Commercially Sexually Exploited Children Statewide Coordinating Committee

2016 REPORT TO THE WASHINGTON STATE LEGISLATURE

November 28, 2016

TABLE OF CONTENTS

1. Executive Summary....1
1.1 Recommendations for the Legislature....2
1.2 CSEC Statewide Coordinating Committee Future Goals....2

2. INTRODUCTION....

2.1 Overview of Safe Harbor Law....3
2.1.1 Provisions Addressing Commercially Sexually Exploited Children (CSEC)....3
1.1.2 Provisions Addressing Perpetrators....4
2.2 Methodology....5
2.2.1 General....5
2.2.2 Survey....5

3. REVIEW....7
3.1 Provisions Related to Commercially Sexually Exploited Children....7
3.1.1 Services....7
3.1.2 Victim Benefits....12
3.1.3 Juvenile Justice Response....13
3.2 Provisions Related to Perpetrators....19
3.2.1 Level and Seriousness of Offense....19
3.2.2 Fees....23
3.2.3 Vehicle Impound....26
3.3 Training....32

4. CONCLUSION....35

CSEC COMMITTEE

2016 Final Report to the Legislature

1: EXECUTIVE SUMMARY

1.1Recommendations for the Legislature

1.1.1 Services

The legislature should:

- Provide funding for the implementation of a housing-first model, increasing placement options for all dependent youth, commercially sexually exploited children ("CSEC"), and other youth with a CHINS petition;
- Provide funding grants for community-based organizations providing long-term treatment of co-occurring disorders; and
- Examine the funding structure created by DB 2449 to determine why it is inadequate.

1.1.2 Juvenile Justice Response

The legislature should:

- Work with the the Commercially Sexually Exploited Children Statewide Coordinating Committee ("Committee") and the members of regional CSEC Task Forces to create and incentivize diversion programs available for CSEC-identified youth facing a variety of criminal charges related to their exploitation;
- Consider amending state law to exempt victims of Commercial Sexual Abuse of a Minor (CSAM) from criminal liability for other crimes related to their exploitation;
- Amend state law to permit law enforcement to take CSEC to licensed community-based organizations as an alternative to Crisis Residential Centers ("CRCs"), and fund CRC beds.

1.1.3 Level and Seriousness of Offense

The legislature should:

- Increase law enforcement resources towards human trafficking specific regional taskforces; and
- Provide funding to increase trainings for all levels of law enforcement and prosecutors;

1.1.4 Fees

The legislature should:

- Require quarterly reports to distinguish the revenue collected pursuant to RCW 9.68A.105 from other human trafficking related fines.

1.1.4 Vehicle Impound

The legislature should:

- Amend RCW 9A.88.140 in accordance with the proposed changes in Appendix B.

1. Chapter 273, Laws of 2015, Sec. 4(3).

1.2 CSEC Statewide Coordinating Committee Future Goals

Currently, the Committee is set to expire in 2017. Many shortfalls in the Safe Harbor Laws cannot be simply fixed through legislation. The Safe Harbor Laws provide many useful tools for combating commercial sexual exploitation of children; however, many existing barriers are a result of a lack of training, coordination and implementation around the State. Extending the Committee will allow us to address these barriers and continue to build on the progress made thus far. Bi-annual legislative reports with annual updates will allow the legislature to track the Committee's accomplishments and obtain future recommendations.

1.2.1 Services

The Committee will:

- Work with the Department of Social and Health Services ("DSHS") to publish a document clarifying its role in the CHINS process and distribute it to service providers statewide; and
- Work with the Administrative Office of the Courts ("AOC") to amend the pattern Child in Need of Services ("CHINS") forms to include coding that allows it to track the reason for filing the petition so as to enable the Committee to evaluate whether CSEC are accessing services via CHINS.

2.1.3 Juvenile Justice Response

The Committee will:

- Continue to train Law Enforcement and prosecutors on CSEC risk, identification, and alternatives to detention; and
- Work with all stakeholders to clarify terminology, such as commercial sexual abuse of a minor ("CSAM"), trafficking and CSEC, and promote consistent use of terms so as to reduce confusion and increase alignment of goals.

2.2.1 Level and Seriousness of Offense

The Committee will:

- Continue to train Law Enforcement and prosecutors on CSEC related crimes and investigations.
- Provide coordination between non-law enforcement partners and Law Enforcement to assist in identifying CSEC crimes and victims

2.2.2 Fees

The Committee will:

- Utilize the Regional CSEC Taskforces to 1) assess the current state of their local procedures, and 2) assist in the implementation of procedures to efficiently collect these fines; and
- Conduct trainings for judges, attorneys, and court personnel to educate them on the statute and give them model protocols for implementing the necessary procedures to collect and distribute these fines.

