for federal or other grant funding to support these services listed in subsection C. of this proviso;

E. Identification of strategic investments that the county could make into prevention, intervention and exit services for victims of human trafficking; and

F. Recommendation on the establishment of a countywide task force with the primary goal of coordinating the prevention, intervention and exit services for victims of human trafficking.

This report, along with information provided to public health - Seattle and King County by the sheriff's office as required by section 20, Proviso P1, of this ordinance shall be integrated into the report that is called for by this proviso.

## **Framing the Issue: Human Trafficking in Context**

### ***What is human trafficking?***

Human trafficking has often been called 'modern day slavery.' Across the globe, victims of human trafficking are frequently individuals in poverty or at-risk of exploitation, and appear to be primarily women and girls of color, though boys, men and white/non-Hispanic individuals can also be victims. Human trafficking crimes are committed in the United States. (US Department of State, 2013)

The demand for cheap labor and commercial sex is noted by experts to drive the systems and individuals involved in the exploitive situations. (Dottridge, 2007) Human traffickers often exploit political, social, and economic conditions of dire inequality – especially poverty; gender, racial and ethnic violence; civil unrest and armed conflict; and natural disasters – to recruit and maintain power and control over trafficking victims. (Leidholdt, 2008; UN Office on Drugs and Crime, 2009).

Human trafficking falls broadly into three categories: Labor trafficking of youth and adults, commercial sex trafficking of youth (prostitution), and commercial sex involving adults (prostitution) where fraud, force or coercion is present. Human trafficking may occur within or between countries or jurisdictions; movement is not required for human trafficking to occur. It is the multi-faceted nature of and potential for human trafficking to involve multiple jurisdictions and the often horrific effect of trafficking that are increasingly leading to international and national attention to the issue, as well as focus at the state and local levels of government, in the media, and community response.

Some of the identified effects of all types of human trafficking include physical and mental illnesses and conditions, lost wages and job and educational opportunity, and lost self-determination and freedom of movement. (Clawson, 2009) Foreign nationals are separated from families, and sometimes pay traffickers for the right to what they perceive to be a legitimate job opportunity in the US. Studies on prostitution have found it to be the most dangerous occupational environment in the US (Leidholdt, 2008); one study found a murder rate 18 times higher than among other women in the same community. (Farley, 2003) Leading causes of death of prostituted individuals are homicide, drug overdose, other violence and alcohol-related causes. (Brewer, 2006) Victims of prostitution experience multiple rapes, unwanted pregnancies, sexually-transmitted diseases, violence and psychological trauma, including PTSD and major depressive disorders. (US Department of Health and Human Services, 2007; Williamson, 2010; Clawson, 2008.) When pimps and gangs are involved (speculated by law enforcement authorities to be increasingly the case),



prostituted individuals receive virtually no money, though may pass hundreds or even thousands of dollars per night to their pimp (Hunter, 2011), such as a recent case in King County where the pimp was reported to make over \$100,000 while pimping at least three girls and young women over an eight month period. It is unknown how many 'buyers' or 'johns' in the US or King County purchase sex with individual women or girls every year (or from boys or men).

### ***A public health approach to human trafficking***

Some have suggested that a 'public health' approach is warranted at the local level. (Todres, 2011) Examples of a 'public health approach' to human trafficking would involve:

- Thorough and consistent data collection and analysis on the scope of the problem in the population,
- Based upon having a good understanding of the problem, preventive strategies can be developed that emphasize whole community response, rather than focusing solely on the individual or individual crime. Prevention should be viewed in the lens of systemic conditions that facilitate trafficking, rather than prevention only of immediate trafficking situations for single individuals. Targeted policies and interventions based on evidence or promising practices could then be deployed, and ongoing evaluations conducted of policies and interventions to demonstrate their efficacy,
- Addressing population attitudes and behaviors, including changing societal norms regarding acceptance of cheap goods and services without regard to labor situations, and acceptance of purchase and promotion of commercial sex, particularly as it relates to gender inequity, in popular culture, and,
- A comprehensive approach, involving multiple, coordinated efforts and partners to address the many issues associated with human trafficking.

Three key challenges exist, however, in employing a broad public health approach to human trafficking at the local level: 1) data collection efforts (even data definitions) are sorely lacking at the local level, 2) there are few evidence-based practices, though there are recommendations that may serve as promising practices, 3) funding for prevention strategies and for evaluation of all types of interventions at the local level is extremely limited.

A comprehensive 2008 report by the Institute for the Study of International Migration on the state of the research asserts that “[w]hile the majority of experts on human

trafficking assert that the greatest number of victims of trafficking are women and children, there is little systematic and reliable data on the scale of the phenomenon; limited understanding of the characteristics of victims (including the ability to differentiate between the special needs of adult and child victims, girls and boys, women and men), their life experiences, and their trafficking trajectories; poor understanding of the *modus operandi* of traffickers and their networks; and lack of evaluation research on the effectiveness of governmental anti-trafficking policies and the efficacy of rescue and restore programs, among other gaps in the current state of knowledge about human trafficking.” The report also notes that “reliance on under-representative samples is widespread.” (International Organization for Migration, 2005) Recognizing the lack of methodological rigor in collecting population data, efforts are underway to improve collection at the state and national levels. <sup>i</sup>

### ***Available national estimates and information on human trafficking***

The United States Department of State has estimated that between 14,500 and 17,500 people are trafficked into the US each year. (US DOS, 2006) Labor trafficking victims forced to work in the US are largely recruited in their home country and then brought to the US where they face different coercive labor situations.<sup>ii</sup> Victims are often threatened with harm or harm to their families, and are linguistically and physically isolated, without access to money, passports or other travel documentation. They may or may not be held hostage physically. <sup>iii</sup>(It is notable that some of these situations blend with commercial sexual exploitation if the individual is brought to a new country to provide commercial sex to buyers or recruited for a legal job and then forced into prostitution.)

Nearly 200,000 US youth are estimated to be victims of sexual exploitation, or ‘domestic sex trafficking’ each year. (Clawson, 2009) The US DOJ also states that the average age of recruitment into prostitution is 12-14 years old. (Child Exploitation and Obscenity Section, US Department of Justice, 2013) Key risk factors identified for youth are: History of sexual abuse, exposure to domestic violence, runaway status or homelessness, and inadequate care by parents or family. The internet is increasingly a medium for the commercial sexual exploitation of youth and adults, with pimps ‘advertising’ and then ‘arranging’ the buyer’s opportunity to exploit girls via specific websites, without girls ever ‘walking the streets’ in view of law enforcement or the community (making it more difficult to arrest perpetrators and rescue victims) (See KCSO Report, Appendix E) Studies also show that the overwhelming majority of children and youth are approached by pimps and drug dealers within 48 hours of landing on the streets. (Goodman, 2005) One study showed that one-third of homeless youth engaged in survival sex. (Ray, 2006)

The literature on trafficking does not quantify estimates of adults who are commercially sexually exploited.

### ***King County data sources on human trafficking***

No public health or population data is available on victims or perpetrators of human trafficking in King County. Arrest, prosecution and some victim service statistics are available, including limited qualitative information collected through case files and law enforcement contacts; some of these data are not collected uniformly or routinely, nor is there regular comprehensive analysis of local data.

Washington State Patrol (WSP) collects data for misdemeanor and felony arrests reported to WSP by King County jurisdictions for human trafficking and related crimes.

The King County Sheriff's Office (KCSO) collects quantitative arrest and law enforcement contact data for trafficking crimes and related crimes within King County's direct jurisdiction and contracted law enforcement jurisdictions.

The King County Prosecuting Attorney's Office (KCPAO) also collects and compiles qualitative and quantitative information on felony cases and some misdemeanor cases. The information comes primarily from the Certification of Probable Cause as written by the arresting officer, the Electronic Courts Records Database, and Washington State Patrol Data. Secondly, this information may come from other sources, such as the Superform or the sentencing document.

Some victim services data is collected by nonprofit providers.

### ***Data limitations at all levels***

There are significant limitations to the data at all levels. Because enforcement priorities may not be targeted to trafficking, and victims are often fearful of reporting their situation to law enforcement or service providers, there may be possible undercounts for both labor and commercial sex trafficking. Qualitative data is not collected rigorously or consistently by either governments or nonprofit agencies. Data definitions, collection and reporting are not consistent or shared among law enforcement, providers, or other systems.

### ***Who addresses human trafficking?***

Human trafficking response occurs in each of the pillars of civil society: Government, nonprofit organizations (including the faith-based community) and increasingly, the business community is being asked to respond and is responding.

### ***Categories of current human trafficking responses***

Governmental, nongovernmental and civil society responses to both labor and commercial sex human trafficking may fall into the following areas: 1) Law enforcement and **prosecution** (or “suppression”); 2) Provision of services to victims (sometimes referred to as “rescuing” and “restoring” victims or **protection** and 3) **Prevention** of trafficking. (These response areas are occasionally referred to as the ‘three Ps’.) The type, scope and jurisdictional focus depends upon the type of trafficking that is being addressed and whether the type of intended response is to arrest and prosecute, support victims or prevent future trafficking (or re-trafficking of the same victim).

King County government’s local focus to date has been specific and targeted, with multiple successes in arresting and prosecuting perpetrators, who include both buyers (“johns”) and traffickers (“pimps”), providing health and human services to victims (prostituted individuals), and supporting community efforts to raise awareness about human trafficking. Over the past year, additional efforts to improve response have been integrated into existing county work and programs.

### **Legal and Policy Framework**

The elements of human trafficking crimes are defined under various legal statutes and accords at the international, national, state and local levels.

#### ***King County policy related to trafficking***

The King County Code (K.C.C.) criminalizes prostitution itself and prostitution-related offenses (such as patronizing) as misdemeanors under the same section of the K.C.C. (12.63.010) Commercial sexual exploitation and related crimes involving minors are addressed under state law due to the fact that they are felonies. Human trafficking as a specific crime is also a felony under state law and therefore would not be addressed under the K.C.C. King County has also created anti-prostitution emphasis areas to allow arrest and charging of repeat offenders in specific neighborhoods. The K.C.C. also creates a public nuisance category for buildings used for prostitution, allowing civil remedies against specific building owners, including abatement of the nuisance by closing the building. (See Appendix D: State and Local Statutes Related to Human Trafficking.)

#### ***State policy related to trafficking***

In 2002, Washington state became the first US state to enact a law that specifically defines and criminalizes human trafficking (RCW 9A.40.100) at the state level.

Washington then added other laws that directly prohibit commercial sexual exploitation of children (through several statutes). It is a misdemeanor crime under state law to purchase commercial sex from adults (patronizing a prostitute – “johns”), as well as to offer commercial sex (prostitution), or “permit” prostitution. All crimes other than patronizing a prostitute or the criminal act of prostitution and permitting prostitution are felony offenses. Multiple bills have been passed since 2002 (including 12 bills in 2012 and several bills in 2013) to strengthen various aspects of these laws and to ensure that all types of trafficking situations are included, as well as to respond to increases in internet-based, massage parlor and gang-related activities.<sup>iv</sup>

In addition to past committees and task forces on human trafficking broadly, in 2013, in Engrossed Substitute House Bill 1291, the legislature established a committee on sex trafficking, that shall, by December 2014, produce a report on its activities, together with a statewide plan to address sex trafficking in Washington. The report is to be submitted to the Governor’s office and the legislature. Specific instructions to the committee include: Analyzing data on state laws related to commercial sex trafficking and their effect; receiving and reviewing 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; gathering and reviewing existing data, research, and literature to help shape a plan of action to address human trafficking in Washington to include: (i) Strategies for Washington to undertake to end sex trafficking; and (ii) Necessary data collection improvements. (See Appendix D: State and Local Statutes Related to Human Trafficking.)

Washington was recently given a perfect score, along with one other state (Vermont) in human trafficking laws by the Polaris Institute, a key national nonprofit organization advocating for and serving human trafficking victims.

### ***National policy related to trafficking***

Under US federal law, slavery and involuntary servitude are illegal under the 13<sup>th</sup> amendment of the US Constitution.

Various US statutes specifically address human trafficking, including the Trafficking Victims Protection Act (TVPA) of 2000 (Pub. L. 106-386), as amended, or other related crimes.<sup>v</sup> The TVPA was most recently reauthorized in March, 2013.

Under US federal law, “severe forms of trafficking in persons” includes both sex trafficking and labor trafficking:

- 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, or in which the person induced to perform such an act has not attained 18 years of age. (22 USC § 7102; 8 CFR § 214.11(a)).
- Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102).<sup>vi</sup>  
(See Appendix C: Federal Statutes Related to Human Trafficking and Prostitution.)

Multiple additional federal crimes related to prostitution exist within the US Code. (See Appendix C: Federal Statutes Related to Human Trafficking and Prostitution.)

In September, 2012, the Obama Administration announced a comprehensive initiative to improve US efforts to eliminate human trafficking.<sup>vii</sup> In addition to continuing to arrest and prosecute criminals and operate the President's Interagency Task Force to Monitor and Combat Trafficking in Persons, the President announced four new initiatives and two projects that focus on increased arrest and prosecutions, victim services, and prevention.<sup>viii</sup>

### ***International law related to trafficking***

Human trafficking is illegal under the Palermo Protocols, international agreements adopted by the United Nations in 2000 to supplement the 2000 Convention against Transnational Organized Crime<sup>ix</sup> and ratified by the United States in 2005. Under the Palermo Trafficking Protocol, sexual exploitation in the context of intimate partner relationships, including marriage, is also prohibited as long as the other elements of human trafficking are present. The definitions of human trafficking under the Palermo Protocols are widely accepted as standard definitions of human trafficking by countries, states and local legal and social service professionals assisting victims and are "more inclusive and flexible than . . . state and federal criminal statutes . . . (because they take) into consideration the tactics employed by traffickers that are insidious and prevalent, but do not fall neatly into the criminal law categories of force, fraud or coercion." (Leidholdt, 2008)<sup>x</sup>

### ***Institutional policies related to trafficking***

Businesses and other institutions are also responding to human trafficking through adoption of internal policies or signing corporate social responsibility statements

intended to address trafficking. For instance, Alaska Air Group recently signed the Airport Vendor Code of Labor Standards which applies to vendors at airports providing supporting services for operation of passenger air service (such as cleaning, maintenance, fueling, etc.). Adherence to the standards is intended to ensure that vendors doing business with Alaska or Horizon implement and integrate the code into their businesses in order to prevent trafficked labor. Another example is a recent public/private collaboration between the KCPAO and the nonprofit organization Businesses Ending Slavery and Trafficking, which created a training protocol/curriculum for hotel staff in recognizing and addressing human trafficking.

## **Trafficking Responses – Local, State and National**

Across the globe, many strategies and activities have been employed by the different actors in civil society to suppress, prevent, and respond to human trafficking within the three broad areas as noted above: Prosecution, protection and prevention responses.

### ***Law Enforcement and Criminal Justice (Prosecution)***

Governmental authorities at the local, state, national and international levels collaborate and work independently and collaboratively to investigate, arrest, charge, and prosecute perpetrators of human trafficking.

- *Arrest and Prosecutions in Labor Trafficking Cases.*
  - *Local and State Response.* With Washington's new human trafficking statute, local and state law enforcement may investigate and prosecute labor trafficking cases under that state law, though this does not appear to be occurring commonly, if at all. (A small number of cases were prosecuted in 2011-2012 under the human trafficking law; according to the KCPAO, none of these were labor cases in 2011-2012.)
  - *Federal Response.* Labor trafficking cases in the US appear to be most likely to be investigated and prosecuted under federal law, through the US agencies such as the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI) and the US Attorney General (US AG), though local and state law enforcement may participate in investigations, stings and arrests. According to its website, the US Department of Homeland Security is responsible for investigating human trafficking, arresting traffickers and protecting victims and initiates hundreds of investigations and makes numerous arrests every year, using a victim-centered approach. The

department also processes immigration relief through Continued Presence (CP), T visas, and U visas to victims of human trafficking and other designated crimes. (Department of Homeland Security, n.d.) Also according to its website, in 2010, DHS launched the Blue Campaign, unifying the DHS components to more effectively combat human trafficking through enhanced public awareness, training, victim assistance, and law enforcement investigations. A complete description of US enforcement and prosecution activities in 2012 can be found in the annual Trafficking in Persons report published by the US Department of State. (US Department of State, 2013)

The US AG for Western Washington prosecuted 19 human trafficking cases in 2012, and over forty cases in the past 8 years, though it is unclear how many of these cases were labor or commercial sex trafficking cases.<sup>xi</sup>

- *Arrests and Prosecutions in Commercial Sex Cases.*

By some reports, domestic (US citizen) victims are more likely to be victims of the commercial sex trade than forced into other types of labor.<sup>xii</sup> They may be moved from one locale to another within a state or jurisdiction, or even across state borders, though movement is not required to constitute a crime under several statutes. Both the US government and local governments participate in proactive investigations such as stings and reverse stings; local law enforcement also responds to complaints of prostitution situations from community members, businesses, and patrols areas with known problems to make arrests. Thus, cases may be prosecuted under federal or state law<sup>xiii</sup> in cases of commercial sexual exploitation.

- *Local Response.* Locally, King County's law enforcement and criminal justice systems address commercial sex trafficking of youth and adults through participation in these federal and other local coordinated efforts, as well as individual responses by officers and detectives to investigate, contact, and arrest, charge and prosecute trafficking perpetrators. At the local level, King County also participates in a Federally-convened task force - the Central Sound Child Exploitation Task Force (described further below), which provides a rapid and effective investigative response to reported federal crimes involving the victimization of children. The Seattle-based Central Sound CETF is a partnership between the FBI, the King County Sheriff's Office (KCSO), and the Seattle, Kent, SeaTac, Port of Seattle, and Bellevue police departments. The KCPAO also helps to coordinate and assist on investigations by working closely with King County's 39 police agencies on trafficking cases.



Charges for commercial sex trafficking tend to occur under statutes other than the state's human trafficking law, including but not limited to the state's newer law on "commercial sexual abuse of a minor". Facts of each case determine charges.

- *Federal Response.* In June 2003, the FBI, in conjunction with the US DOJ Child Exploitation and Obscenity Section and the National Center for Missing and Exploited Children, launched the Innocence Lost National Initiative. Their combined efforts were aimed at addressing the growing problem of domestic sex trafficking of children in the US. The initiative convenes task forces throughout the US involving federal, state, and local law enforcement agencies working in tandem with federal US AG's offices. According to its website, in January, 2013, the FBI merged the Innocence Lost Task Forces (ILTFs) in our region into three Child Exploitation Task Forces (CETFs) to combat commercial sexual exploitation of children (CSEC)—and those of Innocent Images investigators who were working to stop the production and distribution of child pornography facilitated by and perpetuated through the Internet. The FBI notes that, similar to the ILTFs in Washington which were formalized in 2008, the CETFs provide a rapid and effective investigative response to reported federal crimes involving the victimization of children. The CETFs strive to reduce the vulnerability of children to all acts of sexual exploitation and abuse. They continue to identify and rescue child victims and go after both pimps and Internet predators. They also continue to strengthen the capabilities of federal, state, and local law enforcement through training programs and investigative assistance. <sup>xiv</sup> One of these task forces locally is the Central Sound Child Exploitation Task Force, noted above.

### ***Intervention and Victim Services (Protection)***

- *Services for Labor Trafficking Victims.*
  - *Local Response.* King County does not fund targeted services or offer direct services for specifically identified labor trafficking victims but victims may in fact receive local services (such as health care, housing, domestic violence, sexual assault, or other services) through the county or county-funded providers. However, these services are not necessarily targeted to trafficking victims as a group, but are available to all eligible county residents. Just as with state services, no specific identification protocols exist to indicate the extent to which county health or human services are accessed by labor

trafficking victims. There is no mandatory reporting requirement for health care or other providers to report trafficking.

- *State Response.* Through Washington's Office of Crime Victim's Advocates, the state of Washington also seeks to support labor (and all) trafficking victims by ensuring that each regional office has an advocate for human trafficking victims. Because labor victims are often foreign nationals, they may not initially qualify for state services. Specific recommendations of the Washington State Task Force on Human Trafficking are intended to ensure that victims are able to access state services where relevant. An example is the task force recommendation in 2008 to permit undocumented labor trafficking victims to access state-funded civil legal aid. State law also allows local governments to use specific revenue from local document recording fees to support victim housing needs. Through safety net services such as emergency room care, it is possible that unidentified victims are also receiving state-funded services; this is unknown due to lack of data collection or identification protocols.
- *Federal Response.* The federal government has led efforts to identify barriers to federally-funded or delivered services, to establish forums for communication among various governmental and non-governmental agencies, and to begin to 'name' best practices for identification of victims, and services and strategies for delivery, for both labor and commercial sex human trafficking victims. Much of this information is also made available to state and local governments and service providers through web-based resources, trainings and financial support.
  - Under the US TVPA of 2000, the US Department of Health and Human Services (US HHS) is designated as the agency responsible for helping victims of human trafficking become eligible to receive benefits and services so they may rebuild their lives safely in the US. Within HHS, the Administration for Children and Families (ACF) plays a key role in coordinating federal services response across multiple federal agencies, including the Office of Refugee Resettlement (ORR) focus on international trafficked labor victims and the Family and Youth Services and Children's Bureaus focus on domestic commercial sex trafficking victims.
  - According to the ACF's website, all regional offices (including Region X, based in Seattle) partner with local organizations, task forces, and coalitions of human trafficking awareness efforts throughout the year.

