
ENGROSSED SENATE BILL 5355

AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By Senators C. Wilson, Kuderer, Lovelett, Nguyen, Randall, Valdez,
and Wellman

Read first time 01/13/23. Referred to Committee on Early Learning &
K-12 Education.

1 AN ACT Relating to mandating instruction on sex trafficking
2 prevention and identification for students in grades seven through
3 12; adding a new section to chapter 28A.320 RCW; adding a new section
4 to chapter 28A.300 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature recognizes that:

7 (1) The United States has the second largest concentration of
8 past and current trafficking victims, and Washington state is
9 currently the sixth largest epicenter of sex trafficking in the
10 United States.

11 (2) More than 45 percent of all sex trafficking victims are
12 minors and attending our nation's schools every day.

13 (3) Currently, most trafficking avoids detection, with one study
14 from the national institute of justice finding that "fewer than half
15 of all suspected traffickers in the United States had been arrested."
16 Recent national institute of justice supported research reveals that
17 labor and sex trafficking data appearing in the federal bureau of
18 investigation's national uniform crime reporting program may
19 significantly understate the extent of trafficking crimes in the
20 United States.

1 (4) The undefined nature of human trafficking contributes to
2 widespread ignorance for public agencies in a position to address the
3 crime. Sixty percent of state and local prosecutors nationwide "do
4 not consider trafficking a problem in their jurisdictions," and over
5 70 percent of local, state, and county law enforcement agencies
6 wrongly "view human trafficking as rare or nonexistent" in their
7 local communities.

8 (5) Nearly half of prosecutors and law enforcement agencies
9 across the country are unaware of specific existing antitrafficking
10 laws or definitions that constitute acts of human trafficking, which
11 manifests in current ineffective mitigation strategies.

12 (6) Child sex trafficking survivors are disproportionately girls
13 of color. In King county, 52 percent of all child sex trafficking
14 victims are black and 84 percent of youth victims are female, while
15 black girls comprise 1.1 percent of the population.

16 (7) Sex traffickers are not overgeneralized to any demographic
17 but are disproportionately white men. In King county, 80 percent of
18 sex traffickers are white men.

19 (8) Females of color bear the brunt of prostitution imprisonment
20 as a result of sexual violence in sex trafficking due to mandatory
21 arrests. For example, Latinx women account for nearly 61 percent of
22 juvenile prostitution arrests. By contrast, sex traffickers face
23 little to no consequences for their role in exploitation.

24 (9) Twenty-five service agencies participated in a 2007 survey.
25 Nineteen of these agencies provided information that aligned with
26 what are understood to be "red-flag" indicators of trafficking
27 situations. Victimization and human trafficking are considerable
28 concerns for eastern Washington, particularly Spokane, and there is a
29 wide spectrum of trafficking activities that include sex slavery,
30 forced prostitution, forced panhandling, farm labor, janitorial work,
31 and domestic servitude.

32 (10) On any given day, between 300 and 500 people, some as young
33 as 11 years old, are trafficked in the Puget Sound area for labor or
34 sex.

35 (11) Intersectional, accurate, and actionable sex trafficking
36 education is necessary to enable all students to break down
37 stereotypes of affected parties in sex trafficking and provide them
38 with tools for identifying and combatting this crime.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 (1) Beginning no later than the 2025-26 school year, school
4 districts must offer instruction in sex trafficking awareness and
5 prevention. The instruction may be offered beginning in grade seven,
6 but each student must be offered the instruction at least once before
7 completing grade 12. The instruction, at the discretion of the school
8 or school district, may be integrated into a relevant course or a
9 course may be repurposed to include the instruction.

10 (2) Subject to the availability of amounts appropriated for this
11 specific purpose, on or before June 30, 2024, the office of the
12 superintendent of public instruction must review curricula related to
13 the awareness and prevention of sex trafficking.

14 (3) To the extent practicable, the office of the superintendent
15 of public instruction must make available in the library of openly
16 licensed courseware under RCW 28A.300.803, curricular resources
17 related to the awareness and prevention of sex trafficking that
18 include:

19 (a) Information about the race, gender, and socioeconomic status
20 of sex trafficking victims and perpetrators;

21 (b) Medically and legally accurate definitions of sex
22 trafficking, and information about term stigmatization and how it may
23 reduce reporting and increase the difficulty of detecting and
24 prosecuting sex trafficking crimes;

25 (c) Information about reporting systems and community engagement
26 opportunities with local, state, or national organizations against
27 sex trafficking, and basic identification training to determine if an
28 individual is at risk of or has been sex trafficked; and

29 (d) Information to help students recognize the signs and behavior
30 changes in others that may indicate grooming for sex trafficking or
31 other unlawful, coercive relationships.

32 (4) This section governs school operation and management under
33 RCW 28A.710.040 and 28A.715.020, and applies to charter schools
34 established under chapter 28A.710 RCW and state-tribal education
35 compact schools established under chapter 28A.715 RCW to the same
36 extent as it applies to school districts.

37 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300
38 RCW to read as follows:

1 The child sexual abuse and sex trafficking prevention and
2 identification public-private partnership account is created in the
3 custody of the state treasurer. All receipts from gifts, grants, or
4 endowments from public or private sources, federal funds, and any
5 appropriations made by the legislature or other sources must be
6 deposited into the account. Expenditures from the account may be used
7 only for curriculum and professional development to support
8 instruction on child sexual abuse and sex trafficking prevention and
9 identification. Only the superintendent of public instruction or the
10 superintendent's designee may authorize expenditures from the
11 account. The account is subject to allotment procedures under chapter
12 43.88 RCW, but an appropriation is not required for expenditures.

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