2: INTRODUCTION

In 2013, the Washington State Legislature established the Commercially Sexually Exploited Children Statewide Coordinating Committee ("the Committee"). The Committee mission is to "address the issue of children who are sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices."

In 2015, the Legislature tasked the Committee with the following duties:

- Reviewing the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities; and
- Researching any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state.[1]
- This report contains a preliminary review of the understanding and application of, as well as barriers to, chapter 289, Laws of 2010—which is commonly referred to as Washington's "Safe Harbor Law." The Committee plans to update this report after its June 2016 meeting, once all Committee members have had the opportunity to thoroughly review, add to the analysis, and make recommendations.

2.1 Overview of Safe Harbor Law

Enacted in 2010, the Safe Harbor Law includes provisions addressing both 1) commercially sexually exploited children (CSEC) and 2) perpetrators. Below is a summary of provisions within each of these categories.

2.1.1 Provisions Addressing Commercially Sexually Exploited Children (CSEC)

Within the provisions addressing CSEC, there are three subcategories: provisions related to services, victim benefits, and the juvenile justice response. The following table provides a synopsis of each, as well as the corresponding section number within chapter 289, Laws of 2010 ("Bill") and the RCW citation.

	Synopsis	Bill	RCW
Services	Starting July 1, 2011, if a juvenile is a sexually exploited child, a petition may be filed alleging that the juvenile is a child in need of services. A sexually exploited child is defined as any person under the age of 18 who is a victim of the crime of CSAM, and promoting sexual abuse of a minor, or promoting travel for CSAM.	Sec. 1, 2	13.32A.030-(5)(d),(17)
	Within available funding, when a sexually exploited child (or a youth who has been diverted for an alleged offense of prostitution or prostitution loitering) is referred to DSHS, DSHS must connect the child with services and treatment for sexually abused youth.	Sec. 3, 5	13.32A.270
	The Department of Social and Health Services ("DSHS") must require, to be licensed or continue to be licensed as a secure or semi-secure crisis residential center or HOPE center that the center has on staff, or otherwise has access to, a person who has been trained to work with the needs of sexually exploited children.	Sec. 10	74.15.255 (2)

1. Chapter 273, Laws of 2015, Sec. 4(3).

	Synopsis	Bill	RCW
Victim Benefits	The victim in a Commercial Sexual Abuse of a Minor ("CSAM"), promoting sexual abuse of a minor, or promoting travel for CSAM charge is nevertheless considered a victim of a criminal act for purposes of qualifying to receive benefits from the Crime Victim's Compensation fund.	Sec. 6	7.68.070(6)(b)
Juvenile Justice Response	If a juvenile is alleged to have committed the offense of prostitution or prostitution loitering and this is the juvenile's first offense, the prosecutor must divert the case.	Sec. 7	13.40.070(7)
	For subsequent allegations that the same minor has committed the above offenses, the prosecutor may either file an information in juvenile court or divert the case (if the county in which the offense is alleged to have been committed has a comprehensive program).	Sec. 8	13.40.213(1)
	There is a presumption that a youth arrested for prostitution or prostitution loitering meets the criteria for certification as a victim of a severe form of trafficking and is also a victim of CSAM.	Sec. 9	13.40.219

2.1.2 Provisions Addressing Perpetrators

Within the provisions addressing perpetrators, there are three subcategories: provisions related to level and seriousness of offense, fees, and vehicle impoundment. The following table provides a synopsis of each, as well as the corresponding section number within chapter 289, Laws of 2010 ("Bill") and the RCW citation.

	Synopsis	Bill	RCW
Level & Seriousness of Offense	The level of seriousness for promoting CSAM and CSAM are raised.	Sec. 11	9.94A.515
	CSAM is changed from a class C to class B; promoting is changed from B to A.	Sec. 13, 14	9.68A.100, 9.68A.101
Fees	A person convicted of CSAM, promoting CSAM, promoting travel for CSAM, or who has been given a deferred prosecution or entered into a statutory or non-statutory diversion agreement for the aforementioned offenses must be assessed a fee of $5,000.	Sec. 15	9.68A.105
	Prostitution and Intervention Account: This provision was subsequently modified. It now states that funds may be used for various services, which are listed in order of priority.	Sec. 18	43.63A.740