In 2013, as part of the Obama Administration's new initiative, the ACF released a new strategic plan for victim services.<sup>xv</sup>

- The US DOJ, through its Bureau of Justice Affairs (BJA) in coordination with the Washington Office for Victims of Crime Advocates (OVCA) leads federal-local coordination through funding of 12 regional or local task forces, including one in Western Washington co-chaired by the US AG's office, Seattle Police Department and Washington Anti-trafficking Rescue Network (WARN). To combat human trafficking, BJA's efforts have been two-pronged: 1) to develop training for law enforcement and communities to identify trafficking in persons and rescue victims by working with federal law enforcement and victims service providers; and 2) to support and fund task forces (in coordination with OVCA and HHS) based on a sound strategy of collaboration among state and local enforcement, trafficking victim services providers, federal law enforcement, and US AG's offices.
- The US Anti-Trafficking in Persons (ATIP) program at the Office of Refugee Resettlement (ORR) identifies and serves victims of human trafficking in the United States to become eligible for public benefits and services to the same extent as refugees. The program has initiated the Rescue and Restore Victims of Human Trafficking Campaign to educate health care providers, social service organizations and the law enforcement community about the issue of human trafficking. The purpose of the campaign is to encourage those individuals who are most likely to encounter victims on a daily basis to look beneath the surface, recognize clues and ask the right questions to help victims. A critical component of the Rescue and Restore campaign is the creation of the National Human Trafficking Resource Center (1-888-373-7888). Center staff helps callers determine if they have encountered victims of human trafficking, identify local resources available in their community and connect victims with local social service organizations so that they can safely begin the process of restoring their lives.<sup>xvi</sup>
- *Non-Governmental Response.* Labor trafficking victims may access targeted services through referrals by organizations such as the Washington Anti-Trafficking Rescue Network (WARN), a coalition of organizations in Washington that provide direct assistance to victims of trafficking. Known nonprofit organizations that address services for labor trafficking victims

include WARN, API-Chaya, the Refugee Women's Alliance and Friends of Youth.

There is no comprehensive list of dedicated human trafficking victim service providers in King County, though there is a national clearinghouse of resources for trafficking victims created and maintained by the US ACF. Local information and referral agencies (such as 211) may refer to general health and human services providers. As noted, many services may be provided to victims who either do not self-identify, or are not recognized by the provider as a human trafficking victim, making it impossible to know exactly where victims access relevant services.

- *Services for Commercial Sex Trafficking Victims.*
  - *Local Response.* King County directly funds services for 5 youth beds, through a contract with YouthCare. In addition, establishment of a new Commercially Sexually Exploited Children protocol and multi-disciplinary teams is intended to identify a wrap-around case management and support strategy for identified youth within forty-eight hours of identification. The model statewide protocol is currently being adapted by the King County Commercially Sexually Exploited Children Task Force, to meet the needs of the multi-disciplinary teams. A countywide training will be held in October, 2013. As noted above, through other contracts for direct services and county services themselves, King County likely touches multiple trafficking victims each day, though the extent is unknown due to the lack of a formal identification protocol. Examples of types of services that may touch victims include: Street outreach to homeless youth, law enforcement contacts, sexual assault and domestic violence services, justice center and jail services, emergency medical services, and health care services through public health and other clinics.
  - *State Response.* The state of Washington's OCVAs' regional victim advocates for human trafficking may also support commercial sex trafficking victims through information and referral. Unlike international labor trafficking, however, many state services may touch currently commercially sex-trafficked and at-risk individuals, including the foster care system, the education system, services for homeless adults and youth, and state-funded health insurance benefits.
  - *Federal Response.* The US government's ACF's Family & Youth Services Bureau (FYSB) has two programs that address domestic commercial sex trafficking victims or those at risk of trafficking – the Runaway and Homeless Youth

Program and the Family Violence Prevention and Services Program. These programs provide funding to local providers to support at-risk and currently homeless individuals. FYSB has also produced a guide to finding services for runaway and homeless victims of trafficking and created a national clearing-house of resources on human trafficking. The Children's Bureau (CB) of the ACF also provides financial support and guidance to federal, state, tribal, and local agencies for family strengthening initiatives, preventing child abuse and neglect and protecting children when abuse and neglect has occurred, as well as child placement. The CB has produced links to relevant information resources for child welfare agencies responding to human trafficking of children.

- *Non-Governmental Response.* In addition to governmental response, local, national and international non-governmental organizations act to raise awareness of the issue (often with the explicit purpose of increasing the identification of and rescue of victims). A national nonprofit organization, the Polaris Institute, acts as a national information and referral agency for human trafficking victims. Polaris operates the single national hotline for human trafficking victims. For international victims, local organizations work to provide services to these survivors, support prosecution of perpetrators, and repatriate or reunify individuals with their families. For domestic commercial sexual exploitation survivors, nonprofit organizations work to provide services for victims, and to support them to exit prostitution. Community-based organizations frequently play a leading role in raising awareness of the general public, providing universal access information (such as the single national hotline for human trafficking victims), training first responders and other governmental staff who may recognize and rescue victims. Community-based organizations are often the leaders in advocating for improved policies to improve identification and support of victims, and prosecution of perpetrators.

Local community-based service providers that directly address the needs of commercial sex trafficking victims include: WARN, Friends of Youth, YouthCare and the Organization of Prostitution Survivors. In addition, these and other local community organizations work to raise awareness and support victims, including faith-based organizations, organizations working in schools (for example, in Federal Way), and providing training to communities in how to respond. A new regional group of human services providers has just started to meet regularly to share information and strategies to address the needs of youth victims. This group is convened by YouthCare and the Washington state Office of Superintendent of Public Instruction.

### ***Stopping Human Trafficking (Prevention)***

Prevention of human trafficking may be defined as preventing the immediate trafficking situation, or preventing systemic facilitators of trafficking, a more upstream approach.

- *Prevention of Labor Trafficking.*
  - *Local Response.* King County's focus to date on prevention of labor trafficking has been targeted and specific through public awareness work utilizing focused campaign messages on METRO buses, as well as efforts to prevent 'revictimization' or new recruitment through arrest and prosecution of perpetrators.
  - *State Response.* Utilizing a similar government-wide approach, in 2002, the Washington state legislature passed a bill to establish a one-time state task force on trafficking in persons, comprised of multiple state agencies and partners, for the purpose of writing a report to the legislature on human trafficking in Washington. That report was submitted to the legislature in 2003. Subsequent budget provisos have led to reauthorization of the state task force and a direction to the Department of Community, Trade and Economic Development's (CTED) OCVA to produce additional reports to the legislature in 2005, 2006 and 2008. According to the CTED website, many of the task forces' state policy recommendations have been adopted. The goal of the 2008 report was to provide policy makers, local and state service providers, and Washington communities, their collective best thinking to develop a comprehensive statewide response to the crime of human trafficking. The 2008 report provided a series of phased recommendations for state-level response to trafficking.<sup>xvii</sup> Beginning in the 2009-2011 biennium, the report specified that the OCVA regions would have a crime victim advocate who would take the lead in organizing anti-human trafficking efforts in their respective regions.
  - *Federal Response.* In many ways, the 2000 Trafficking in Victims Act and its subsequent reauthorizations created the framework for the federal government's response to human trafficking. The law included the authorization to establish the US Office to Monitor and Combat Trafficking in Persons Office (US OTIP) and the President's Interagency Task Force to Monitor and Combat Trafficking in Persons to assist in the coordination of anti-trafficking efforts. The newest federal initiative on human trafficking, announced by President Obama in 2012, addresses prevention through monitoring of federal contracts, funding and raising overall public awareness

through participation in awareness campaigns and information and referral, and by producing an annual report on countries' legislative, law enforcement and judicial responses to human trafficking. In the US OTIP annual report, countries are ranked against a set of stringent criteria; failing to meet an adequate score code risks sanctions by the US in its relationship with that country.

While it is beyond the scope of this report to provide a detailed list of US activities abroad at embassies and consulates and in inter-governmental relationships to prevent individuals from being recruited into trafficking situations, they include activities as diverse as providing relevant information about labor and immigration rights to individuals seeking to enter the US, immigration reform, and the focus of international development assistance on strengthening economies and the rights of girls and women.

- *Non-Governmental Response.* Nationally and locally, multiple organizations are working to raise awareness about labor trafficking as a prevention strategy, both to ensure that victims are recognized and rescued, as well as to address broader structural factors that permit trafficking. Locally, organizations include WARN, Seattle Against Slavery, Businesses Ending Slavery and Trafficking, and Washington Engage, among others.
- *Prevention of Commercial Sex Trafficking.*
  - *Local Response.* Using a similar approach to labor trafficking, King County and other local governments utilize law enforcement strategies to prevent future trafficking of identified victims (through arrest and prosecution of their traffickers), and are increasingly utilizing public awareness strategies to ensure that the public can be the 'eyes and ears' to help identify and rescue victims. For example, the recent human trafficking awareness campaign on METRO buses includes images and messages about commercial sex trafficking.
  - *State Response.* The state of Washington's increasingly targeted policy approaches to prevent commercial sex trafficking are indicators of the high level of awareness among state policy makers of the need to 'get ahead' of trafficking situations. Specific policy approaches such as criminalizing transporting of individuals for commercial sex trafficking, restricting internet advertisements that promote commercial sex trafficking, eliminating consent as a defense to underage commercial sex trafficking and strengthening asset forfeiture laws and targeting seized funds to law enforcement and victim services all play a role in prevention of human trafficking.

In 2013, as noted above, a new state task force on commercially sexually exploited youth will begin to address protocols and best practices for state agencies regarding service delivery to that population. While the task force is not focused on upstream prevention efforts, better identification of victim circumstances may lead to improved prevention strategies in the future.

It is beyond the scope of this report to evaluate the other types of state services and funding that address root causes of commercial sex trafficking, but family strengthening programs, funding and support to youth at-risk of running away or homeless youth, and targeted services may all play a role in preventing reentry/re-recruitment by pimps and buyers, as well as preventing victimization in the first place.

- *Federal Response.* Federal efforts to prevent commercial sex trafficking are also framed under the TVPA law. In addition to efforts to prevent 're-trafficking' of victims or trafficking of new victims at the 'retail' level through law enforcement and criminal justice strategies, many of the federal government's strategies deployed to assist international victims equally apply to domestic commercial sex trafficking victims, including raising public awareness, supporting the national hotline for victims and the public, and providing informational and training resources to state and local governments.

In addition, funding and strategies that recognize the high degree of risk for runaway and homeless youth for recruitment/coercion into commercial sex work is part of the federal government's strategies surrounding investment and services for these at-risk populations.

### **Labor Trafficking in King County: An Incomplete Picture**

As noted above, a key driver for labor trafficking is economic conditions; those willing to prey on and manipulate vulnerable individuals in need of work (both locally and through international recruiters). Immigration reform and international trade agreements are seen as a potential increased risk of trafficking with legalized supply of cheap labor.

According to the Washington Task Force against Trafficking in Persons, the King County area is 'at risk' for labor trafficking, due to international immigration, the types of industries in our community, our location near international borders and our port.



The way that labor trafficking might occur in King County would be forced labor (coercion), bonded labor/debt bondage (use of debt as coercion), and/or involuntary domestic servitude. Various industries in King County have been named as 'at-risk' by the Washington State Task Force on Human Trafficking and through focus groups and interviews for development of this report. Types of industries where trafficking occurs may include: agriculture, massage parlors, escort services, restaurants, landscaping, construction, nursing homes, domestic labor (nannies, cooks, housekeepers), and cleaning services. (It is also important to note that the division between labor and commercial sex trafficking may not be clear, depending upon the facts of the case.) King County does not have jurisdiction over immigration policy or international trade agreements.

The King County Council budget proviso required the Executive to provide the following data and information regarding labor trafficking in King County (excerpt from full proviso):

A. Data on individuals who are victims of human trafficking, including... anyone forced into labor or services against their will including:

1. Demographic data on how the trafficked individuals entered the county and entered into the human trafficking activities, and how the activity was identified; and
2. Demographic data on the perpetrators of human trafficking;

B. Identification of best practices and necessary services for human trafficking prevention and intervention, and to assist individuals to exit human trafficking;

Because the proviso also required the report to incorporate the KCSO report, the section below also addresses language contained in that section of the proviso and the following data as it relates to labor trafficking:

A. Identification of incidences of intelligence, investigations and arrests, related to . . . human traffic victims;

B. Data on the linkage of human trafficking to interaction with gangs, transnational criminal organizations and other criminal enterprises;

C. Identification of the number of youth and adults involved as victims, including their entry point and . . . their entry into King County;

D. Identification of trends and geographic data

### ***Who are the victims of labor trafficking in King County?***

There is no single source of complete data on individual cases (either identified or prosecuted), nor data sharing protocols between federal, state, and local governments and service providers, making it difficult to obtain qualitative or quantitative data on the scope and nature of labor trafficking in King County.

- *National origin of victims served in King County:* Through the focus group convened for this report, and semi-structured interviews, data from service providers in King County show that in the past two years (2011-2012), victims served by several providers came from the following countries: El Salvador, Ethiopia, Guatemala, India, Korea (South), Mexico, Micronesia, Nicaragua, Pakistan, Philippines, Russia, Senegal and Thailand. Over the same 2 years, the highest percentage of victims came from 4 countries from highest to lowest percentage: Philippines, Thailand, Mexico, and Russia. In the 2013 US Trafficking in Persons Report that ranks countries based on human trafficking criteria, China and Russia both fell to the lowest tier, risking US sanctions. The Philippines, Thailand and Mexico are each on the US 'watch' list on the 2nd tier.

Providers note that they may serve victims who are not residing in King County but who seek services in King County.

Other victims may be served without being identified as victims.

Goods and products made outside of King County by trafficked labor may also be imported and sold in King County.

- *Gender of victims served:* Service data provided by WARN indicate that clients served in 2011-2012 were approximately 75% female and 25% male.
- *Numbers of victims identified in King County:* WARN and its partners identified 38 victims of trafficking in 2011 and 63 in 2012, and served 20 clients in 2011 and 29 in 2012. No US citizens were served through WARN in 2011. In 2012, WARN's funding restrictions changed, and they also began to serve US citizens.

Friends of Youth also serves male foreign national youth victims, ages 12-17, of human trafficking. Because of the confidentiality of victim information, no total numbers are available from Friends of Youth. These data are not comprehensive because there is no easy way to survey all potential provider agencies, and many providers may not know that they are serving trafficking victims.

### ***Who are the perpetrators of labor trafficking in King County?***

Again, there is no consistent frame or process for collecting and reporting quantitative or qualitative data at the local level on labor trafficking. One provider noted that “some of the minors [that they served] claim that they were apprehended on the border outside of the US by members of gangs or drug cartels. Some report that they were walking and were offered some food and upon entering the house were told that they could not leave. Minors report being intimidated with guns, physical abuse and food deprivation. Most of the minors served have alleged being a victim of trafficking report having been held at the border against their will, without food, and extreme threats against their life. Many of them have been forced to smuggle other people or transport drugs.”<sup>xviii</sup>

### ***King County work to address labor trafficking***

King County plays a targeted and limited role in supporting efforts to address labor trafficking.

- King County participates in the Washington Anti-Trafficking Committee (WashACT), the regional committee on trafficking convened by the US AG, City of Seattle Police Department, and WARN.
- King County may fund service provision to trafficking victims through contracts with partner agencies; it is unclear the extent of county financial support for labor trafficking victim services.
- King County’s successful public awareness campaign led to a more than 200% increase in calls to the national hotline over a period of several months in early 2013 (though it is unknown how many of these calls were for labor trafficking situations). METRO bus ads continue to run, including labor-specific images and messages, and the campaign also led to interest and further deployment of the same visual messages on multiple billboards in the King County area, sponsored by Clear Channel and the City of Seattle. The campaign also resulted in the City of Yakima’s decision to run the same advertisements, as well as Clear Channel billboards in the I-5 corridor outside of King County. Launch of the campaign also resulted in a front page Seattle Times article and KUOW interview featuring a trafficking survivor, who also spoke at the campaign press conference. Hits to the King County website (featured on the bus ads) are over 6,750 as of August 2013, further leveraging public attention around the issue.

***Overall conclusions from the data and response to labor trafficking in King County***

Even with a limited snapshot from service provider data provided for this report, data collected did not provide a clear picture of labor trafficking prevalence in King County. WSP data indicated that human trafficking crimes were charged; however, the data cannot be disaggregated into labor and commercial sex trafficking crimes, though the KCPAO reports that no labor trafficking cases have been referred for prosecution. Based on national estimates of trafficking, numbers in King County would be much higher than locally collected data suggests.

Overall, we do not have a clear picture of the extent of any labor trafficking in King County, particularly because no cases are being referred for prosecution. King County government's targeted and limited response may be raising additional attention to labor trafficking, as well as commercial sex trafficking, due to the broad message and images that clearly depict labor trafficking situations.

***Strategies from the field: Lessons and proposals to address labor trafficking***

Labor trafficking response reviews have been conducted extensively by the United Nations and international nonprofit agencies, as well as by other nations, given the global reach of trafficking. **Yet, few, if any, evidence based approaches are identified and no studies were identified that articulated best practices for local governments in the US to respond to labor trafficking.** As noted above, the field of human trafficking response is relatively young, and trafficking situations are as diverse as the individuals and locations involved. It is difficult to sample a broad population of victims or situations, in part due to the hidden nature of the population involved. Many reports in the grey literature list “best practices” when they are, in fact, recommendations or current practices but not rigorously evaluated; even in empirical research, many studies rely on convenience samples of clients receiving services. The Institute for the Study of International Migration’s 2008 bibliography of research-based literature indicates that the vast majority of empirical and non-empirical studies are on commercial sex trafficking, not labor trafficking. Practices or strategies listed below are therefore derived from the reports and the grey literature, a focus group convened for purposes of this report, and interviews.

**Table 1. Labor Trafficking Response Strategies**

| Law Enforcement/Criminal Justice (Prosecution)                                                                              | Intervention/Services (Protection)                                                                                                           | Prevention                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Coordinate with federal agencies in investigation, arrest, and prosecution of labor trafficking perpetrators                | Ensure that service providers are trained and aware of specific federal supports to labor trafficking victims (including immigration relief) | Mapping the continuum of trafficking from risk to recruitment to victim to rescue can help to pinpoint appropriate communications, law enforcement and services needs                              |
| Utilize Washington human trafficking law to charge and prosecute perpetrators locally when not prosecuted under federal law | Provide appropriate housing services to foreign national victims (domestic violence shelters may or may not be appropriate)                  | Understand policy, systems and practices that result in cheap labor supply (including through immigration reform, international trade agreements, and specific industries) and support systems and |

| Law Enforcement/Criminal Justice (Prosecution) | Intervention/Services (Protection)                                                                                                                                                                                                               | Prevention                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                |                                                                                                                                                                                                                                                  | strategies that reduce the risk of trafficking (e.g., resolutions can support efforts of others even if no jurisdictional authority)                                                                                                                                                                                             |
|                                                | <p>Provide appropriate, trauma-informed continuum of services (emergency, to temporary, to permanent) relevant to foreign national survivors</p> <p>Provide trauma-informed mental health services for PTSD, major depressive disorder, etc.</p> | Utilize effective targeted and general public awareness strategies. Recognize that in some communities, community leaders are complicit in trafficking or unwilling to speak out                                                                                                                                                 |
|                                                |                                                                                                                                                                                                                                                  | “Do no harm” – utilize contracting and other mechanisms such as supply chain protocol or Corporate Social Responsibility Statements to minimize risk that suppliers and contractors are utilizing trafficked labor (see, for example, Code of Conduct for Protection of Children from Sexual Exploitation in Travel and Tourism) |

## **Commercial Sex Trafficking in King County: 2011-2012 Data & Response**

The King County Council budget proviso required the Executive to provide the following data and information regarding commercial sex trafficking in King County (excerpt from full proviso):

A. Data on individuals who are victims of human trafficking, including children who are involved in commercial sex trade, adults who are coerced or deceived into commercial sex acts . . . including:

1. Demographic data on how the trafficked individuals entered the county and entered into the human trafficking activities, and how the activity was identified; and
2. Demographic data on the perpetrators of human trafficking;

Because the proviso also required the report to incorporate the KCSO report, the section below also addresses language contained in that section of the proviso and the following data as it relates to commercial sex trafficking:

A. Identification of incidences of intelligence, investigations and arrests, related to commercially sexually exploited youth and human traffic victims;

B. Data on the linkage of human trafficking to interaction with gangs, transnational criminal organizations and other criminal enterprises;

C. Identification of the number of youth and adults involved as victims, including their entry point and mode of entry into the sex trade and their entry into King County;

D. Identification of trends and geographic data;

E. Information on pimps, prostitution rings, massage parlors and points of contact where individuals are approached for entry into illegal sex trafficking or engage in related behavior.

### ***Who are the victims of commercial sex trafficking in King County?***

According to the Washington State Task Force on Human Trafficking, Seattle is part of a trafficking circuit that can include Honolulu, Las Vegas, New Orleans, Portland, Vancouver (Clark County), Yakima and Canada.

Based upon KCPAO data, the majority of victims did not identify themselves as 'voluntarily' entering into prostitution, but were either approached, recruited by a

'boyfriend' or another victim, engaged in survival sex once on the street, physically forced into prostitution, or worked at a massage parlor. (See KCPAO Data, Appendix F, Chart 1)

Distinguishing between adult and youth commercial sex victims for purposes of quantifying the problem can be arbitrary. Studies show that most adult victims entered prostitution as youth – and therefore would have been defined as trafficking victims. By including both youth and adult victims of prostitution when reviewing data, it is possible to get a somewhat more complete picture of the problem, notwithstanding the lack of consistent, required, formal data collection mechanisms.

