

MAKING WASHINGTON A TRUE SAFE HARBOR

The Issue

Under the federal Trafficking Victims Protection Act (TVPA), any person under the age of 18 who performs a commercial sex act is considered a victim of human trafficking regardless of force, fraud, or coercion. Washington State, however, continues to arrest and charge minors for prostitution, even though they are victims of sex trafficking. Exempting minors from charges of prostitution and creating therapeutic alternatives would bring Washington in line with thirty-one other states and in accordance with the federal TVPA.

Why is This Important?

- When Washington passed its Safe Harbor legislation in 2010, it positioned itself as a leader in combating human trafficking. Yet Washington's continued practice of treating commercially sexually exploited children (CSEC) as criminals belies the state's commitment to anti-trafficking.
- Commercial sexual exploitation is closely linked to childhood trauma: the majority of sexually exploited youth experienced childhood victimization or sexual abuse and between 60% and 85% have histories with the child welfare system.
- There are over 13,000 unaccompanied youth and young adults in Washington State. Approximately one fifth of homeless youth are victims of human trafficking and 60% report experiencing some degree of victimization on the street.
- Because Washington has no therapeutic alternatives to detention, sexually exploited youth often end up serving jail time for their own abuse.

The Solution

HB1775/SB5744 would ensure that Washington State implements a victim-centered and trauma-informed approach to commercially sexually exploited youth. The bill would:

- Limit the crime of prostitution to individuals 18 years or older.
- Create two therapeutic receiving centers for sexually exploited youth, located west and east of the Cascades, to assess youth for mental health and substance use disorder, make referrals, and/or provide licensed, residential substance use disorder and mental health treatment.
- Enable law enforcement, service providers, or guardians to refer youth who are victims of sexual exploitation to a receiving center or allow youth to self-refer.
- Create dedicated CSEC liaisons within the Department of Children, Youth, and Families to assist with system navigation, service delivery, and cross-sector investigations.