- *Number of Identified Adult Victims.* Washington State Patrol (WSP) reports 1,022 total arrests in King County in 2011-2012 for adult prostitution and prostitution-related crimes (prostitution, promoting prostitution, patronizing, prostitution-related, trafficking, permitting prostitution and promoting travel for prostitution). Of these total arrests, 530 were for prostitution (arrest of the prostituted individual for solicitation). (see KCPAO Data, Appendix F, Chart 2) (It is unclear if these are unduplicated counts; some individuals may have multiple arrests. Note that this data only includes arrests for violations of state law, not misdemeanor arrests under local ordinance related to prostitution.) Between 2008-2012, according to the WSP data, adults in King County (all jurisdictions) were arrested for prostitution (varying by year) up to 10 times more often than pimps or buyers/"johns." (See KCPAO Data, Appendix F, Chart 3)
- *Number of Identified Youth Cases.* In 2008, 300-500 youth, and potentially up to 800 youth, were estimated to be involved in prostitution in the greater Seattle area, according to a report commissioned by the City of Seattle Human Services Department (the most recent comprehensive local report of this type).

King County Prosecuting Attorney's Office (KCPAO) data shows that in 2011-2012, 80 cases (crimes of Commercial Sexual Abuse of a Minor - CSAM, promoting CSAM, or sexual exploitation of a minor) were prosecuted related to commercial sexual exploitation of youth. Washington State Patrol (WSP) reports that in this same period, 84 arrests (for commercial sexual abuse of a minor, promoting commercial sexual abuse of minor, sexual exploitation of a minor, permitting commercial sexual abuse of a minor, promoting travel for commercial sexual abuse of a minor) occurred in King County.

- *Additional Potential Trafficking Victims:* Through review of intelligence and investigation reports using key words related to trafficking, KCSO identified nearly 200 additional individuals in 2011-2012 within King County's law



enforcement jurisdiction who were possible victims of human trafficking based on contacts with investigators. (See KCSO Report, Appendix E)

- *Race/ethnicity of victims:* According to KCPAO data, in prosecuted cases where race/ethnicity of the victim was known, 25% percent of victims in King County in 2011-2012 were White, 23% percent were Black, four percent were Asian, three percent Hispanic, one percent American Indian. Forty-four percent were of unknown race/ethnicity. (See KCPAO Data, Appendix F, Chart 4)
- *System involvement of victims:* According to KCPAO data, 66% percent of youth victims had juvenile criminal history; over 30% were involved with the Washington Department of Social and Human Services. Runaways are at highest risk of commercial sexual exploitation according to national research. It is unclear if runaways in Washington are flagged across multiple systems for preventive intervention with screening tools for state/local agencies.

#### ***Who are the perpetrators of commercial sex trafficking in King County?***

- *Race/ethnicity of perpetrators:* According to data collected from case files by the KCPAO's office, in 2011-2012, 87% percent of those arrested on promoting prostitution-related charges ('pimp' charges) were Black, while six percent were White, three percent were Hispanic, three percent were Asian, one percent were American Indian, and one percent were unknown.

In this same time period, also from data collected from case files by the KCPAO's office, in buyer/"John"-related charges, 47% percent of buyers/"Johns" were Black, 35% percent were White, 12% percent were Hispanic, and six percent were unknown. Zero percent were Asian and zero percent were American Indian. (See KCPAO Data, Appendix F, Chart 5)

- *Gender and age of perpetrators:* During this time period, 90% of defendants were male and ten percent were female. (See KCPAO Data, Appendix F, Chart 6) 65% of defendants were under age 35, with 38% between the ages of 21-30. Ten percent were between ages 18 and 20. (See KCPAO Data, Appendix F, Chart 7)

#### ***How is commercial sex trafficking occurring in King County?***

*Arrest Location:* In 2011-2012, 93% of all commercial sex related cases filed by the KCPAO originated from arrests in the following geographic areas according to WSP data: City of Seattle, KCSO<sup>xix</sup>, Kent, and SeaTac. (See Appendix F for charts of KCPAO data.)

KCSO reports that in the same period, the majority of prostitution and pimping arrests (not disaggregated) made under King County law enforcement jurisdiction

occurred in Shoreline, Des Moines and at Metro Transit transfer stations. The majority of commercial vice arrests (generally categorized by KCSO as relating to escort services and massage parlors) occurred in SeaTac and Kent. (See Appendix E for KCSO Report)

- *Crime type of location.* KCPAO reports that in 2011-2012, 19% of crimes (all CSAM, adult prostitution and related crimes) were charged in an apartment or house, and that 20% were charged in a motel or hotel. (See KCPAO Data, Appendix F, Chart 8) (Another estimate by Businesses Ending Slavery and Trafficking ((BEST)) reviewing the same data indicates that approximately 45% of cases involved hotels/motels, including five percent of cases that were sting operations). BEST's estimate may be higher because KCPAO's data estimates location by where the crime 'initiated' rather than where it 'concluded.' According to BEST, hotels/motels at all grades were affected in this time period:
  - Independently Operated Motel: 11 known incidents
  - Nationally Branded Economy Hotels: 11 known incidents
  - Nationally Branded Mid-Range Hotels: 7 known incidents
  - Nationally Branded Luxury Hotels: 4 known incidents
- *Overall geographic break-down in areas under KCSO jurisdiction:* KCSO data shows that the majority of its commercial vice arrests in the King County unincorporated area and contract cities occurred in SeaTac and Des Moines and the majority of its prostitution/pimping arrests occurred in Shoreline, Des Moines, and at Metro Transit transfer stations. KCSO wrote 189 case reports in 2011-2012 for prostitution and pimping. WSP data from 2008-2012 (which disaggregates between prostitution and pimping crimes) shows that the highest concentration of arrests overall in King County (with over 100 arrests per jurisdiction) were by KCSO, Seattle, Kent, SeaTac, Tukwila, Des Moines, Federal Way, Renton, Shoreline, Bellevue and Auburn. (See KCSO Report, Appendix E)
- *Gang Involvement.* According to the KCSO, there are no specific statistics on gang involvement in commercial sex trafficking for King County. Some studies show that gangs are more frequently involved in running prostitution rings because of the 'reuse' of the prostitute – with multiple clients and transactions per night, this business is more lucrative than the drug trade, if the income is under gang control. Internet transactions may also be perceived as 'safer' from discovery than drug running or other crimes. According to KCSO, "the National Gang Intelligence Center (NGIC) assesses with high confidence that gangs have expanded their criminal scope into human trafficking due to the potential for high, renewable profit and the low risk of detection. Gangs are frequently recruiting victims

through false promises of wealth and affection, but continuously compel the services of their victims through forceful means. Victims forced into human trafficking are reluctant to report their circumstances to law enforcement for a variety of reasons that include immigration status, financial instability, fear and intimidation.” (See KCSO Report, Appendix E)

Local investigators have identified eleven gangs known to be involved in human trafficking in King County, though it is not possible through current data collection methods to identify consistent gang involvement in individual cases. Eighteen gangs are known to be involved in trafficking at the national level, one of which operates in King County, though others may do so under different names. Gangs known to investigators to be involved in trafficking in King County are:

- Westside Street Mob
- Westside 74 Hoover Crip
- 74 Highway Hoovers
- Rollin’ 60s Neighborhood Crip
- Rollin’ 90s Neighborhood Crip
- Family Mafia Crip
- Gangster Disciple Nation
- Down Wit the Crew [*sic*]
- Marvin Gangster Crip
- Lime Hood Piru
- Mara Salvatrucha 13

Members of Westside Street Mob and Down Wit’ the Crew were convicted of commercial sex trafficking in the past two years. (See KCSO report, Appendix E.)

- *Massage Parlors.* Data collected from online prostitution advertisements, internet prostitution review web sites and other advertisements indicate that there are an estimated 84 massage businesses that are fronts for prostitution/human trafficking in King County. (See KCSO report, Appendix E.) A study in November, 2011, found 19 facilities in King County practicing Asian massage that also had evidence of sexual services being offered in Bellevue, Kirkland, and Redmond. Some of these were in retail strip malls, some were in stand-alone business locations, and some were in professional services or commercial business complexes. (BEST, 2011) (By comparison, in 2011-2012, KCPAO reported that only 8 of all victims ((as self-reported to law enforcement)) were recruited through massage parlors, indicating a relatively low level of law enforcement

contacts with prostituted individuals working at or through massage parlors). (See KCPAO Report, Appendix F, Chart 1)

Since January 1, 2011, KCSO has investigated 22 massage-oriented businesses. KCSO data shows that the majority of commercial vice arrests in 2011-2012 (which include escort services and massage parlors) occurred in SeaTac and Des Moines. In 2011-2012, KCSO wrote 225 total case reports for commercial vice. Because these reports are not disaggregated between escort services and massage parlors, it is not possible to disaggregate by type of business. (See KCSO Report, Appendix E.) Despite the higher case concentration in south King County, a multi-state prostitution ring using undocumented Asian immigrants through massage services as a front was exposed by KCSO, Bellevue police, Kirkland Police and the US Immigration and Customs Enforcement's Homeland Security Investigations through a recent sting operation in 2013. As noted above, it may be difficult to distinguish between whether these types of cases are considered sex trafficking or labor trafficking depending upon the facts of the case and how it is charged.

- *Prostitution and Pimping – King County Sheriff's Office data only:* KCSO has jurisdiction over the King County unincorporated area and 11 contract cities. KCSO case reports are categorized differently from the countywide WSP and KCPAO data (and include only a subset of the countywide geography due to jurisdiction). KCSO reports that the majority of its prostitution and pimping arrests under King County jurisdiction occurred in Shoreline, Des Moines, and at Metro Transit transfer stations (See KCSO report, Appendix E). KCSO wrote 189 case reports in 2011-2012 for prostitution and pimping. Note that these statistics are reported together, so it is not possible to disaggregate by victim versus perpetrator (although notably some victims are also pimps or act as surrogates for pimps).
- *Escort Services:* According to the KCSO, online advertisement of escort services is common in King County. The number of escorts advertised per day is 165, with 45 presumed to be under age 21. (See KCSO report, Appendix E.) KCSO data shows that the majority of its commercial vice arrests in King County unincorporated areas and contract cities (which include escort services and massage parlors) occurred in SeaTac and Des Moines. In 2011-2012, KCSO wrote 225 case reports for commercial vice. Again, because these reports are not disaggregated between escort services and massage parlors, it is not possible to disaggregate by type of business. (See KCSO report, Appendix E.)
- *Miscellaneous:* KCPAO data shows also that 26% of arrests in 2011-2012 were due to sting operations. (See KCPAO Data, Appendix F, Chart 9) KCPAO data also show

that half of all prostitution-related crimes occur with internet involvement, again suggesting that internet advertisement is a common and emerging way to facilitate commercial sexual exploitation of both youth and adults. (See KCPAO Data, Appendix F, Chart 10) Backpage.com, Craigslist and other common online sites have numerous advertisements. KCSO notes that often the age and name of the poster is fictitious. (See KCSO Report, Appendix E)

### ***King County responses to commercial sex trafficking***

Through targeted approaches in 2011-2013 by different King County agencies, the county has responded to commercial sex trafficking situations in King County through the “three Ps,” prosecution, protection and prevention.

- *Targeted Law Enforcement Operations and Prosecuting Commercial Sex Traffickers.* In King County, KCSO coordinates with federal operations and other local law enforcement agencies through intelligence and investigations in their jurisdictions. The KCPAO handles trafficking and felony commercial sex cases from any of the 39 police departments in KC, and coordinates with the United States Attorney’s Office to ensure effective prosecution of each case.
- *Post-sentencing diversion of buyers to ‘john school.’* In some instances, sentencing or plea agreements require buyers of commercial sex to attend “john school,” offered through the City of Seattle Human Services Division, as a way to educate buyers about the impact of their crime on the women and children who they exploit for commercial sex.
- *Funding Direct Services.* King County directly funds five youth beds for human trafficking survivors at YouthCare. YouthCare indicated serving 24 youth in the adolescent shelter or the Bridge program, and 46 youth through case management elsewhere who were involved in prostitution in 2012. The average stay in the Bridge Program was 111 days.
- *Improving Identification and Referral of Youth Victims.* For youth victims, a new Commercial Sexual Exploitation of Children (CSEC) Task Force in King County was recently launched with training support by the Children’s Justice Act Grant received by the Center for Children and Youth Justice. Its members are being trained in use of a new model protocol for serving CSEC victims. The purpose of the CSEC Task Force is to support and encourage a collaborative effort among law enforcement, courts, prosecutors, victim service providers, and other key stakeholders who together provide comprehensive services in order to discover and respond effectively to the commercial sexual exploitation of children and youth. A staff coordinator was hired for the CSEC Task Force in July, 2013.

- *Supporting Public Awareness to Interrupt and Prevent Trafficking.* The broad public awareness campaign that operated on King County Metro buses between January and March of 2013, in King County TV PSAs, and on a special King County webpage (additional signage was placed separately on billboards in Seattle and the I-5 corridor, as well as at SeaTac airport), as well as through other methods, generated 75 calls from the Seattle area to the national hotline. 31 calls were for general questions, 17 were crisis calls identifying potential human trafficking situations. There were over 6,700 hits to the county website on human trafficking between January and August, 2013.
- *Leveraging County Employees to Recognize and Report.* Leveraging existing training opportunities, general awareness trainings in 2012-13 have occurred for code inspectors as well as for King County deputy sheriffs. Metro bus drivers are trained in the SafePlace program, a partnership that started in 2011 between King County, YouthCare, Auburn Youth Resources, and Friends of Youth. SafePlace is for young people in crisis who now need only find the nearest bus driver and request a SafePlace, leading to a referral to services. Through the national SafePlace program, youth may also text SAFE and their current location to 69866 and get help within seconds. KCSO plans to use a roll call video with its patrol officers to broaden their awareness of not only trafficking, but critical competency issues regarding victim support and effective investigations/arrests. The KCPAO, in conjunction with KCSO, has also led regional law enforcement/criminal justice trainings in 2013.

***Overall conclusions from the data and current response to commercial sex trafficking in King County***

- Prostitution arrests (arrests of the prostituted person) remain disproportionately higher than pimp or 'buyer' arrests across all jurisdictions in King County, despite studies that show that this is ineffective in either helping the victim or impacting the degree of trafficking.
- Internet involvement in trafficking seems high at 50% of KCPAO prosecuted cases. Though there is no baseline from early days of the internet, it is clear that traffickers and buyers utilize this medium at a high rate.
- Clear patterns of street prostitution in particular areas and in Metro Transit transfer stations are indicated in the King County Sheriff's Office data on jurisdictions under King County's authority, including Seattle, unincorporated King County, Kent, SeaTac, Shoreline, Des Moines and Metro Transit Stations, as well as in the WSP data from other jurisdictions outside of King County's direct law enforcement authority. What is unclear is whether the crime occurs

disproportionately in these areas, or whether street patrols are more heavily focused in these areas and therefore more readily identifying visible trafficking.

- African American males comprise an extremely high percentage of pimp arrests. Almost half of victims' race/ethnicity is unidentified in the data giving an incomplete picture of the backgrounds of individuals being recruited.
- Because law enforcement contacts do not readily capture 'possible' human trafficking situations (there is no 'check box' for 'possible human trafficking' similar to the check box for 'possible gang involvement' on relevant law enforcement data collection forms), existing data may signify an overall undercount of trafficking (as evidenced by a primary review of KCSO law enforcement contacts where no arrest was made but signs of possible human trafficking were present).

Data is not captured to answer fundamental questions regarding perpetrators and how and where victims are approached, nor the exact degree of gang involvement or trafficking rings. Data on race, ethnicity, age, and even whether the arrest was of a buyer versus a trafficked individual is not consistently captured or reported. Without better information on perpetrators and victims in King County, it will be challenging to identify effective prevention strategies. Data collected through the new CSEC protocol process may allow this work to occur for trafficking situations involving minors. Newly planned Federal and state attempts to collect more comprehensive law enforcement data may also help.

### ***Strategies from the field: Lessons and proposals to address commercial sex trafficking***

Law enforcement and prosecution of commercial sex cases with victim witnesses remains particularly challenging, due to the unique psychological and physical control that pimps have over victims, failure of victims to see themselves as such (in fact, they say they see themselves as survivors) for purposes of criminal prosecutions, risk and fear of harm and shame/humiliation due to societal stereotypes of trafficking victims as 'immoral' or 'choosing' to be involved in prostitution.

Provided below are the results of a literature review, focus groups and semi-structured interviews to elicit best and promising practices that may be relevant for King County. The majority of the literature calls out strategies or best practices, but as with labor trafficking, few empirical studies were found to validate results. However, many of the possible practices below were identified in multiple reports, interviews or manuals. Several states and local governments have trafficking response protocols and handbooks. While most response actions studied continue to focus on

prosecution and protection, several studies point to the need to reduce the demand for commercial sex as a key prevention strategy, recognizing the societal and institutional structures that permit it and the behavioral norms accepting commercial sex that accompany it.

**Table 2. Commercial Sex Trafficking Response Strategies**

| Law Enforcement/Criminal Justice (Prosecution)                          | Intervention/Services (Protection)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Prevention                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address increase in internet-based trafficking through sting operations | <p>Ensure victims have services targeted to their specific needs as survivors. Provide trauma-informed, comprehensive, wrap-around services including housing, security, counseling, and job training. Services should be along a continuum of care from emergency, to short-term and long-term assistance, and that case management is the most important service, with advocacy and assistance to successfully navigate the systems.<sup>xx</sup> Security and safety for victims is paramount.</p> <p>The Bridge Program in Seattle, Deborah’s Gate in Vancouver, B. C., and GEMS in New York City are highlighted as examples of programs that employ best practices in providing such services.</p> | <p>Employ both general and targeted methods to identify and rescue victims. Use successful methods deployed by other sectors to reach vulnerable and targeted populations where human trafficking public awareness/messaging evidence base is limited.</p> <p>Studies suggest demand-reduction messages that may work include:</p> <ul style="list-style-type: none"> <li>*Threat of jail time</li> <li>*Threat to ‘shame’ or give sex offender registration status to perpetrators</li> </ul> |
| Focus on arresting and prosecuting traffickers                          | Re-engage with survivors over time if they are not                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Recognize roles that first responders and health                                                                                                                                                                                                                                                                                                                                                                                                                                               |



| Law Enforcement/Criminal Justice (Prosecution)                                                                                                                                                                                                                        | Intervention/Services (Protection)                                                                                                               | Prevention                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(pimps) and buyers (johns) as the most effective strategy to reduce the highest degree of victimization/trafficking (recognize and treat commercial sex trafficking victims as survivors of abuse rather than perpetrators – repeated arrests are ineffective)</p> | <p>ready to receive support or services at first contact</p>                                                                                     | <p>care providers may play in first identifying and rescuing victims; train responders to understand similarities and differences between trafficking and other crimes such as sexual assault and domestic violence.</p> <p>Train government workers in roles not typically identified with trafficking response (non- law enforcement) to recognize and report (e.g., school personnel, social workers, code inspectors)</p> <p>Train law enforcement and prosecutors to work with victims, understanding trauma needs and unique challenges. Also train law enforcement to recognize and rescue victims.</p> |
| <p>Utilize ‘shaming’ techniques to prevent further victimization/crimes of purchasing commercial sex, such as publication of buyer names, driver’s</p>                                                                                                                | <p>“Do no harm” – employ strategies that recognize that systems involvement (such as foster care system) may actually increase likelihood of</p> | <p>Employ ‘identification protocols’ to ensure that victims rapidly and correctly identified and rescued, then referred to appropriate services</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Law Enforcement/Criminal Justice (Prosecution)                                                                                                                                                                              | Intervention/Services (Protection)                                                                                                               | Prevention                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| license suspension, as part of sentencing                                                                                                                                                                                   | recruitment/victimization                                                                                                                        |                                                                                                                                                                                                                                                                                             |
| Require commercial sex buyers to attend 'john school' to educate them on impacts of trafficking                                                                                                                             | Provide services to adult survivors; more effective than arrest and prosecution in ending trafficking.                                           | <p>Target awareness approaches and services to at-risk individuals and communities, educating on risks/realities of trafficking</p> <p>Particularly focus on runaway and homeless youth, as well as those at risk of homelessness (e.g., foster youth) and earlier sexual abuse victims</p> |
| Provide court diversion alternative for adult survivors                                                                                                                                                                     | Ensure that survivors can access domestic violence shelters if necessary (exception to 'intimate partner violence' rule that some shelters have) | Map trafficking 'continuums' in order to understand spectrum from risk to recruitment to victim to rescue – use targeted messaging/strategies along spectrum including upstream prevention                                                                                                  |
| <p>Specific strategies for strong law enforcement / prosecution response:</p> <p>"Develop and implement training and referral programs on sex and human trafficking for both law enforcement officers and others in the</p> |                                                                                                                                                  | Support systemic changes that reduce risk of victimization (through empowerment, education, economic opportunity and awareness, gender equality strategies)                                                                                                                                 |

| Law Enforcement/Criminal Justice (Prosecution)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Intervention/Services (Protection) | Prevention |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------|
| <p>community.</p> <p>Contact law enforcement agents in neighboring jurisdictions and develop a reporting relationship with them.</p> <p>Make regular contact with local nongovernmental organizations that might assist sex trafficking victims and ask for leads.</p> <p>Work with confidential informants.</p> <p>Believe the victim until the investigation shows otherwise, remembering that truth is stranger than fiction.</p> <p>Do not stop investigating because victims lie, especially early on.</p> <p>House and interview victims separately, and observe their interactions with each other.</p> <p>Obtain and execute search warrants, and anticipate needing additional warrants predicated on facts you discover during the execution of the initial warrants (i.e., roll-over</p> |                                    |            |

| Law Enforcement/Criminal Justice (Prosecution)                                                                          | Intervention/Services (Protection) | Prevention                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| warrants). Photograph or film the exterior and interior of locations during execution of the warrants."                 |                                    |                                                                                                                                      |
| Establish multi-agency large scale proactive operations in advance of large events (e.g., Superbowl, Formula One, etc.) |                                    | "Flag" at-risk individuals across systems to identify appropriate response (e.g., at-risk of runaway/trafficking) (see Dallas model) |

## Conclusions and Recommendations

Human trafficking is a fundamental affront to equity and social justice, and anathema to the mission of King County government. Yet, empirical data and evidence remain elusive regarding the scope and nature of the human trafficking problem and evidence-based interventions in King County, Washington state, nationally and internationally.

Washington State has a strong legal framework for prosecution of perpetrators of human trafficking and has one of the few remaining funded regional task forces on human trafficking co-led by the federal government. Multiple nonprofit agencies provide specialized services or serve victims of human trafficking in other ways.

In the context of federal and state work in response to human trafficking and notwithstanding the lack of data and evidence, local governments, including King County, have an important role to play. Local governments in particular can support federal and other cross-jurisdictional criminal investigations, investigate and prosecute locally-occurring crimes, support services for victims, and increase public awareness. Partnering in the fight to stop human trafficking is a fundamental way to address equity and social justice for all of King County's residents and those who are denied the human right to self-determination even beyond our county borders. Yet this effort must also be placed in the context of many other priorities presenting public safety, societal and public health challenges to residents of King County.

**In order to leverage limited funding, and to recognize the direction set by council, the Executive is recommending continuing focused and targeted work on human trafficking, to purposefully utilize existing systems and structures to maximize impact and minimize cost.** This continued focused and targeted work includes ongoing law enforcement and criminal justice actions to arrest and prosecute perpetrators including cross-jurisdictional partnering, training of law enforcement and other staff as needed to identify and rescue victims, working to respond to commercially sexually exploited children through identification and referral to appropriate resources, and partnerships to raise public awareness of the issue. Through the Executive's recommendation, King County will continue its focused service delivery and enforcement role to address human trafficking in King County's areas of jurisdiction. This approach recognizes the natural role of both other levels of government and civil society in leading the response to human trafficking. Because work will be accomplished within existing resources, the Executive is not recommending strategic investments, funding of services, or countywide task force with the primary goal of exit services at this time.

King County will continue to learn about effective responses, policy efforts at other levels of government, public awareness efforts, and understand the types of governmental and non-governmental partners who are leading this work in our region, including identifying opportunities to partner where appropriate.

## **Appendix A. Acknowledgments**

In response to the King County Council budget proviso on human trafficking, staff from the King County Sheriff's Office (KCSO) and Public Health – Seattle & King County worked together and with an Inter-Branch Team comprised of the members named by the proviso to respond to the proviso's direction, and prepare this report for the King County Council. In addition to an Inter-Branch Team, the two departments consulted extensively with internal county staff, particularly the King County Prosecuting Attorney's Office (KCPAO) and the Department of Community and Human Services (DCHS), as well as multiple external partners through a focus group and informal interviews. Key support was given to the data analysis by KCSO detectives. In addition, working groups were convened around prevention, identification/services, and public awareness.

This report would not have been possible without the research and support of the following interns: Lindsay Mullett, Prosecuting Attorney's Office, who prepared the literature review on law enforcement/prosecution and reviewed literature related to services/protection and prevention. Marc Meyer, Prosecuting Attorney's Office, created tables, charts and maps, and Cate Burgess, Public Health Associate, Public Health – Seattle & King County reviewed prevention literature. Their efforts are greatly appreciated.

**Appendix B Washington State Commercially Sexually Exploited  
Children Protocol\***

**\*currently being adapted for King County**

# The CSEC Model Protocol

## A. Foundation

Project Respect staff administered a survey to “mini-summit” participants to obtain ideas about the mission and values that should serve as the foundation of the protocol collaboration on CSEC in Washington state. The survey results are shown in Appendix 2.

CCYJ also contracted with Debra Boyer, PhD, to conduct a literature review and an assessment of national programs that address CSEC to identify best practices. While Dr. Boyer found there is no one set of research-based best practices for CSEC response, certain protocols and practices are emerging, the value of which are supported by experience.

In accord with the survey results, direct input from “mini-summit” participants, input from a meeting with CSEC providers from around the state, interviews with CSEC who have recently exited the life, and many of Dr. Boyer’s findings, the following mission, principles and best practices serve as the foundation for the model CSEC protocol and any adaptations to it when tailored to local communities. Many of the principles and best practices cited below are reflected in the CSEC model protocol or in the plans for coordination and data collection referenced below.

### **Mission Statement for the Model Protocol**

The mission of the CSEC model protocol is to foster collaboration and coordination among agencies to improve the capacity to identify CSEC and provide safety and services for them and their families/caregivers, as appropriate, as they work to end their exploitation, and to hold their exploiters accountable. Those involved in this effort will use best practices and will rely on data and evidence to drive system improvements.

### **Core Principles**

- a) All CSEC should be viewed as victims/survivors, not criminals. To the extent possible, we should avoid arresting and holding CSEC in detention or otherwise treating them as criminals. Detention can increase juvenile recidivism, pull youth deeper into the juvenile justice system and slow or disrupt the natural process of “aging out of delinquency”.<sup>4</sup> Additionally, understanding the unique needs of adolescent girls, which may differ

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<sup>4</sup> The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. Justice Policy Institute Report, Barry Holman and Jason Ziedenberg.



considerably from boys, and how to effectively work with them, is critical in responding to female CSEC.<sup>5</sup>

- b) All CSEC should receive “victim-centered” services, both those identified strictly as CSEC victims/survivors as well as to those who are “victim-offenders” (i.e. those arrested for crimes other than prostitution). CSEC should not be treated differently based on age, and services should be aligned with the developmental status of the child.
- c) CSEC safety should be a key concern. CSEC may have a perspective about their particular safety needs that differs from the views of those who serve them; the CSEC should be asked what safety means to them and the professionals and others involved in the response should consider the child’s point of view in developing a safety plan.
- d) While CSEC are children, they should be treated with respect; they should be asked to share their views and be given choices as soon as and whenever possible. Allowing these children to make decisions, where consistent with safety, will empower and help them build healthy independence.
- e) As appropriate, CSEC family members/caregivers should be included in service and planning efforts and their unique needs and issues should be identified and addressed as part of the response plan for individual CSEC.
- f) In order to be effective, responders should demonstrate cultural competence in dealing with CSEC. Cultural competence is the integration and transformation of knowledge about individuals and groups of people from different backgrounds into specific standards, policies, practices, and attitudes used in appropriate cultural settings to increase the quality of services and produce better outcomes.
- g) Efforts should be made to hold offenders accountable. This may include seeking cooperation of CSEC victims with the investigation and prosecution of those who pay to exploit them and those who profit from their exploitation. In seeking cooperation, the victim’s input, safety, circumstances and wellbeing should be strongly considered.
- h) Local, regional and statewide collaboration and coordination is needed to effectively respond to CSEC.
- i) In addition to experience, data and research should drive system improvements over time to ensure the best possible outcomes for CSEC.

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<sup>5</sup> Improving Law Enforcement Responses to Adolescent Girls: Office of Juvenile Justice and Delinquency Prevention, Susan Yeres and Meg Holmberg.

## Best Practices

- a) Those working with CSEC and with youth in general should receive an appropriate level of training on the topic of commercial sexual exploitation of children.
- b) Because CSEC often have abuse in their background, and as CSEC are victims of rape and child sexual abuse, those who work with CSEC will have in-depth training on CSEC trauma and other specific aspects of the CSEC experience. Services are trauma-informed and those who provide services demonstrate an appreciation of the particular vulnerabilities and triggers experienced by these traumatized children. (See: *Creating Trauma-Informed Services 2012*, Washington Coalition of Sexual Assault Programs.)
- c) All vulnerable youth are screened for sexual exploitation upon entry into any system (particularly juvenile justice and youth services) using a simple, standardized tool demonstrated effective in identifying risk factors for CSEC. The advantages of a simple, standardized tool are that it will be easy to administer, will allow more children to be screened in a consistent manner, and will aid in identifying CSEC and those at risk of CSEC. This tool should only be used by staff that have been trained to use it.
- d) Since the majority of prostituted children are runaways, local responders have a protocol in place to identify youth who have run multiple times in one year, and an active plan for locating and intervening with these youth.
- e) Immediately upon identification, a CSEC is taken to a safe, comfortable location to meet with a community-based advocate who will carefully assess the youth's needs and arrange for initial housing and services. This advocate will remain with the CSEC throughout the child's involvement with the "system" including occasions when the child may testify in the prosecution of perpetrators, advocating for, and providing constancy and consistency to the child as multiple agencies engage in the case.
- f) Important consideration is given to including CSEC family members and caregivers in service and planning efforts, and the unique needs of family members are identified and addressed.
- g) In order to foster a coordinated response to CSEC, representatives from a local multi-disciplinary team made up of representatives from a small core of agencies meet shortly after a CSEC is identified and continue to meet on an ongoing basis to share information and collaborate in the management of individual CSEC cases.
- h) All professionals and others who provide services, in whatever setting and at whatever stage in the process, focus on how their demeanor, words and actions may feel to the CSEC, taking care to be patient and respectful of the CSEC's personal dignity, while understanding they are working with a child who may in some circumstances demonstrate difficult and inappropriate behaviors.

- i) Professionals and others involved in the response to a CSEC case clearly communicate to the child what they can and cannot offer; they maintain confidentiality to the extent allowed by law, including communicating with the child in private, and clearly explaining to the child mandatory reporting processes and requirements, and the child's privacy rights. Doing so will build trust and credibility with the child.
- j) The experience of local responders informs the development of system improvements, including the adopting, over time, of consistent and standard practices throughout the state. Communication within and across systems is fostered in order to build strong relationships among the many agencies responsible for responding to CSEC.
- k) Law enforcement agencies should establish a policy and procedure on how to balance the best interests and input of the CSEC victim with the goal of prosecuting those who have exploited them.

## B. CSEC Model Protocol

**The protocol recommends three layers of responsibility for responding to CSEC: two at the local/regional level and one at the statewide level.**

The local/regional level includes:

- A multidisciplinary team (MDT) consisting of a small group of professionals responsible for immediate consultation on CSEC cases as they arise and for longer term follow-up as needed.
- A Task Force consisting of individuals who respond to, serve, or have oversight for or impact on prostituted children. The primary responsibility of the Task Force is to foster a coordinated community response to CSEC, and to adapt the model protocol to the local/regional area.

The statewide level includes: A Statewide CSEC Coordinating Committee consisting of statewide decision makers which will convene annually to receive reports from the local/regional CSEC Task Forces on the incidence of CSEC in their areas, on local coordinated community response practices and results, and their recommendations for policy and/or legislative changes that would improve the efficiency and effectiveness of local activities.

## 1. Participants, Roles and Responsibilities and CSEC Training

Each community should identify the key participants in its CSEC response activities, clearly define their roles and responsibilities and support engaged organizations and all appropriate staff and other individuals involved in obtaining appropriate CSEC training.

The appropriate level of CSEC training will differ among participating agencies and individuals. For example, MDT members will need an in-depth level of training while Task Force members will need a basic level of training. However, *all* local law enforcement officers should have minimal CSEC training so that they can identify risk factors for CSEC. Basic training is recommended for all others involved in the community response network. Drafts detailing the recommended roles and responsibilities of key participants and CSEC training curricula are outlined in Appendices 3 and 4 respectively. The primary elements include the following:

1. **Local Law Enforcement:** Local police and sheriff agencies should commit to having *all officers receive minimal CSEC training* and to having *at least 2 officers (detectives or sergeants) receive in-depth CSEC training*. The specially trained officers should be available to take charge at the scene of an incident upon request by patrol officers who initially respond to and suspect CSEC. Once it is determined that a CSEC is involved, police should ask a CSEC-trained community advocate to immediately meet with the CSEC.
2. **Advocates:** Local community-based advocacy agencies should commit to having *at least two domestic violence, sexual assault or other advocates receive in-depth CSEC training* so they can respond immediately, 24/7, to calls from law enforcement or other members of the community, meet with the CSEC promptly, assume responsibility for the youth, and provide the youth with initial and ongoing case management and support.
3. **Child Protective Services (CPS):** CSEC may be State dependents, or they may—because of their CSEC status—need the protection of the State. *At a minimum, two locations within each DSHS region should have at least two CPS social workers and one CPS supervisor (four trained CPS social workers and two trained supervisors per region) who have received in-depth CSEC training*. CPS staff will be available 24/7 in person or by phone to assist and advise local first responders and others on immediate safety planning and placement options for CSEC cases and remain engaged in any given CSEC case as long as necessary to ensure the ongoing safety of the involved child.
4. **Service Providers:** Each community should have at least one youth serving agency that provides a full scope of services for runaway and homeless youth including outreach, case management and shelter. The agency should commit to having at least some staff members receive in-depth CSEC training. The service provider will screen for services needed by the CSEC and provide services directly or coordinate in referring the CSEC to an appropriate provider.

5. **Prosecutors:** At least one deputy prosecutor in each county responsible for reviewing cases and filing on juveniles should have in-depth training on identifying, engaging and working with CSEC. The prosecutor should use a collaborative approach to all cases involving CSEC, consulting with law enforcement, advocates and service providers to ensure service needs are met and cases disposed of appropriately.
6. **Defense Attorneys:** At least one public defender in each county should have in-depth training on identifying and working with CSEC youth. The public defender should have an understanding of the trauma experienced by CSEC and should be skilled in motivational interviewing to maximize their ability to develop a trusting client-attorney relationship with the CSEC. Defense counsel should also be familiar with local resources and services available to the CSEC so as to better advocate for them at each step of the legal process.
7. **Others:** The local Task Force should determine any other agencies and professionals, such as school representatives and health care providers, who should participate in its CSEC community response activities and who should therefore also receive basic or in-depth CSEC training.

## 2. CSEC Multi-Disciplinary Teams (MDT) and CSEC Task Forces

### CSEC MDT's

The heart of the CSEC response—and critical to its success—is the coordinated and collaborative work of local/regional CSEC multi-disciplinary teams (MDTs) responsible for immediate response and ongoing problem solving on specific CSEC cases as they arise. These teams are small and capable of quick action.

### CSEC Task Forces

Local/regional CSEC Task Forces have the responsibility for adapting the model protocol to the local/regional area, conducting a comprehensive assessment over time of the effectiveness of the coordinated response, and proposing improvements to it.

Membership in these groups will likely overlap since MDT members will serve on the Task Force, providing important background to the task force which will help inform its deliberations. The CSEC Task Forces are necessarily larger groups with more representatives providing differing perspectives on CSEC.

The geographic scope of each CSEC MDT and CSEC Task Force, and their membership, will be defined by local/regional jurisdictions. In some jurisdictions CSEC Task Forces will include only local stakeholders while others may have representatives from multiple cities or counties.

**Possible participants include:**

| <b>CSEC MDT</b>                                                                                                                                                                                                                                                                                                                                            | <b>CSEC Task Force</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Local law enforcement, including gang specialists</li> </ul>                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>Local law enforcement, including gang specialists</li> </ul>                                                                                                                                                                                                                                                                                                                       |
| <ul style="list-style-type: none"> <li>Community-based advocates</li> </ul>                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>Community-based advocates</li> </ul>                                                                                                                                                                                                                                                                                                                                               |
| <ul style="list-style-type: none"> <li>Child Protective Services social workers and supervisors</li> </ul>                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>Child Protective Services social workers and supervisors</li> </ul>                                                                                                                                                                                                                                                                                                                |
| <ul style="list-style-type: none"> <li>Youth service providers (social services, housing, homeless youth case workers/drop-in shelter workers, gang intervention workers)</li> </ul>                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Youth service providers (social services, housing, homeless youth case workers/drop-in shelter workers, gang intervention workers)</li> </ul>                                                                                                                                                                                                                                      |
| Others, as needed on a case-by-case basis: <ul style="list-style-type: none"> <li>Prosecutors</li> <li>Defense attorneys</li> <li>Federal law enforcement</li> <li>Detention/probation counselors</li> <li>Health care providers (medical, community-based mental health, chemical dependency; forensic nurses)</li> <li>School-based personnel</li> </ul> | Others: <ul style="list-style-type: none"> <li>Prosecutors</li> <li>Defense attorneys</li> <li>Federal law enforcement</li> <li>Detention/probation counselors</li> <li>Health care providers (medical, community-based mental health, chemical dependency; forensic nurses)</li> <li>School-based personnel</li> <li>Adults who have CSEC in their background</li> <li>Family members with experience of CSEC</li> </ul> |

**In working on individual cases and in considering broad system questions, the members of CSEC MDTs and CSEC Task Forces will bring a host of distinct and sometimes conflicting perspectives to the table. There may be tension between the desire to provide safety to CSEC (perhaps through detention) and the desire to keep these individuals out of the juvenile justice system; there may be tension between adult views of what constitutes safety and the intention of respecting CSEC and their views and opinions; and there may be tension between the desire to hold perpetrators accountable and meeting the critical needs of individual CSEC.**

These and other tensions/conflicts among the collaborating parties are legitimate and valuable. The members should recognize that each have specific, distinct responsibilities. Members work under different pressures and constraints and may not always have the same priorities. The

close professional collaboration among members with these differing perspectives—frequent, frank and respectful exchanges about the issues—will help identify, over time, innovative solutions to seemingly intractable problems. It is this working together on tough issues, and struggling with these tensions and conflicts that will lead to real progress in eliminating CSEC. This collaborative model for addressing diverse perspectives in the CSEC MDTs and CSEC Task Forces is critical to meeting the needs of these children.

Finally, it is critical that in the course of their work CSEC MDTs and CSEC Task Forces follow the principles and best practices outlined in the model CSEC protocol. An annual review and updating of roles and responsibilities and revisiting of principles and best practices can aid groups in ensuring they honor that commitment.

### **CSEC MDT Responsibility and Charge**

The CSEC MDT is a small group of professionals with extensive and detailed knowledge about CSEC from diverse disciplines in the community and with direct responsibility for individual CSEC.

The CSEC MDT is expected to

1. Meet within 24 hours of the identification of a CSEC and work together to make sure the child's immediate needs are met, that the child is assessed for safety and placed accordingly, and that needed services are identified and offered.
2. Continue to meet regularly on each case, for as long as needed, to assess the child's situation, to address problems, barriers or other challenges as they arise, to offer support as the child and the child's family navigate complex systems, and to make other services available as needed.
3. Provide critical support to CSEC identified in the course of law enforcement recovery stings and operations.

In some areas, existing MDTs may assume responsibility for immediate response to CSEC cases.

The CSEC MDT will function best if all appropriate individuals from designated agencies participate. It also requires leadership, so the group should identify a chair responsible for convening the CSEC MDT and performing other tasks necessary for an effective and coordinated operation. In some instances, the community-based advocate may serve as the convener and facilitator of the CSEC MDT since the advocate is a linchpin of the community response. However, in some jurisdictions representatives from other agencies may be chosen as the chair. In some smaller CSEC MDTs, the chair may rotate.

The standing member agencies of the CSEC MDT should formally adopt a Memorandum of Understanding (MOU) which codifies expectations about the roles and responsibilities of its members and how the CSEC MDT will function. An example of such an MOU is shown in Appendix 5.

## **CSEC Task Force Responsibility and Charge**

Local/regional CSEC Task Forces are responsible for adapting the model protocol to the local area, reviewing the effectiveness of the coordinated community response to CSEC and adopting or recommending improvements to it.

In some areas the CSEC Task Force may be part of an existing special assault network that meets regularly and has a specific CSEC agenda, or it may be part of a Children's Advocacy Center meeting group, again with a specific CSEC agenda, or it may be an existing or newly formed CSEC Task Force.

The specific charge of each CSEC Task Force is to

1. Develop and oversee implementation of a local/regional version of the model CSEC protocol.
2. Monitor the extent to which CSEC exists in its jurisdiction by reviewing available data.
3. Ensure that both basic and in-depth CSEC training is available, year round, to professionals at all levels in its jurisdiction.
4. Conduct in-depth case reviews to determine how to improve community response to such cases. It is important to review both cases with successful interventions and outcomes and those that were unsuccessful or where there was a lack of clarity about the role of the involved agencies. These reviews will help identify systemic problems that can be addressed through changes to the protocol (communication, coordination, training or advocacy) or through policy and/or legislative changes pursued in cooperation with agencies and lawmakers.
5. Determine if current CSEC-related laws are being implemented and ensure that procedures are in place to meet the requirements of new policies and laws.
6. Arrange for resource sharing to support efficiencies and develop local resources where gaps exist.
7. Plan and implement public education and awareness campaigns and events to build community support and understanding that CSEC are victims not criminals.

### **3. CSEC Statewide Coordinating Committee**

A group of statewide decision makers should convene annually to receive reports from the local/regional CSEC Task Forces on the incidence of CSEC in their areas, and on local coordinated community response practices and results. The CSEC Task Forces may recommend to the statewide CSEC Coordinating Committee policy and/or legislative changes that would improve the efficiency and effectiveness of local activities.



The statewide CSEC Coordinating Committee will review the status of CSEC data collection and analysis throughout the state and identify and assess the merit of proposed policy and/or legislative changes.

The statewide CSEC Coordinating Committee members will include interested law makers, and representatives from the Governor's office, the Attorney General's office, the Office of the Superintendent of Public Education (OSPI), the Administrative Office of the Courts (AOC), the Washington Association of Sheriffs and Police Chiefs (WSAPC), the Washington State Criminal Justice Training Commission (WSCJTC, the regional CSEC task force chairs,) and others.

#### **4. CSEC Screening Interview**

Agencies in Washington should adopt as their standard CSEC screening tool the Commercially Sexually Exploited Children/Youth (CSEC) Screening Interview developed by Emily Salisbury, PhD, Assistant Professor, Division of Criminology and Criminal Justice, Portland State University. For youth entering the juvenile justice system, a number of screening tools are now used to identify a variety of presenting issues and if a youth is charged with a crime, a Washington Risk Needs Assessment is administered. But a simple, standardized tool that specifically screens for CSEC risk factors and that will be consistently applied by a variety of responders will allow CSEC cases to be better identified and more accurately accounted for throughout the state. Jurisdictions and agencies should make sure staff have been trained to use the tool before it is implemented. (Appendix 6.)

#### **5. CSEC Reception Centers**

Every community should provide a location where CSEC can be received at the time of identification. Ideally, CSEC identified by law enforcement, social service agencies, schools, medical providers, or concerned parents/caretakers should be taken to, evaluated and served at a child advocacy center, a community-based youth services center, a specially prepared drop-in center, a Family Justice Center or other location that is comfortable and welcoming. These sites should be places where the CSEC is not stigmatized, but feels safe and is treated as a victim not a criminal. If such a center does not exist in the community, it should be established.

The reception center should

- Be a location that is known and trusted by youth, advocates, law enforcement and others;
- Be open 24/7 or have the ability to open and staff up within a short time period;
- Have trained staff with expertise working with CSEC; and

- Provide basic services to CSEC, including advocacy, limited medical attention, food and drink, clothing, and a place to stay until shelter or housing is available.

## Appendix C. Federal Statutes Related to Human Trafficking

Downloaded from US Department of Homeland Security, last visited 8/20/13  
<http://www.dhs.gov/human-trafficking-laws-regulations>

### US Code, Title 22, Chapter 78 - Trafficking Victims Protection

The Victims of Trafficking and Violence Prevention Act (TVPA). TVPA combats trafficking in persons, especially into the sex trade, slavery, and involuntary servitude. It has been reauthorized three times since its initial passage:

- TVPRA (2003) (PDF, 13 pages - 54 KB)
- TVPRA (2005) (PDF, 17 pages - 86 KB)
- TVPRA (2008) (PDF, 49 pages - 275 KB)

The Customs and Facilitations and Trade Enforcement Reauthorization Act of 2009. Sections 307 and 308 of the Act amend the original Tariff Act of 1930 to include provisions to prohibit the importation of goods to the United States made by benefit of human trafficking or forced labor.

Intelligence Reform and Terrorism Prevention Act of 2004. Section 7202 of the Intelligence Reform and Terrorism Prevention Act established the Human Smuggling and Trafficking Center to achieve greater integration and overall effectiveness in the US government's enforcement and other response efforts, and to work with foreign governments to address the separate but related issues of alien smuggling, trafficking in persons, and criminal support of clandestine terrorist travel.

PROTECT Act of 2003 (PDF, 47 pages - 279 KB). The PROTECT Act (Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today) intends to protect children from abuse and sexual exploitation, a common element of child human trafficking.

Civil Asset Forfeiture Reform Act of 2000 (CAFRA) (PDF, 24 pages - 158 KB). The Department fights human smuggling and trafficking through the issuance of CAFRA, which provides notice to property owners whose properties have been identified as being used to facilitate smuggling or harboring aliens; it is an important tool because many employers turn a blind eye to the facilitation of criminal activity on their properties.

The Mann Act of 1910. The Mann Act and its subsequent amendment resolutions makes it a felony to knowingly persuade, induce, entice, or coerce an individual to travel across state lines to engage in prostitution or attempts to do so. It is an effective tool used to prosecute human traffickers.

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## Federal laws related to prostitution

Downloaded from ProCon.org, last visited 8/20/13

<http://prostitution.procon.org/view.resource.php?resourceID=000119>

|    | Title                                                                                     | Citation                                      | Excerpt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Punishment               |
|----|-------------------------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1. | <u>Inadmissible aliens</u>                                                                | Title 8 Ch. 12 Sub Ch. II Part II Sec. 1182   | "Any alien who-- (i) is coming to the United States solely, principally, or incidentally to engage in prostitution, or has engaged in prostitution within 10 years of the date of application for a visa, admission, or adjustment of status...is inadmissible."                                                                                                                                                                                                                                                                                                           | Denied admission into US |
| 2. | <u>Importation of alien for immoral purpose</u>                                           | Title 8 Ch. 12 Sub Ch. II Part VIII Sec. 1328 | "The importation into the United States of any alien for the purpose of prostitution, or for any other immoral purpose, is forbidden."                                                                                                                                                                                                                                                                                                                                                                                                                                     | Up to 10 yrs and/or fine |
| 3. | <u>Prostitution near military and naval establishments</u>                                | Title 18 Part I Ch. 67 Sec. 1384              | "Within such reasonable distance of any military or naval camp, station, fort, post, yard, base, cantonment, training or mobilization place as the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or any two or all of them shall determine to be needful to the efficiency, health, and welfare of the Army, the Navy, or the Air Force, and shall designate and publish in general orders or bulletins, whoever engages in prostitution....prohibited shall be fined under this title or imprisoned not more than one year, or both." | Up to 1 yr and/or fine   |
| 4. | <u>Interstate and foreign travel or transportation in aid of racketeering enterprises</u> | Title 18 Part I Ch. 95 Sec. 1952              | "Whoever travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with intent to... otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity...shall be fined under this title, imprisoned not more than 5 years, or                                                                                                                                                                                                          | Up to 5 yrs and/or fine  |

|    |                                                        |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                          |
|----|--------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|    |                                                        |                                            | both."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                          |
| 5. | <u>Transportation generally</u>                        | Title 18<br>Part I Ch.<br>117 Sec.<br>2421 | "Whoever knowingly transports any individual in interstate or foreign commerce, or in any Territory or Possession of the United States, with intent that such individual engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 10 years, or both."                                                                                                                                                                                                                                                                                                                                                                                                                                               | Up to 10 yrs and/or fine |
| 6. | <u>Coercion and enticement</u>                         | Title 18<br>Part I Ch.<br>117 Sec.<br>2422 | "Whoever knowingly persuades, induces, entices, or coerces any individual to travel in interstate or foreign commerce, or in any Territory or Possession of the United States, to engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both."                                                                                                                                                                                                                                                                                                                                                                                                                                      | Up to 20 yrs and/or fine |
| 7. | <u>Filing factual statement about alien individual</u> | Title 18<br>Part I Ch.<br>117 Sec.<br>2424 | "Whoever... controls... house... for the purpose of prostitution knowing... that the individual is an alien, shall file with the Commissioner of Immigration and Naturalization a statement in writing setting forth the name of such individual, the place at which that individual is kept, and all facts as to the date of that individual's entry into the United States, the port through which that individual entered, that individual's age, nationality, and parentage, and concerning that individual's procurement to come to this country within the knowledge of such person; and [w]hoever fails within five business... to file such statement concerning such alien individual with the Commissioner of Immigration and Naturalization... [s]hall be fined under this title or imprisoned not more than 10 years, or both." | Up to 10 yrs and/or fine |
| 8. | <u>Character investigations</u>                        | Title 25<br>Ch. 34                         | "The minimum standards of character that are to be prescribed under this section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Denied employment        |

|    |                                    |                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                      |
|----|------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
|    |                                    | Sec. 3207                                    | shall ensure that none of the individuals appointed to positions described in subsection (a) of this section have been found guilty of, or entered a plea of nolo contendere or guilty to, any felonious offense, or any of two or more misdemeanor offenses, under Federal, State, or tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact or prostitution; crimes against persons; or offenses committed against children." |                                      |
| 9. | <u>Registration determinations</u> | Title 29<br>Ch. 20 Sub<br>Ch. I Sec.<br>1813 | "In accordance with regulations, the Secretary may refuse to issue or renew, or may suspend or revoke, a certificate of registration (including a certificate of registration as an employee of a farm labor contractor) if the applicant or holder--...has been convicted within the preceding five years..., prostitution..."                                                                                                                                      | Denied a certificate of registration |

## Appendix D. State and Local Statutes Related to Human Trafficking

### King County Code

| King County Code                                              | Section Title                      | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><u>12.63</u></p> <p>*for sections below, link to above</p> | Prostitution                       | In Public Peace, Safety and Morals section of the code.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12.63.010                                                     | Unlawful Acts                      | <p>Establishes elements of multiple crimes related to prostitution under single section, including definition of intent. A. To commit or offer or agree to commit an act of prostitution; or B. To secure or offer to secure another for the purpose of committing an act of prostitution; or C. To knowingly transport a person into or within the county with purpose to promote that person's engaging in prostitution, or procuring or paying for transportation with that purpose; or D. To knowingly receive, offer or agree to receive another into any place or building for the purpose of performing an act of prostitution, or to knowingly permit another to remain there for any such purpose; or E. To direct another to any place for the purpose of committing an act of prostitution; or F. To knowingly in any way aid, abet or participate in an act of prostitution; or G. To remain in or near any street, sidewalk, alleyway or other place open to the public with the intent of committing, or inducing, enticing, soliciting or procuring another to commit, an act of prostitution. (one element of determining intent is 'known' panderer or prostitute)</p> |
| 12.63.020                                                     | Known prostitute, panderer defined | Defines "known" prostitute or panderer for purposes of above                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12.63.030                                                     | Prostitution defined; sexual       | Prostitution is "engaging for hire in sexual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|               |                                  |                                                                                                                                                                                                                                                                                 |
|---------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | activity defined                 | activity”<br>Sexual activity defined                                                                                                                                                                                                                                            |
| 12.63.035     | Actor defined                    | Actor is person who engages in conduct in violation of this chapter                                                                                                                                                                                                             |
| 12.63.040     | Filing complaint                 | Complaint shall be filed with prosecutor if office of public safety knows that person has participated in act of prostitution, aided/abetted in act of prostitution, or communicated with known prostitute for purposes of participating in act of prostitution                 |
| 12.63.050     | Penalty for violation            | Imprisonment up to 180 days or fine up to \$500 or both fine/imprisonment                                                                                                                                                                                                       |
| 12.63.070     | Public nuisance                  | Any building, structure or place used for purpose of prostitution (as defined under KCC or RCW) is declared to be a public nuisance                                                                                                                                             |
| 12.63.080     | Evidence                         | Creates rebuttable presumptions regarding public nuisances based on specific convictions of persons where act occurred in specific building, structure or place.                                                                                                                |
| 12.63.090     | Additional evidence              | Conviction of owner, manager, operator, agent or employee for promoting or permitting prostitution under state law if offense was related to business or commercial enterprise is prima facie evidence that building was used for prostitution.                                 |
| 12.63.100     | Penalties                        | Establishes penalties for maintaining a public nuisance. May be additive to other civil or criminal penalties. Civil penalty: Up to \$500 for first conviction; abatement of nuisance by closure from 5-30 days for subsequent convictions (within 24 mos of prior convictions) |
| <u>12.63A</u> | Anti-prostitution emphasis areas | (expires Dec 31 2014) Designates specific areas as emphasis areas for purposes of creating a separate crime in violation of court-imposed conditions or release or deferred or suspended                                                                                        |



|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|  |  | <p>sentence. Designates crime as a misdemeanor.<br/>Up to 90 day imprisonment or fine of up to \$1000 or both.</p> <p>Designated areas:</p> <p>A. Des Moines Memorial Drive S. from S. 96<sup>th</sup> Street to S. 108<sup>th</sup> street and a block on either side</p> <p>B. Southwest Roxbury from 4<sup>th</sup> Ave SW to 17<sup>th</sup> Ave SW and from SW Roxbury Street to SW 107<sup>th</sup> Street on 14<sup>th</sup> Ave SW and 15<sup>th</sup> Ave SW and 16<sup>th</sup> Ave SW and 17<sup>th</sup> Ave SW.</p> |
|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Washington State Law

| Revised Code of WA | Section Title                                                                      | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>7.68.360</u>    | Human trafficking – coordinated state agency protocols                             | <p>Directs WA Department of Community, Trade and Economic Development (DCTED) to convene and chair workgroup to establish written protocols for delivery of services to human trafficking victims, to apply to DCTED, WSDOH, DSHS, WA AG, WSP, DOL, and ESD. Protocols to provide policies/procedures for interagency coordinated operations and cooperation (including with local jurisdictions), establishment of electronic database of service providers, guidelines for providing for social service needs of victims.</p> <p>Protocols to be reviewed on biennial basis.</p> <p>Initial report in 2006.</p>                                                                                                                |
| <u>9.68A.100</u>   | <p>Commercial Sexual Abuse of a Minor</p> <p>(typically would apply to buyers)</p> | <p>Crime of commercial sexual abuse of a minor – penalties.</p> <p>Establishes elements of crime of commercial sexual abuse of a minor. CSAM is a Class B felony, punishable up to 10 years/fine, up to \$20,000, or both. RCW 9A.88.130 and RCW 9A.88.140 also require court to impose additional requirement for conviction, deferred sentence or deferred prosecution that offender must not: a) be subsequently arrested for patronizing a prostitute OR CSAM, b) remain outside geographical area prescribed by court where the person was arrested (with exceptions), c) fulfill educational requirements designated by sentencing court about negative costs of prostitution.</p> <p>This crime replaces the crime of</p> |

|                  |                                                                                  |                                                                                                                                                                                                                                                                                                                                                                     |
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|                  |                                                                                  | <p>patronizing a juvenile prostitute.</p> <p>In 2012, legislature revises law to prohibit the duplication or distribution of child pornography as part of the discovery process in a criminal prosecution, and instead required the material to be made reasonably available to the prosecutor, defense attorney, and expert witnesses who may testify at trial</p> |
| <u>9.68A.101</u> | <p>Promoting Sexual Abuse of a Minor</p> <p>(typically would apply to pimps)</p> | <p>Establishes elements of crime of promoting. Class A felony. Promoting includes 'knowingly' advancing CSAM or sexually explicit act of a minor or 'knowingly' profiting from 'minor engaged in sexual conduct or sexually explicit act.'</p> <p>Class A felony: Up to life imprisonment OR by fine of \$50,000 or both.</p>                                       |
| <u>9.68A.102</u> | <p>Promoting Travel for Commercial Sexual Abuse of a Minor - CSAM</p>            | <p>Establishes elements of a felony if person knowingly sells or offers to sell travel services that include or facilitate travel for the purpose of engaging in commercial sexual abuse of a minor</p> <p>2013: Amended to eliminate minor consent as a defense</p>                                                                                                |
| <u>9.68A.103</u> | <p>Permitting Commercial Sexual Abuse of a Minor - CSAM</p>                      | <p>Establishes elements of a felony if person having possession or control of premises which he or she knows are being used for the purpose of commercial sexual abuse of a minor</p> <p>2013: Amended to eliminate minor consent as a defense</p>                                                                                                                  |
| <u>9.68A.105</u> | <p>Additional fee assessment</p>                                                 | <p>Authorizes imposition of up to \$5,000 fee for certain commercial sexual abuse of a minor crimes where deferred sentence or deferred prosecution. At least fifty percent of the revenue from fees imposed</p>                                                                                                                                                    |

|                  |                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                  |                                                                                                                                                                                                              | <p>under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling. Revenue from the fees 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>2013: Clarifies that funds can be used for victim services; and that 2% of funds collected locally must be submitted to the Department of Commerce, with an annual report on how the funds were used.</p> |
| <u>9.73.210</u>  | Intercepting, transmitting, or recording conversations concerning controlled substances or commercial sexual abuse of a minor — Authorization — Monthly report — Admissibility — Destruction of information. | Authorizes law enforcement officers to conduct surveillance operations on suspected human trafficking and commercial sexual abuse activities with consent of victim. Also authorizes prosecutors to request assistance from minors in the undercover surveillance of telephone communications in trafficking investigations without putting youth in danger.                                                                                                                                                                                                                                                                                                                                                            |
| <u>9.73.230</u>  | Interception of Communications                                                                                                                                                                               | Allows interception, transmission, or recording of conversations concerning commercial sex abuse of a minor by law enforcement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <u>9.94A.030</u> | Definitions                                                                                                                                                                                                  | Adds to list of gang-related crimes the promotion of sexual abuse of a minor that provides the gang with an advantage, control, or dominance over a market sector.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>9.96.060</u>  | Vacating Convictions                                                                                                                                                                                         | Allows persons convicted for prostitution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                                          |                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                          |                                                        | who were victims of trafficking to apply to the court to have their offense vacated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <u>9A.40.090</u>                         | Luring                                                 | Criminalizes ordering, luring, or attempting to lure a minor or a person with a cognitive disability into any transportation terminal or into a motor vehicle                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <u>9A.40.100</u>                         | Trafficking                                            | Specific crime of human trafficking in first and second degree, punishable as a Class A felony. Specifies elements of labor and commercial sex trafficking crimes. Establishes a fine of \$3,000 (in addition to confinement as penalty). Allows waiver if court finds offender cannot pay. Fines to be collected by county or city and revenue used for local efforts to reduce commercial sale of sex, including but not limited to increased enforcement. 50% of revenue to be spent on prevention (specific examples given).<br><br>In 2011: Legislature revised law to include illegal harvesting or sale of human organs.<br><br>In 2013: legislature revised law to eliminate 'consent of a minor' as a defense to any offenses listed. |
| <u>9A.82.010</u> and<br><u>9A.82.100</u> | Definitions<br><br>Remedies and Procedures             | Add crimes of commercial sexual abuse of a minor and promoting commercial sexual abuse of a minor to the list of offenses that may constitute a pattern of criminal profiteering activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <u>9A.88.030</u>                         | Prostitution                                           | Criminalizes act of solicitation or conducting commercial sex                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <u>9A.88.070-080</u>                     | Promoting prostitution in the first and second degrees | Criminalizes promotion (e.g., pimping)<br><br>2011: Legislature revises law to criminalize act of compelling a person with a disability                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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|                  |                                     | <p>that renders the person incapable of consent to engage in an act of prostitution.</p> <p>Also: Authorizes law enforcement agencies to seize any proceeds or property that facilitate crimes of commercial sexual abuse of a minor.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>9A.88.085</u> | Promoting travel for prostitution   | Prohibits knowingly selling or offering to sell travel services that include or facilitate travel for the purpose of engaging in what would be patronizing a prostitute or promoting prostitution inside WA state                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>9A.88.090</u> | Permitting prostitution             | <p>Prohibits possession or control of premises which he or she knows are being used for prostitution purposes, he or she fails without lawful excuse to make reasonable effort to halt or abate such use</p> <p>Misdemeanor</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <u>9A.88.110</u> | Patronizing a prostitute            | <p>Criminalizes purchase of commercial sex (e.g., "johns")</p> <p>Misdemeanor</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>9A.88.140</u> | Vehicle Impoundment – Fees and Fine | <p><u>Permits</u> arresting officer to impound suspect's vehicle for adult prostitution-related crimes (patronizing, permitting, promoting) and pay fine of \$500; and <u>requires</u> arresting author to impound suspect's vehicle for commercial sexual abuse of a minor and related crimes and pay fine of \$2000. The fine shall be deposited in the prostitution prevention and intervention account established under RCW 43.63A.740.</p> <p>2013: (c) Fines assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except</p> |

|                                             |                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             |                                                                                                                                                        | <p>cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fines must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws. (i) At least fifty percent of the revenue from fines imposed under this section must be spent on prevention, including education programs for offenders, such as john 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. (ii) Two percent of the revenue from fines imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent. (iii) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 2.35.20.220.</p> |
| <p><u>13.32A.030</u><br/><u>SB 5147</u></p> | <p>Definitions – Regulating leave from semi-secure facility</p>                                                                                        | <p>SB 5147 requires parental notification within 72 hours of harboring runaway unless compelling reason not to do so, such as suspected abuse.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><u>13.40.219</u></p>                     | <p>Arrest for prostitution or prostitution loitering – alleged offender – victim of severe form of trafficking, commercial sexual abuse of a minor</p> | <p>In any proceeding under this chapter related to an arrest for prostitution or prostitution loitering, there is a presumption that the alleged offender meets the criteria for a certification as a victim of a severe form of trafficking in persons as defined in section 7105 of Title 22 of the United States code, and that the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                   |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                   |                                            | alleged offender is also a victim of commercial sex abuse of a minor.                                                                                                                                                                                                                                                                                                                                                                         |
| <u>18.108.030</u> | Licensure or certification required        | Requires massage therapist or practitioner to be licensed by WA State Department of Health                                                                                                                                                                                                                                                                                                                                                    |
| <u>19.220.010</u> | Dissemination of information - definitions | Establishes protections for prospective foreign spouses of WA residents who go through online international marriage brokers by requiring brokers to notify recruits in their native language that background check and marital history information is available for prospective spouses who are WA residents. Amendments also require personal history information to be made available, including spousal abuse and founded child abuse.    |
| <u>19.320.010</u> | Definitions                                | Defines 'domestic employers of foreign workers', 'domestic employer', 'foreign worker', 'worker', 'international labor recruitment agency' - effectively adds nonimmigrant workers to list of employees who must be provided with federal and state labor laws, and establishes civil penalties for labor recruiters who fail to do so.                                                                                                       |
| <u>19.320.020</u> | Disclosure statement                       | Requires domestic employers of foreign workers and also international labor recruitment agencies to disclose information regarding worker rights in Washington (including state worker health and safety laws, workers' compensation, and unemployment, as well as US and WA laws governing overtime and work hours, including minimum wage). Also requires itemized listing of deductions from pay for food and housing, international labor |



|                   |                                                            |                                                                                                                                                                                                                                                                                                                                                  |
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|                   |                                                            | <p>agency's recruitment fees, reiterating right of worker to control his/her travel and labor documents, list of services or hotline for worker to contact if may be victim of trafficking.</p> <p>Authorizes WA DOL to create downloadable form for employers.</p> <p>Informational pamphlet required under Federal law may be substituted.</p> |
| <u>19.320.030</u> | Personal jurisdiction                                      | Jurisdiction of WA law for purposes of enforcement                                                                                                                                                                                                                                                                                               |
| <u>19.320.040</u> | Liability                                                  | Establishes \$200-\$500 damages that can be sought by foreign worker in a civil case against employer or international labor recruitment agency                                                                                                                                                                                                  |
| <u>19.320.050</u> | Assistance information                                     | Authorizes the DOL to incorporate info on human trafficking in posters and brochures.                                                                                                                                                                                                                                                            |
| <u>36.22.178</u>  | Affordable housing for all surcharge — Permissible uses.   | Authorizes local governments to use affordable housing funds to provide housing assistance to victims of human trafficking and their families                                                                                                                                                                                                    |
| <u>40.24.010</u>  | Findings – purpose.                                        | Adds victims of human trafficking to the list of persons eligible for state's address confidentiality program.                                                                                                                                                                                                                                   |
| <u>47.38.080</u>  | Human trafficking informational posters at rest areas      | General authority to WA DOT to place human trafficking posters at rest areas with victim resources information                                                                                                                                                                                                                                   |
| <u>36.22.179</u>  | Surcharge for local homeless housing and assistance — Use. | Authorizes local governments to use local homeless housing and assistance funds to provide housing assistance to victims of human trafficking and their families through grants and vouchers.                                                                                                                                                    |
| <u>9.96.060</u>   | Misdemeanor or gross                                       | Allows minors who were convicted of prostitution resulting from being trafficked                                                                                                                                                                                                                                                                 |

|                                                                                                                                                                           |                                                                                                                                                                                                                                  |                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                           | <p>misdemeanor offenses, persons convicted of prostitution who committed the offense as a result of being a victim of trafficking, promoting prostitution in the first degree, or trafficking in persons — Vacating records.</p> | <p>by force, fraud, or coercion to request the court to vacate the conviction.</p>                                                                                                         |
| <p><u>9A.40.100</u>, <u>9A.44.128</u>, <u>9A.88.120</u>, <u>9.68A.105</u>, <u>3.50.100</u>, <u>3.62.020</u>, <u>3.62.040</u>, <u>10.82.070</u>, and <u>35.20.220</u>.</p> |                                                                                                                                                                                                                                  | <p>increased the fees imposed against individuals convicted of promoting or patronizing prostitution</p>                                                                                   |
| <p><u>9A.88.130</u>, <u>3.50.100</u>, <u>3.62.020</u>, <u>3.62.040</u>, <u>10.82.070</u>, and <u>35.20.220</u>.</p>                                                       |                                                                                                                                                                                                                                  | <p>increased the additional fine a person must pay when convicted of patronizing a prostitute and requires those fees be used to pay for increased enforcement and prevention programs</p> |

## Appendix E. King County Sheriff's Office Report in Response to Proviso

### *Human Trafficking Proviso*

By June 1, 2013, the sheriff's office must submit the data and recommendations that are required by this proviso to the director of public health.

The sheriff's office shall convene a working group comprised of federal, state and local law enforcement, the prosecutor's office, superior court, council staff, executive staff, the United States Attorney's Office, the Washington state Attorney General's Office and other appropriate county or local agency representatives, to gather data and make recommendations to the council on the most appropriate methods for the suppression of human trafficking in King County.

Working Group: On January 31, 2013 a working group was convened comprised of King County staff from the King County Sheriff's Office, King County Prosecutor's Office, FBI, U.S. Attorney's Office, staff of the King County Council, King County Department of Community and Human Services, non-profit community organizations, academia and IT specialists.

The proviso was discussed and all parties agreed to gather information to the extent that it is available. Plans were also discussed to reach out to other agencies, organizations and individuals who can contribute to the conditions of this proviso.

The data and recommendations shall be integrated into a report compiled by public health – Seattle and King County, as required by section 57, Proviso P1, of this ordinance.

The data gathered should include, but not be limited to:

**A. Identification of incidences of intelligence, investigations and arrests, related to commercially sexually exploited youth and human traffic victims;**

DATA Collection:

EXPLANATION OF STATISTICS:

The King County Sheriff's Office uses Final Classification Reporting Codes (FCRs) for research and statistical crime reporting. There is no FCR specific to Human Trafficking. FCRs often times linked to Human Trafficking are:

- 1) Commercial Vice includes investigations of massage parlors and escort services (210);
- 2) Prostitution, Pimping (not separated) (211) and
- 3) Sex offenses like Child Porn (141).

These codes may contain reports related to commercially sexually exploited adults or youths; they may contain intelligence investigations, and/or arrests reports:

For unincorporated King County and contracted cities (see below list):

- a. Burien=N1, N2, N3, N4, N5, N6
- b. Covington=H3
- c. Kenmore=E1, E2, E4, E5
- d. Maple Valley=H1
- e. Newcastle=H2
- f. Metro Transit=M10-M40
- g. North Bend (we're losing this contract at the end of the year) =D1
- h. Sammamish=O1, O2, O3
- i. SeaTac=L1, L2, L3, L4, U4 (SEATAC Airport)
- j. Shoreline= A1, A2, A3, A4, A5, A6
- k. Skykomish = W7
- l. Woodinville = W1, W2, W3, W4
- m. Unincorporated King County = C1-C7, C9 (Skykomish Uninc.), K1, K7, K8, K9, K11, V01 (Vashon Uninc.)
- n. King County Airport =U11

For 2011, a total of 90 reported possible human trafficking crimes. Covington had the highest numbers of **Child Porn**, at 10; followed by Woodinville at 6; SeaTac and SeaTac Airport the highest numbers of **Commercial Vice** at 33; SeaTac has the highest number in **Prostitution and Pimping** at 10; followed by Metro 10 at 4. (Attachment B)

For 2012, a total of 79 reported possible human trafficking crimes. Again Covington had the highest number of **Child Porn** charges at 5, followed by Sammamish at 4; **Commercial Vice** is highest at SeaTac at 17, followed by Federal Way 6; **Prostitution and Pimping** is highest at SeaTac at 16, followed by Burien at 11. (See attachments 2011 B and 2012C)

| Year | Child Porn | Commercial Vice | Prostitution/Pimping | TOTAL |
|------|------------|-----------------|----------------------|-------|
| 2011 | 32         | 35              | 23                   | 90    |
|      | 0 arrests  | 17 arrests      | 7 arrests            | 24    |
| 2012 | 16         | 26              | 37                   | 79    |
|      | 0 arrests  | 9 arrests       | 3 arrests            | 9     |

**GAPS:** Beginning January, 2013, the Federal Government has begun collecting data on human trafficking, using the new national Uniform Crime Reporting (UCR) Program. (See Attachment D)

KCSO does not have a procedure in place for capturing this type of information. Methods might include revision of the Department's FCRs or adding a field (i.e. a checkbox) to its incident report.

Human Trafficking requires specialized investigations that are usually performed by vice units. This is due to frequent links between human trafficking and commercial vice. Since 2008, the King County Sheriffs Office discontinued staffing a centralized vice unit. Vice related investigations are now the responsibilities of precinct or contract city proactive units that are responsible for all crimes and limited to a connection to their area of responsibility.

King County contract cities (see list below) and other large cities within King County continue to investigate Human Trafficking on a part time basis only as part of their lawful responsibilities.

Data around human trafficking is faulty for a number of reasons. First, the new approach to human trafficking is not to arrest the victim, who may in some cases be the person who has been coerced into prostitution, or other types of indentured work, but they could also be the individual or individuals responsible for the modern day slavery.

Second, Human Trafficking investigations can be quite complex, starting with the predicate crime of something like prostitution; however a more in depth investigation will many times reveal a sophisticated, organized continuing criminal enterprise. In fact the trafficking scheme may alternately be uncovered due to a violent act, such as those against the worker who might not be performing to expectations or the uncovering of money laundering scheme. **Investigations should be the focus of these statistics.**

The Washington State Model Protocol for Commercially Sexually Exploited Children summarized in their report released November, 2012, state that “there is no comprehensive data available on the number of commercially sexually exploited children in Washington.”<sup>1</sup>

**B. Data on the linkage of human trafficking to interaction with gangs, transnational criminal organizations and other criminal enterprises;**

“The National Gang Intelligence Center (NGIC) assesses with high confidence<sup>a</sup> that gangs have expanded their criminal scope into human trafficking<sup>b</sup> due to the potential for high, renewable profit and the low risk of detection. Gangs are frequently recruiting victims through false promises of wealth and affection, but continuously compel the services of their victims through forceful means. Victims forced into human trafficking are reluctant to report their circumstances to law enforcement for a variety of reasons to include immigration status, financial instability, fear and intimidation.”<sup>2</sup>

**Nationally Known Gangs Involved in Human Trafficking**

Bandidos  
Barrio Azteca

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<sup>1</sup> Washington state Model Protocol for Commercially Sexually Exploited Children, November, 2012, pg 30 and 31

<sup>2</sup> Law Enforcement Material, Oct. 2012

Black Gangster Disciples  
Bloods  
Brown Pride  
Crips  
Houston's  
Latin Kings  
Mara Salvatrucha  
Mexican Mafia  
Norteños  
Omens Motorcycle Club  
Sons of Silence  
South Side Locos  
Sureños  
Tango Blast  
Texas Syndicate  
18th Street

\*FBI investigative reporting and open source indicates the above gangs are involved in Human Trafficking.

#### In King County

There are a number of gangs in King County that have engaged in prostitution-related crimes, but human trafficking is considered only one of the gang's primary criminal activities. The below listed gangs are known by criminal investigators to be involved in the Human Trafficking.

Westside Street Mob

Westside 74 Hoover Crip

74 Highway Hoovers

Rollin' 60s Neighborhood Crip

Rollin' 90s Neighborhood Crip

Family Mafia Crip

Gangster Disciple Nation

Down Wit the Crew

Marvin Gangster Crip

Lime Hood Piru

Mara Salvatrucha 13

The first case ever to be charged and convicted under the state human trafficking law was a member of the West Side Street Mob. DeShawn Clark was convicted for human trafficking in 2009.

In February 2010, 4 members of Grape Street Crips, (from California) were arrested in Kent for promoting prostitution and narcotics trafficking.

By December, 2011, Derek Caldwell aka "Big Baby", a gang member of the Down With the Crew, pleaded guilty for trafficking a 13year old and a 17year old.

#### Role of Technology in Human Trafficking

The internet has become one of the most useful tools aiding criminals. There is an alarming trend of human trafficking activities on the internet. Human traffickers and pimps alike use the internet to promote their illicit business through the recruitment and *cultivation* of under aged children online and subsequently placing them on websites for possible buyers of their services.

Traffickers that engage in online recruitment of young girls and women mostly operate fake accounts with social networking sites from where, they pounce on their victim with all viciousness.

#### Use of Technology in King County

The endless source for Internet advertisement for prostitution in King County can be accurately filtered by area targeted for advertisement. The one common denominator in prostitution advertisements are locations. BACKPAGE.COM "Adult Services" advertisements are paid advertisements, therefore accurate in number. The service requires an electronic payment for the advertisement. The source and age of the person posting the advertisements are commonly false.

The use of internet has also facilitated multi-state human trafficking as evidenced by the indictment of six people who operated a web of apartments in four states used as brothels advertised as "massage services" on Backpage.com. The leased apartments were in Bellevue and Kirkland, Scottsdale, Arizona, Chicago, Illinois and Falls Church/Tyson Corner, Virginia.

ON March, 2013, the KCSO, Bellevue Police Dept. Kirkland Police Dept working in partnership with the U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations and the U.S. Attorney General's Office were able to expose this multi-state human trafficking.

**GAPS:** While officers on the ground understand the use of technology in the procurement of victims and getting convictions of perpetrators, the role of technology in combating human trafficking needs more attention from all concerned.

One specialized digital forensics examiner for the whole King County is not enough. In addition, the high cost of equipment (cameras, covert recording and video devices, smart phones, reliable communication devices that can be used for unit surveillance and

enough on hand to equip assisting agencies as well as the latest computers and specialized software used to examine digital evidence) hinders KCSO ability to do their job effectively.

A copy of the procurement and maintenance expenses for digital equipment is in the thousands. (Attachment D)

The link between the interaction with gangs, transnational criminal organizations and other criminal enterprises with human trafficking is complex. Human trafficking is not always apparent to the family member, a 911 operator, or even a responding officer. First responders need to be educated and trained on the collection of data for human trafficking.

**How a Transnational Criminal Organization might be detected:**

**Example:** backpage.com, Thai Escort Service

1) KCSO gets a call regarding suspicious activity; 2) Brought to the attention of the officer to research business or parties; identification of all financial institutions related to business or/and personal finance; 3) surveillance occurs possibly for several months; 4) intelligence and investigation is gathered including internet; there could be more than one location attached to one owner or an owner linked to multiple sites with multiple victims; 5) undercover operation to confirm criminal activity; 6) tie the owner to physical locations to show knowledge; tie businesses to personal residences i.e. owners coming and going; 7) once proven it's a criminal organization, showed ownership participation and/or knowledge and successfully tied business locations to personal residences and/or storage facilities a decision is made to proceed, include preparation of search warrants and seizure warrants; 8) services of search warrants, seizures warrants, collection of evidence, and arrest warrants and arrest interviews for successful prosecution

**The transnational criminal organization connection is supported by or through the follow up of seized evidence i.e. financial records, bank accounts and other seized evidence.**

**Intelligence:**

The internet contains daily records of prostitution virtually on a worldwide access. The number of "escorts" advertising in King County averaged 165 escorts a day, an average of 45 of these escorts advertised under the age of 21. More often than not, this is not the true age.

They can be tracked by the phone number provided and posting identification. The posting identification will lead to the subscriber information needed to identify those behind the ads. In the Federal system, a simple subpoena can get those ads and trace the source of the post right to their door step. At this time, in the state of Washington, it takes a search warrant. Many states in the Union use subpoena power in certain instances similar to the Federal government to expedite the investigative process.



**GAPS:** Washington law enforcement does not have the use subpoena power prior to formal charges. Formal charges cannot be filed until the case is done. A state policy change allowing subpoena power will provide our law enforcement the ability to expedite the investigative process.

**C. Identification of the number of youth and adults involved as victims, including their entry point and mode of entry into the sex trade and their entry into King County;**



PotentialHumanT  
raffickingAdult..

For 2011, this data only shows 6 actually labeled as “victims”. In 2012, only 2 listed as victims.

**GAPS:** Collection of data on “victims” is faulty. What may be labeled as “suspect”, may be a “victim” but information will not be available until intelligence and investigation is done. Data regarding entry point and entry into King County is captured by the Federal government not KCSO.

**D. Identification of trends and geographic data;**

KCSO Crime Analysis Unit Final Classification Reporting Codes, we were able to ascertain some data (Child Porn, Vice, Prostitution/pimping) for unincorporated King County and contracted cities (see below list):

- a. Burien=N1, N2, N3, N4, N5, N6
- b. Covington=H3
- c. Kenmore=E1, E2, E4, E5
- d. Maple Valley=H1
- e. Newcastle=H2
- f. North Bend (we’re losing this contract at the end of the year) =D1
- g. Sammamish=O1, O2, O3
- h. SeaTac=L1, L2, L3, L4, U4 (SEATAC Airport)
- i. Shoreline= A1, A2, A3, A4, A5, A6
- j. Skykomish = W7
- k. Woodinville = W1, W2, W3, W4
- l. Unincorporated King County = K1, K7, K8, K9

In addition, we also contract for police services with:

- a. Muckleshoot Indian Reservation = J1, J2
- b. Sound Transit;
- c. King County Metro = Metro 10, 20, 30, 40,

In 2011 there were 252 case reports written. Commercial Vice (which includes massage parlor-related activity) was the category with the most reports (133). Prostitution/Pimping was next with 98. The City of SeaTac had the most activity with 111 reports.

In 2012 there were 207 case reports written. Commercial Vice had 92 reports and Prostitution/Pimping had 91 reports. The City of SeaTac again had the most activity with 73 reports.



PotentialHumanT  
raffickingActiv...



Patrol District  
Map\_11x17.pdf

In addition to the above, using key words from intelligence and investigation reports such as Prostitution, Prostitute, Pimp and human trafficking lead to recovered data.

| FCR/DIST         | A Dist | C Dist | E Dist | F Dist | G Dist | U Dist | N Dist | S Dist | I Dist | K Dist | Other | TOTAL | 2011 | 2012 |
|------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|-------|------|------|
| 100 ASSUALTS     | 2      |        |        |        | 1      | 1      | 2      |        | 3      | 3      |       | 12    | 2    | 9    |
| 164 RUNAWAYS     |        |        |        |        | 1      |        | 4      |        |        |        | 1     | 6     | 2    | 4    |
| 139-151 SEX ASS  |        |        |        |        | 1      |        | 1      |        | 1      |        | 1     | 4     | 3    | 1    |
| 200 DRUGS        | 6      |        |        |        |        | 2      | 3      | 1      | 2      | 4      | 1     | 19    | 7    | 8    |
| ROBBERY          |        |        |        |        |        |        |        |        |        |        |       | 8     | 1    | 6    |
| THEFT            | 1      |        |        |        |        | 1      | 6      |        | 14     |        |       | 22    | 6    | 13   |
| 377 SUSP         | 8      | 1      | 1      | 1      |        |        | 1      |        | 4      | 5      | 2     | 23    | 8    | 14   |
| 500 WARRANT      | 17     |        |        |        | 1      | 6      |        | 3      | 17     | 7      | 6     | 59    | 26   | 23   |
| 551 ASSIST OTHER |        |        |        |        |        |        |        | 2      |        |        | 8     | 30    | 14   | 14   |
| 332 TRESPASS     | 5      |        |        |        |        |        |        |        | 1      | 1      |       | 7     | 4    | 3    |
| OTHER            | 11     | 1      |        | 1      |        |        | 2      | 2      | 4      | 1      | 2     | 24    | 7    | 15   |
|                  | 50     | 2      | 1      | 2      | 4      | 10     | 19     | 8      | 46     | 21     | 21    | 214   | 80   | 110  |

**E. Information on pimps, prostitution rings, massage parlors and points of contact where individuals are approached for entry to illegal sex trafficking or engage in related behavior;**

Since 01/01/2011 KCSO has investigated 22 "Massage" oriented businesses. The number does not represent the total number of "Massage" businesses that are fronts for prostitution in King County. Data collected from on-line prostitution advertisements, internet prostitution review web sites and other advertisement sources, indicate that there are an estimated 84 Massage businesses that are fronts for prostitution/Human Trafficking in King County. (Rubmaps, TRB, Eros)

**GAPS:** KCSO (FCRs) do not capture data regarding points of contact where individuals are approached for entry to illegal sex trafficking.

**F. Identification of best practices for the suppression of human trafficking:**

While there are numerous recommendations from various sources, the KCSO has experienced great success in the suppression of human trafficking with personnel that have:

a. Specialized investigative techniques

Intel, tracking, training, operational focused, proper goals, financial seizures. Networking and de-confliction.

b. Special Prosecutors

Case development, financial seizures, filing and negotiating cases.

c. Not a jurisdictional problem/global-- Investigating criminal organizations that have or will operate in King County

**GAPS:** Currently, because of the budget, there is one KCSO dedicated detective working only part time, assigned to "human trafficking".

**G. Identification of the opportunities for federal or other grant funding to support services that suppress human trafficking;**

Law Enforcement Grants for human trafficking: Most of the federal grants from the Dept. of Justice Bureau of Justice Assistance, the National Institute for Justice and Office of Justice are grants made in collaboration with other jurisdictions and other disciplines

For example: the Enhanced Collaborative Model to Combat Human Trafficking FY2013 Competitive Grant (see below announcement) to support law enforcement agencies requires that the application be made jointly with a service provider and that we must be part of a Task Force with the US Attorney General's Office holding a co-leadership position.

1) Bureau of Justice Assistance Grants: <https://www.bja.gov/Funding.aspx>

|                                                                                                 |                                                                                                                                                                                                                                                                                                                     |            |                              |
|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------|
| Enhanced Collaborative Model to Combat Human Trafficking FY 2013 Competitive Grant Announcement | BJA and the Office for Victims of Crime are seeking applicants for funding to support an enhanced anti-human trafficking law enforcement task force and victim service model designed to identify, rescue, and assist foreign and domestic, adult and minor, victims of human trafficking within the United States. | 03/14/2013 | <a href="#">Solicitation</a> |
|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------|

|                                                 |                                                                                                                                                                                                                                    |                                |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| Justice and Mental Health Collaboration Program | BJA is seeking applications that demonstrate a collaborative project between criminal justice and mental health partners from eligible applicants to plan, implement, or expand a justice and mental health collaboration program. | 03/25/2013 <u>Solicitation</u> |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|

2) Office of Justice Programs:

<http://www.ojp.usdoj.gov/ovc/pdftxt/CombatHumanTrafficking.pdf>

3) <http://www.google.com/giving/impact-awards.html>


4) **Language Bank grants:**

Language Bank grants are for the provision of interpretation during direct service to victim/survivors of crime, such as assault, robbery, child abuse, vehicular assault and homicide, property crime, trafficking, hate crimes, kidnapping, identity theft, burglary, drunk and drugged driving, attempted homicide and survivors of homicide, sexual assault, dating violence, domestic violence, elder abuse, and stalking. Interpretation services may be used for advocacy and other direct services that occur either in person or over the phone.

The Language Bank application is available year-round. For more information, please contact Chris Fenno, Program Manager at (360) 725-2875 or via email at [christine.fenno@commerce.wa.gov](mailto:christine.fenno@commerce.wa.gov).

 OCVA Language Bank Application

 OCVA Language Bank Attachment C, Budget Form

 VOCA Program Guidelines

Global Impact Awards support nonprofits using technology and innovation to tackle tough human challenges. We look for entrepreneurial teams with an idea to change the world and a healthy disregard for the impossible. Our latest Global Impact Awards go to Polaris Project, La Strada International and Liberty Asia for the creation of a collaborative data network that can better protect victims, identify best practices and map global trafficking trends.

[LEARN MORE ABOUT POLARIS PROJECT, LA STRADA INTERNATIONAL AND LIBERTY ASIA](#)

**GAPS:** Grant writing requires specific skills. One must know where to search for grants, have excellent writing skills, ability to determine if the grant will be cost effective to KCSO, collect and complete all documents needed for submission of grants. There is no one dedicated to writing grants or to help with fundraising needs to combat human trafficking.

Some of the federal grants identified require a financial match. For Example, the BJA grant above will not cover more than 75% of the total cost of the project being funded. KCSO would have to cover the other 25%. If we were to ask for the full \$500,000, KCSO would have to come up with \$166,667 cash or in kind match, equivalent to 1 FTE.

**H. Identification of strategic investments that the county could make into interdiction and suppression of human trafficking in the region;**

**Recommendations with little fiscal impact:**

1. Provide data collection mechanisms for evidence of human trafficking. The need for better methods of data collection became apparent early on in the execution of human trafficking proviso. Law enforcement jurisdictions across King County, and presumably across the State of Washington, do not have a uniform way of tracking and identifying instances of human trafficking. Thus there is no reliable way to make an “apples to apples” comparison across jurisdictions.

KCSO’s electronic field reports already allow for deputies to “check a box” if an assault also qualifies as domestic violence or gang activity. It would be possible to add this capability when deputies identify evidence of human trafficking, even if there is not probable cause to arrest. This data could then be tracked for future contacts with a suspect.

2. Begin training all patrol deputies to recognize the signs of human trafficking. Sheriff Urquhart has reinstated a precinct model for patrol operations, which will allow for weekly roll calls between deputies and their sergeants. KCSO detectives can take this opportunity to train deputies to recognize the signs of human trafficking. Other agencies have produced videos to accomplish this as well. KCSO is working at this on a regional level. We are partnering with the Child Exploitation Investigations and Prosecutions Training Program on June 17<sup>th</sup> and 18<sup>th</sup>. Detective Mike Garske and Val Richey will be training interested police officers and prosecuting attorneys on how to investigate and develop cases, which will lead to more successful prosecutions.
3. Continue to participate in the Child Exploitation Task Force (formerly Innocence Lost Task Force). KCSO currently has two members participating in this FBI-led task

force. Additionally, KCSO can continue to participate with WashACT in lieu of forming its own multijurisdictional task force.

**Recommendations with fiscal impact:**

1. Invest in additional patrol FTEs to prevent a reduction in current levels of human trafficking investigations.

KCSO is once again facing a reduction in services due to the need to temporarily transfer special ops bodies to patrol to avoid backfilling overtime on vacations and retirements. Since 2008, KCSO has had to eliminate or reduce critical services due to personnel cuts. These include:

- a. Fraud/forgery (**eliminated**)
- b. Dedicated full-time SWAT (reduced to ancillary duty)
- c. Unincorporated patrol (reduced)
- d. Child find (reduced)
- e. Fire investigations (reduced)
- f. 911 communications (reduced)
- g. Dedicated full-time K-9 (reduced to ancillary duty)
- h. Vice unit (**eliminated**)
- i. Domestic violence (**eliminated**)
- j. Terrorism Task Force (**eliminated**)
- k. Drug investigations (reduced)
- l. Major crimes/Homicide (reduced)
- m. Regional intelligence (reduced)
- n. School Resource Officers (**eliminated**)
- o. Marine Patrol (reduced)
- p. Special assault (reduced)
- q. Patrol support (reduced)
- r. Registered sex offender (reduced)
- s. Major accident and reconstruction (reduced)
- t. Air support (reduced)
- u. Traffic (**eliminated**)

2. Re-instatement of the Domestic Violence Unit.

Many other types of crimes will be identified from follow-up DV investigations, including human trafficking. Prostitutes usually protect their pimp by identifying him as a boyfriend. This could automatically trigger a follow-up DV investigation where more valuable information will be extracted than from a single contact with a patrol

deputy. This could lead to a broader investigation making it easier to hold pimps accountable.

Better DV investigations will also have an impact on gun crimes. Under federal law, any person convicted of any DV offense, including misdemeanor assault in the 4<sup>th</sup> degree, is prohibited from possessing firearms or ammo. Better DV investigations will result in more convictions, even with recanting victims (who we know recant for a variety of reasons).

The Sheriff's Office is currently applying for a federal grant that would cover roughly 1/3 of new deputies hired for a DV unit.

3. If additional FTEs are authorized, invest in more forensics equipment. Currently, the equipment in the forensics laboratory is partially funded by asset forfeiture funds, an unpredictable and unsustainable source of revenue. KCSO detectives need up-to-date cameras, covert audio and video recording devices, and specialized software to secure convictions of perpetrators.

**GAPS:** Law enforcement must have access to the latest technology equipment (computers, specialized software, cameras, covert recording and video devices, smart phones, reliable communication devices that can be used for unit surveillance and enough on hand to equip assisting agencies) to do their jobs effectively. It is imperative that they have an additional experienced digital forensic examiner who is an expert in the use of the equipment. This examiner should be trained in the preservation, collection and analysis of the seized digital evidence and finally preparation of the evidence for presentation in court in order to get a successful conviction.

Currently, monies for technology equipment to fund the Forensics Laboratory is partly funded by assets seized as a result of successful money laundering operations that are tied to promoting prostitution and human trafficking. Some of the funding also comes from the U.S. Secret Service E- crimes Task Force. Because of cuts in federal government funding and King County budgetary cuts in narcotics and vice, seizure funds have become depleted and are unreliable sources of funding.

#### **Recommendations outside of KCSO**

1. Study the use of a Therapeutic Court. Judge Sean O'Donnell suggested the use of a "therapeutic court" for youth or others forced into prostitution.

**I. Recommendation on the establishment of a multijurisdictional task force with the primary goal of interdiction and suppression of human trafficking in the region.**

WashACT is a multidisciplinary taskforce co-chaired by the US Attorney's Office for the Western District of Washington, Seattle Police Department's Vice High-Risk Victims Unit, and the Washington Anti-Trafficking Response Network (WARN). Convened in 2004, Wash Act'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. Members meet regularly to share information on trafficking and resources to victims of trafficking; to identify and remedy gaps in services to victims; and to coordinate investigations and prosecution of trafficking cases. Through the collaborative efforts of member agencies in Wash ACT, over 50 cases of human trafficking have been prosecuted in Western Washington since 2004 and over 150 human trafficking survivors have received services. The KCSO is already a member of this Task Force.

There are two other Task Forces that are multijurisdictional where KCSO is already a member.

- 1) "Child Exploitation Task Force", formerly called "Innocence Lost Task Force" was formed to address the growing problem of domestic sex trafficking of children in the United States and is led by the FBI in many districts around the country. The KCSO has 2 members participating in this task force.
- 2) The Washington State Model Protocol for Commercially Sexually Exploited Children is in the process of developing a plan across the state for robust data collection to capture information about victims, identify services and system gaps. The KCSO is currently a member of this task force.

**GAPS:** Working with the Federal Government, while advantageous at times has its own drawback. The Federal Government determines where they want the focus. KCSO is not reimbursed for the work of the King County Sheriff Officers. King County may not get what King County wants.



Appendix F. Data Charts – King County Prosecuting Attorney’s Office

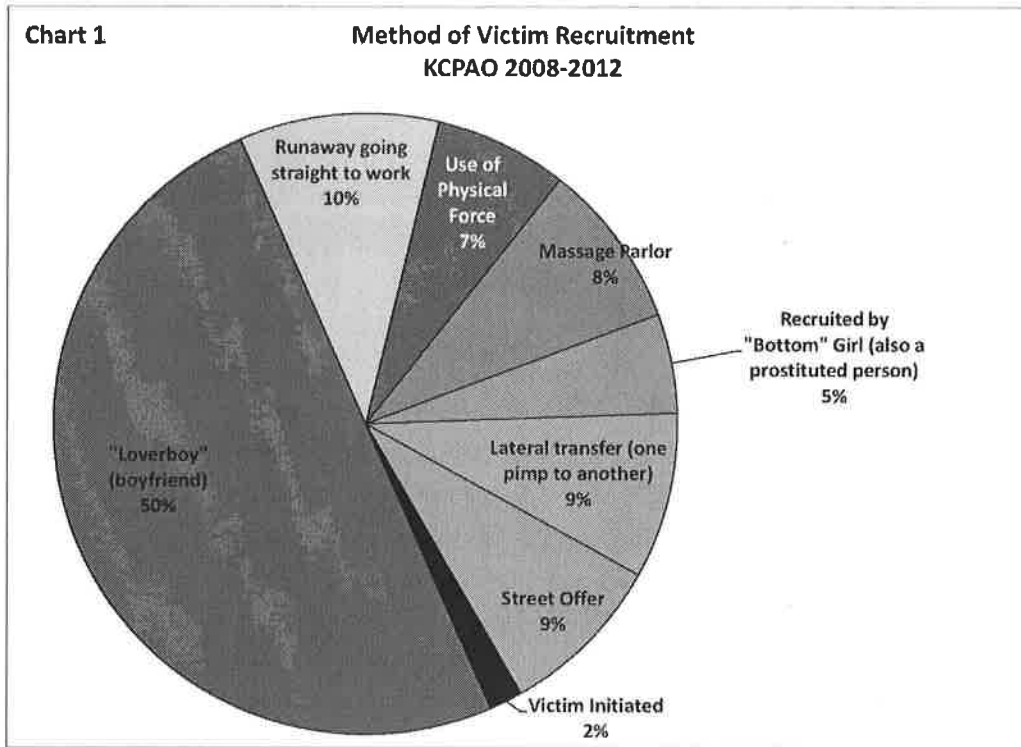


Chart 1: Method of Victim Recruitment:  
KCPAO 2011-12

- This is the method of recruitment used to bring the victim into sex trafficking as indicated in the particular certification of probable cause (officer and victim's report).
- The categories used include:
  - Victim-Initiated: A victim will contact a pimp or john with the intent to become a prostitute
  - "Loverboy" (boyfriend): The pimp enters into a romantic relationship with the victim and then uses some form of coercion to get her into prostitution
  - Runaway going straight to work: The victim is a runaway who immediately goes into prostitution without any perceived romantic relationship with pimp
    - This category does not include all runaways who get caught in crimes related to sex trafficking. Some do not go to work immediately, but instead are coerced through a false romantic relationship with their Pimp. These would be categorized in the "Loverboy" category
    - This category was meant to differentiate the runaways that had a clear understanding of what they were doing from those who were more coerced
  - Use of Physical Force: The entry into prostitution or initial act of prostitution is by physical force. A common example of this is that a female will be brought to a place of residence by a friend, family member or someone they trust, then raped, and the person who brought them there will be paid, unknown to the person who was raped.
  - Massage Parlor: The victim is recruited through a massage parlor
  - Recruited by 'bottom' girl: The 2nd in command (who is female and usually also a prostitute) recruits the victim. The slang reference to this person is also a pros
  - Lateral transfer: The victim changes from one pimp to another
  - Street offer: The victim is made an offer to start prostituting on the street while not actively seeking prostitution
    - This is different from the 'Runaway going straight to work' category because while the victim might end up running away to work, to the best knowledge available they had not run away later
- Police stings were not included in this data
- This data comes from self-reports in the Certification of Probable Cause. The included crimes are:
  - Possess/deal depictions of a minor-patronizing a prostitute, Prostitution related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution

**Chart 2** Number of Sex Trafficking-Related Arrests (All Crimes) by Reporting Agency  
WSP 2008-2012

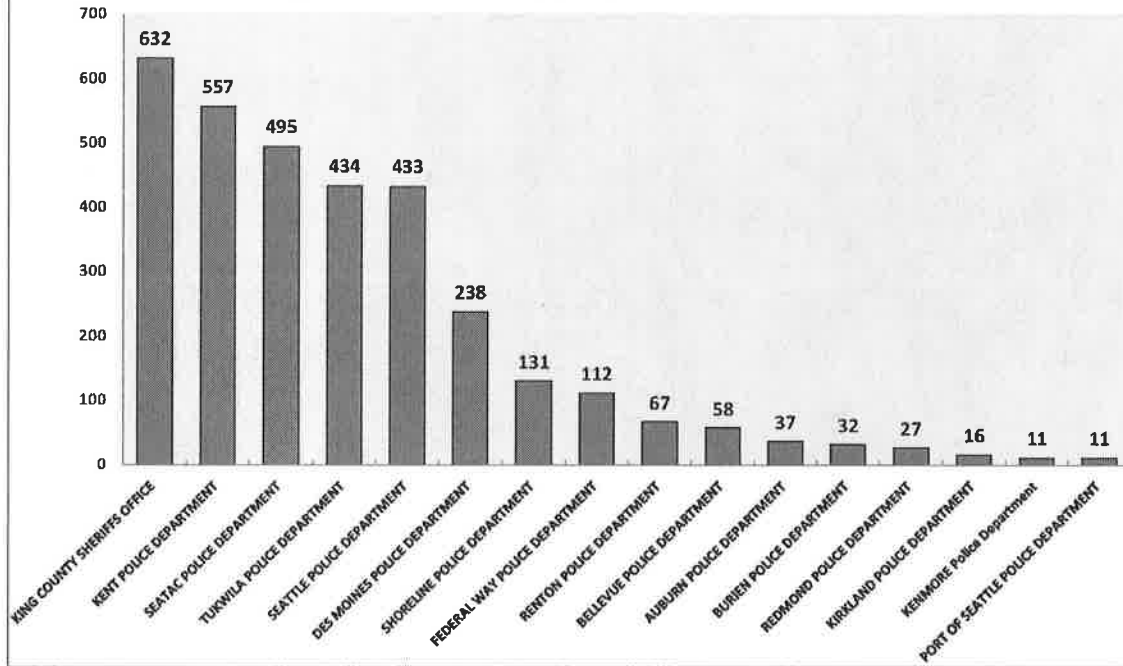


Chart 2: Number of Sex Trafficking-Related Arrests (All Crimes) by Reporting Agency: WSP 2008-2012

- Agencies reporting less than 10 arrests were not included
- Non-police agencies were not included to avoid potential duplication in data
- Crimes Include: Prostitution, Possess/deal depictions of a minor-patronizing a prostitute, Prostitution related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor promote travel, Promote travel for prostitution
- KCSO Label: If KCSO is providing police services for outside jurisdictions , what is included under this label depends upon how the arrest is handled procedurally within a non-King County (but contracted) jurisdiction. If KCSO is provided to WSP as the arresting agency, then that is what the WSP data will show. If KCSO reports that arrest as KCSO being the contributing agency, but the local jurisdiction as the arresting agency then the WSP data will reflect the separation correctly. If KCSO is handling the fingerprinting and arrest processing for an outside jurisdiction, but is not the actual agency bringing in an individual for processing, KCSO will be recorded as the contributing agency and the agency that arrested the individual and brought them in for processing is the arresting agency which is where that arrest data would appear.

**Chart 3** Number of Prostitution Arrests and Non-Prostitution Sex Trafficking Arrests (Pimping, Johns, Transporting) by Reporting Agency WSP 2008-2012

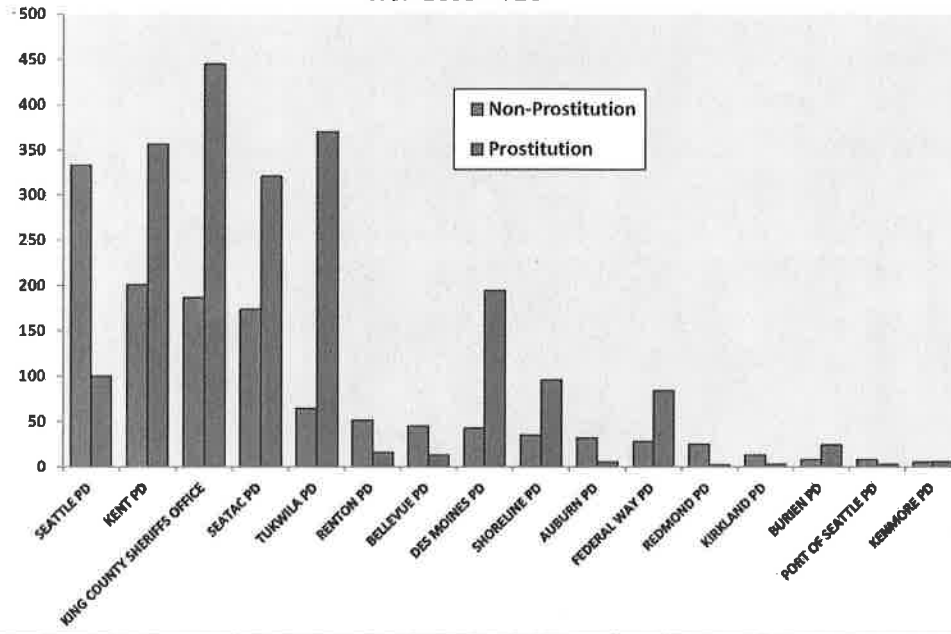


Chart 3: Number of Prostitution Arrests and Non-Prostitution Sex Trafficking Arrests (Pimping, Johns, Transporting) by Reporting Agency:

WSP 2008-12

- Agencies reporting less than 10 arrests were not included
- Non-police agencies were not included to avoid potential duplication in data
- Prostitution arrests include: Prostitution
- Non-prostitution arrests include: Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor promote travel, Promote travel for prostitution
- KCSO Label: If KCSO is providing police services for outside jurisdictions, what is included under this label depends upon how the arrest is handled procedurally within a non-King County (but contracted) jurisdiction. If KCSO is provided to WSP as the arresting agency, then that is what the WSP data will show. If KCSO reports that arrest as KCSO being the contributing agency, but the local jurisdiction as the arresting agency then the WSP data will reflect the separation correctly. If KCSO is handling the fingerprinting and arrest processing for an outside jurisdiction, but is not the actual agency bringing in an individual for processing, KCSO will be recorded as the contributing agency and the agency that arrested the individual and brought them in for processing is the arresting agency which is where that arrest data would appear.

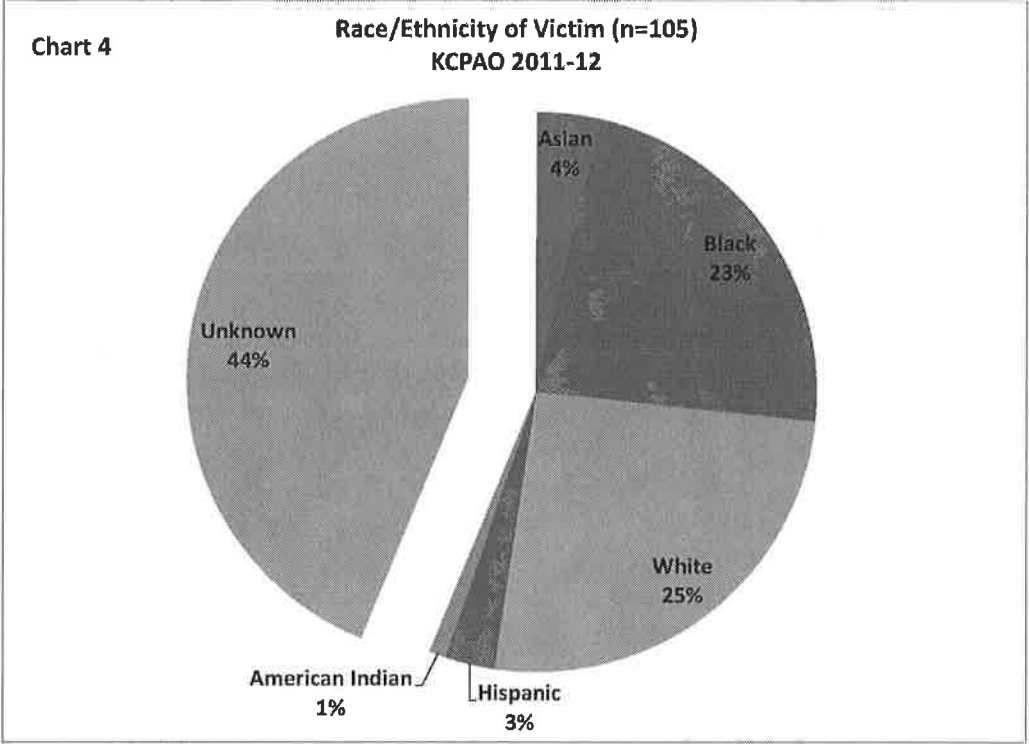


Chart 4: Race/Ethnicity of Victim (n=105): KCPAO 2011-12

- Due to inconsistency in reporting it is possible that some people who should have been classified as Hispanic/Latino were included in the 'White' category
- The race of the defendant was determined primarily from the Superform. If no race/ethnicity information was available on the Superform, the Certification for Probable Cause was used.
- This data is based on officer reports and include the following crimes:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution



Chart 5

Race/Ethnicity of Defendant in John Related Charges (n=34)  
KCPAO 2011-12

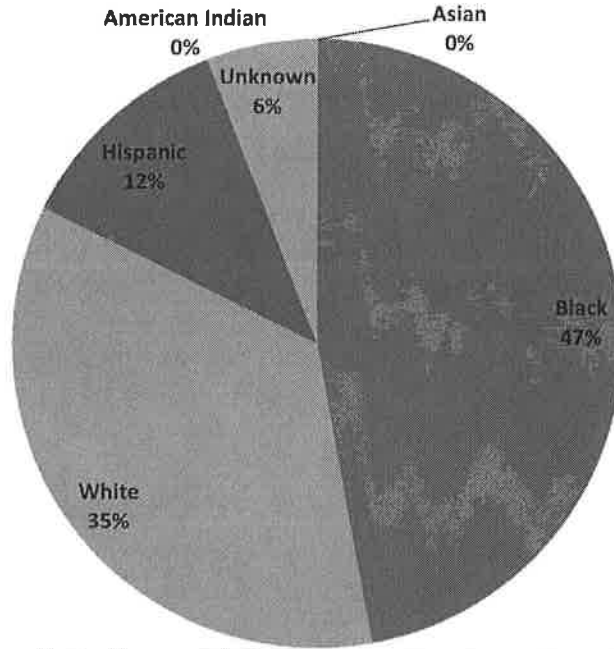


Chart 5: Race/Ethnicity of Defendant in John Related Cases (n=34)

KCPAO 2011-12

- Due to inconsistency in reporting it is possible that some people who should have been classified as Hispanic/Latino were included in the 'White' category
- The race of the defendant was determined primarily from the Superform. If no race/ethnicity information was available on the Superform, the Certification for Probable Cause was used.
- All Crimes related to the John of a Prostitute were included
  - Crimes included are called
    - Patronizing a Prostitute
    - Commercial Sex Abuse of a Minor

Chart 6

Gender of Defendant (n=101)  
KCPAO 2011-2012

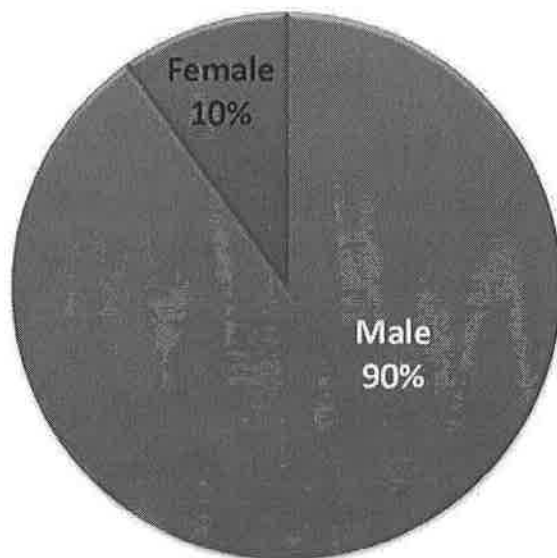


Chart 6: Gender of Defendant: KCPAO 2011-2012

- There were no charges of prostitution in this data. This data is based on officer reports found in the Superform and includes the following crimes:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution

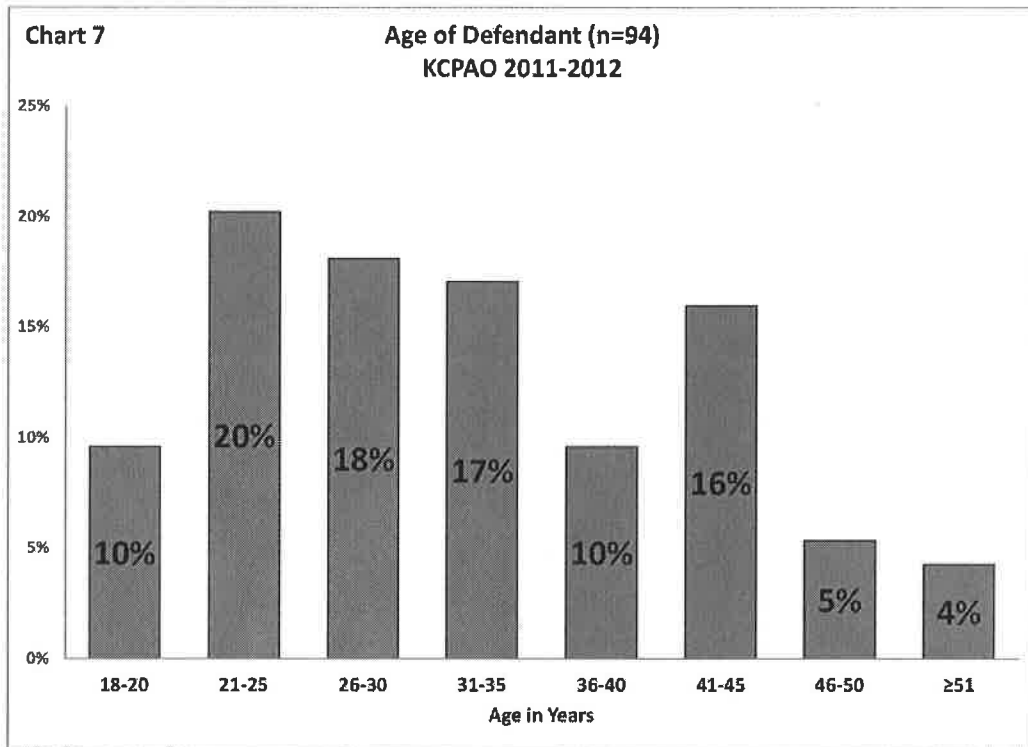
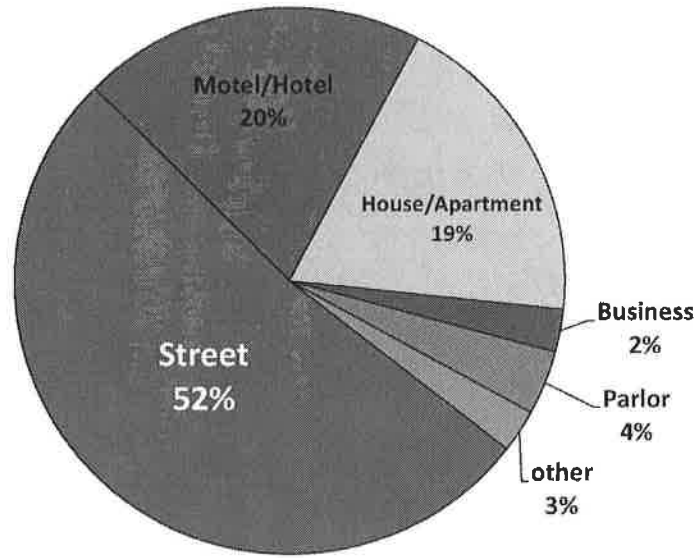


Chart 7: Age of Defendants (n=94): KCPAO 2011-2012

- This data is compiled by defendant, not by charge. If there are multiple charges in a case, the defendant is only counted once. It should be noted that if the suspect were to be involved in more than one case in this time, he may be included in more than one datapoint
- This data is based on officer reports found in the Superform and includes the following crimes:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution

**Chart 8**

**Crime's Location of Initiation  
KCPAO 2011-2012**



### Chart 8: Crime's Location of Initiation: KCPAO 2011-12

- This indicates the type of location where the crime charged initiated. For example, if a john were to pick up a victim on the street and then drive to a motel, it would be labeled as "street". Note that other datasets may indicate a higher number of hotel/motel locations because they count where the crime actually occurred, rather than where initiated. See data from Businesses to End Slavery & Trafficking (BEST).
- The categories were made this way because the majority of police interventions happen when the initiation spot is also the end point of the crime. When this was not the case, often the officer interrupted the flow of events, making it difficult to determine where the end point of that crime may have been.
- This data is based on officer reports found in the Certification of Probable Cause and includes the following crimes:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution



**Chart 9 Method of First Contact with Suspect by Law Enforcement in Sex Trafficking-Related Cases KCPAO 2008-2012**

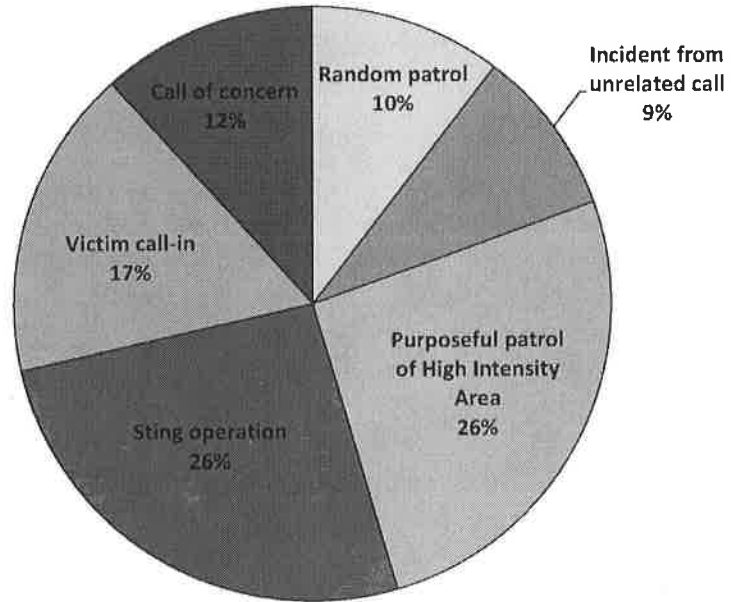


Chart 9: Method of First Contact with Suspect by Law Enforcement in Sex Trafficking-Related Cases: KCPAO 2011-2012

- This is the way that law enforcement first became aware of a case related to sex trafficking
- The categories used include:
  - Purposeful Patrol of High Intensity Area: An officer who is patrolling an area known for crimes related to sex trafficking
  - Call of Concern: A concerned person (usually a family member) calls the police to request further investigation of a person of concern
  - Sting operation: An operation designed to catch a criminal, often involves officers in plain clothes
  - Random Patrol: An officer doing standard patrol without emphasis on crimes related to sex trafficking
  - Victim Call-in: The victim of the alleged crime calls to report a crime committed against them. This category also applies if the victim calls to report an unrelated crime and during the investigation the crime relating to sex trafficking is uncovered.
  - Incident from unrelated call: An officer finds a case related to sex trafficking when on an unrelated call
- This is based on Officer's and victim's report in the Certification of Probable Cause, the crimes included are:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution

**Chart 10**

**Internet Use in Sex Trafficking-Related Cases  
KCPAO 2011-2012**

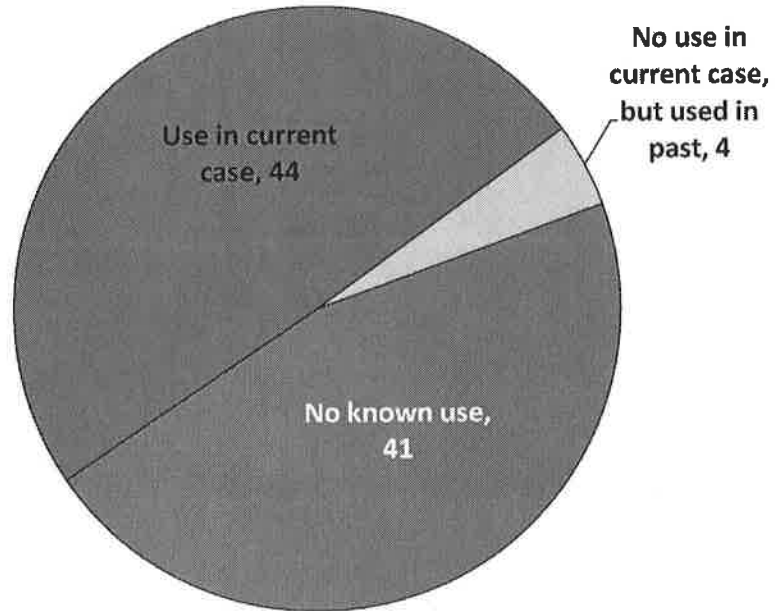


Chart 10: Internet Use in Sex Trafficking-Related Cases  
KCPAO 2011-2012

- This data is based on self-reports by the officer and victims used in certification of probable cause for the following crimes:
  - Possess/deal depictions of a minor, Patronizing a prostitute, Prostitution-related, Promote prostitution, Promote prostitution-1, Promote prostitution-2, Commercial sex abuse of a minor-promote, Sexual exploitation of a minor, Trafficking, Commercial sex abuse of a minor, Trafficking-2, Trafficking-1, Permit prostitution, Commercial sex abuse minor-permit, Commercial sex abuse of a minor-promote travel, Promote travel for prostitution

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## **Additional Documents, Interviews and Websites**

- Interviews conducted by staff from King County PAO's office

*Coordination, Collaboration, Capacity: Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States (2013-2017), Phase 1: Initial Framework, President's Interagency Task Force to Monitor and Combat Trafficking in Persons (2013).* (Available at <https://ACFstrongertogether.ideascale.com>)

*CSEC Progress Report, Multnomah County: Community Response to Commercial Sexual Exploitation of Children (2012).*

*Domestic Sex Trafficking: The Criminal Operations of the American Pimp, Polaris Project.*

*Survey of Prosecutions involving Prostitution & Patronizing Crimes in King County, KCPAO (2012).*

*Interview with Dale Alton, Director of the Georgia Care Connection Office (GCCO), Fulton County, GA.*

*Interview with Kate Richtman, Director of the Juvenile Prosecution Division: Ramsey County, MN.*

*Interview with Camila Wright, Human Trafficking District Attorney: Fulton County, GA.*

*Interview with Adriane Reese, Broward Human Trafficking Coalition Chair, Broward Sheriff's Office, FL.*

## **Programs Contacted**

Georgia Care Connection Office (GCCO), CSEC Initiative, GA

Support to End Exploitation Now (SEEN), Suffolk County, MA

Runaway Prevention Project, Ramsey County, MN

H.E.A.T. Watch, Alameda County, CA

Dallas Police Department Child Exploitation/High Risk Victims Trafficking Unit, TX

Multnomah County CSEC Response, OR

## US government agency websites

Obama administration 20102 initiative on human trafficking:

<http://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obama-administration-announces-efforts-combat-human-trafficki>

Federal Bureau of Investigation: [http://www.fbi.gov/about-us/investigate/civilrights/human trafficking](http://www.fbi.gov/about-us/investigate/civilrights/human%20trafficking)

Department of Justice: <http://www.justice.gov/crt/about/crm/htpu.php>

Department of Homeland Security: <http://www.dhs.gov/topic/human-trafficking>

Department of State: <http://www.state.gov/j/tip/>

Department of Health and Human Services:  
<http://www.acf.hhs.gov/programs/orr/programs/anti-trafficking>

Agency for International Development: <http://www.usaid.gov/trafficking>

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<sup>i</sup> The President's Interagency Task Force to Monitor and Combat Trafficking in Persons plans to improve assessment is part of the Comprehensive Plan for Future Action, announced in February, 2012. Washington State's new Committee on Sexual Exploitation also will address data collection.

<sup>ii</sup> "Movement" across borders, however, is not a requirement for labor trafficking to occur.

<sup>iii</sup> See the Polaris Project's description of labor trafficking. Polaris Project, <http://www.polarisproject.org/human-trafficking/recognizing-the-signs>.

<sup>iv</sup> See Senator Kohl-Welles' recent summary of all relevant legislation at <http://www.law.washington.edu/AsianLaw/HumanTrafficking/Kohl-Welles-WashingtonHTLaws.pdf> (January 10, 2013) Also see the Washington House Democrats summary of legislation. Washington House Democrats, <http://housedemocrats.wa.gov/tmp/2013/02/One-decade-of-bils-Human-Trafficking.pdf>. (February 20, 2013)

<sup>v</sup> See the US Department of State's listing of US law addressing human trafficking: United States Department of State, <http://www.state.gov/j/tip/laws/index.htm>.

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<sup>vi</sup> Polaris Institute, <http://www.polarisproject.org/resources/state-and-federal-laws>.

<sup>vii</sup> See the administration's announcement: White House, <http://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obama-administration-announces-efforts-combat-human-trafficki>.

<sup>viii</sup> The new US federal initiative, begun in 2012, focuses on the following:

- Executive Order Strengthening Protections in Federal Contracts (outlines federal prohibitions on trafficking-related activities for all contractors, subcontractors; compliance measures for large overseas contracts, subcontracts and additional tools for federal agencies to foster compliance)
- Tools and Training to Identify and Assist Trafficking Victims (trainings for federal prosecutors, law enforcement officials, immigration judges, commercial transportation officials, state and local law enforcement partners and state workforce agencies and educators)
- Increased Resources for Victims of Human Trafficking (a \$6 million Partnership for Freedom Innovation Award fund for local communities to develop collaborative and comprehensive solutions)
- Comprehensive Plan for Future Action (strategic action plan to strengthen services for trafficking victims) and improvement of assessment work at the national level through the Human Smuggling and Trafficking Center

Two specific projects were also announced:

- President's Advisory Council on Faith-Based and Neighborhood Partnerships enhanced focus on human trafficking and opportunities to expand partnerships with faith and community-based groups
- White House Office of Science and Technology Policy and Council on Women and Girls efforts to convene leaders in their fields to share information more effectively with law enforcement, harness the power of the Internet to reach victims, and explore other innovative approaches to provide victims with help that they need.

Notably, the Obama administration announcement also recognized the work and role of other sectors, and other ways that they would work together, including business, education, research, and the faith-based community. The other efforts that were recognized include:

- Creation of a Global Business Coalition Against Trafficking
- US Travel Association's compilation of an anti-trafficking 'toolkit' to drive awareness within the travel and tourism industries
- A Counter-Trafficking in Persons Campus Challenge (to raise awareness and inspire activism among college students)
- A cross-disciplinary research partnership between the Johns Hopkins University Bloomberg School of Public Health, Goldman Sachs Foundation and Advisory Council on Child Trafficking
- Launch of the Made in a Free World Initiative (to help buyers and suppliers eliminate supply chain vulnerabilities)

<sup>x</sup> *The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*. The United Nations Office on Drugs and Crime is responsible for assisting governments to handle drug, crime, terrorism and corruption-related issues, maximize knowledge on these issues among governmental institutions and agencies, and also to maximize awareness of these matters in public opinion, globally, nationally and at the community level. This effort is pursued through three primary functions; research, guidance, and support to governments in adoption and implementation of various conventions, treaties and protocols, as well as to provide technical assistance in these areas. The United States ratified the Protocols on November 3, 2005, with certain declarations and reservations. See United Nations, ([http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18&lang=en#EndDec](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&lang=en#EndDec))

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and [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-b&chapter=18&lang=en#EndDec](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-b&chapter=18&lang=en#EndDec)

<sup>x</sup> *The Protocol to Prevent, Suppress and Punish Trafficking in persons, Especially Women and Children*, defines “trafficking in persons” as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” According to an American Bar Association review on defining and identifying trafficking (Leidholdt, 2008), the Protocol specifies that “[e]xploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

<sup>xi</sup> Y.T. Woo, e-mail to author, January 29, 2013.

<sup>xii</sup> Different sources express disagreement about the extent of labor trafficking (non-commercial sex trafficking in the US). It is unclear whether underreporting of labor trafficking exists. The most recent report on the extent of trafficking in the US suggests that the biggest problem is commercial sex trafficking. Including all adult prostitution as a form of trafficking would further suggest that this is true.

<sup>xiii</sup> State statutes that establish relevant felony crimes are most applicable in human trafficking situations. Misdemeanor offenses under the King County Code or Revised Code of Washington on their face do not appear to contain the elements of force, fraud or coercion necessary to sustain a conviction in a human trafficking situation.

<sup>xiv</sup> Federal Bureau of Investigation, <http://www.fbi.gov/seattle/press-releases/2013/new-child-exploitation-task-forces-signal-enhanced-fbi-effort-to-combat-crimes-against-children> (January 29, 2013)

<sup>xv</sup> White House Press Office, <http://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obama-administration-announces-efforts-combat-human-trafficki> (September 25, 2012)

<sup>xvi</sup> Office of Refugee Resettlement, <http://www.acf.hhs.gov/programs/orr/programs/anti-trafficking>

<sup>xvii</sup> The 2008 report of the Washington Task Force on Human Trafficking includes the following phased recommendations:

Phase I:

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

Phase II:

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

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

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

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

Phase III:

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

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

§ Provide one-time relocation transportation assistance for victims of human trafficking. Such assistance includes airfare and per diem travel allowance for one day.

<sup>xviii</sup> Due to small numbers, the name of the reporting agency is not included in order to prevent possible violation of client confidentiality.

<sup>xix</sup> According to WSP, If KCSO is providing police services for outside jurisdictions, what is included under this label depends upon how the arrest is handled procedurally within a non-King County (but contracted) jurisdiction. If KCSO is provided to WSP as the arresting agency, then that is what the WSP data will show. If KCSO reports that arrest as KCSO being the contributing agency, but the local jurisdiction as the arresting agency then the WSP data will reflect the separation correctly. If KCSO is handling the fingerprinting and arrest processing for an outside jurisdiction, but is not the actual agency bringing in an individual for processing, KCSO will be recorded as the contributing agency and the agency that arrested the individual and brought them in for processing is the arresting agency which is where that arrest data would appear.

<sup>xx</sup> Promising approaches to service delivery include: One-stop shopping for services, mobile services, trauma-informed and trauma-specific services, pro-bono services, volunteer programs, consistent case managers and collaboration. Characteristics of effective initiatives to assist victims include: Client-centered approach, experience with population being served, cultural sensitivity, and comprehensiveness in approach, shared vision among the agencies that may be collaborating in the program, fostering trust and relationship building consistently, trauma-informed, involvement of survivors and safety planning (for staff and client). Clawson, H.J. & Dutch, N. (2009). Study of HHS programs serving human trafficking victims, final report. *US Department of Health and Human Services*. <http://aspe.hhs.gov/hsp/07/humantrafficking/>