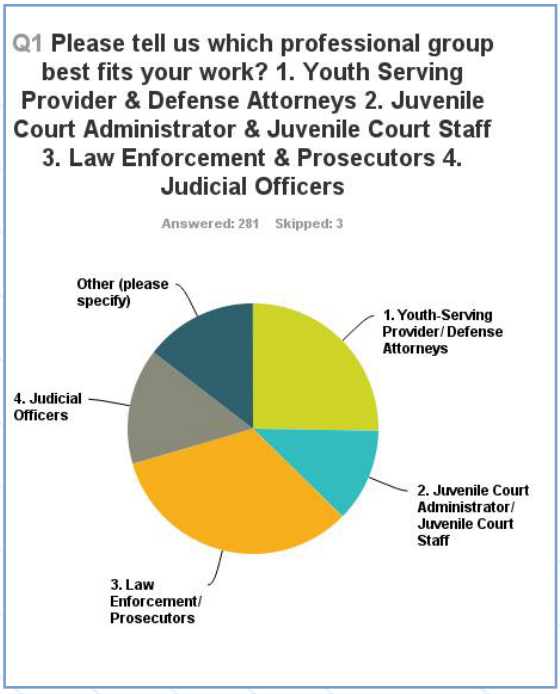
	Synopsis	Bill	RCW
Vehicle Im-poundment	Upon a person's arrest for suspected violation of CSAM or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car. The suspect must pay a fine of $2,500 to redeem the impounded vehicle.	Sec. 12	9A.88.140-(2),(4)(a)

2.2 Methodology

2.2.1 General

The researchers[2] conducted an initial comprehensive review of the understanding and application of, as well as barriers to, the Safe Harbor Law. This review included the following: an electronic survey of stakeholders statewide; requests for information from the Administrative Office of the Courts ("AOC") and the Department of Social and Health Services ("DSHS"); a review by the Office of the Attorney General of Washington; and a review of the Washington Department of Commerce's report, "Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of Minors."[3] Detailed information on the methodology for the survey is included below, in section 1.2.2.

Following the initial review described above, the researchers drafted an initial report to the legislature in April 2016. The researchers also submitted the report to the members of the CSEC Statewide Coordinating Committee ("Members") for their review and comment. This final report contains the additional analysis and recommendations provided by Members in written comments and at the June 14, 2016 CSEC Statewide Coordinating Committee meeting.



2.2.2 Survey

With regard to the electronic survey, the researchers reached 284 stakeholders from 36 counties in Washington.[4] Stakeholders were asked to identify with one of five professional groups:

Youth Serving Provider & Defense Attorneys
Juvenile Court Administrator & Juvenile Court Staff
Law Enforcement & Prosecutors
Judicial Officers
Other (asked to specify in a comment section)

The majority of the survey respondents ("Respondents") were from Law Enforcement & Prosecutors and Youth Serving providers.

The survey had 284 responses from 36 counties across the state. The most-represented counties were: King County with 16.97% respondents, Clark for 11.55 % and Benton-Franklin Counties for 9.03%.

1. The primary researchers included: Farshad M. Talebi, AAG, Office of the Attorney General; Nicholas Oakley, JD, Center for Children & Youth Justice; Katherine McKeon, Center for Children & Youth Justice; and Ruth Ammons, AAG, Office of the Attorney General.

2. "Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of Minors," Washington Department of Commerce, Dec. 2015.

2. Appendix A contains a complete copy of the survey.

The survey was sent to the following:

- CSEC Task Force listserv
- CSEC Trainers listserv
- Becca Task Force listserv
- WDA juvenile listserv
- Becca listserv
- WAPA listserv
- Elected Prosecutors
- Individuals in Law Enforcement

The survey instructions prompted each professional group to complete a set of questions targeted toward that group, except for Judicial Officers and Other. The survey prompted respondents who identified as Judicial Officers or Other to complete all survey sections. All other respondents were permitted, but not prompted, to sets of questions for other professional groups and provide input.

The survey instructions encouraged respondents to provide open-ended feedback in comments sections throughout the survey. Many respondents provided rich commentary. The researchers reviewed these comments to identify common themes. These themes include:

- Youth known/suspected as CSEC but arrested and/or charged with non-trafficking charges;
- Need for non-court affiliated placements or other placement alternatives for youth;
- Inadequate services through CHINS;
- CHINS too difficult to file/lack of department approval of CHINS;
- Arresting youth for prostitution related offense, but no charges, as a means to connect to services; and
- Need for training.

These themes and the comments that illustrate them will appear throughout sections of this report.

County	Percentage of Responses
Adams	.36%
Asotin	1.44%
Benton & Franklin	9.03%
Chelan	.72%
Clallam	1.44%
Clark	11.55%
Columbia	.72%
Cowlitz	2.53%
Douglas	.72%
Ferry	.72%
Garfield	.72%
Grant	.72%
Grays Harbor	1.44%
Island	.72%
Jefferson	1.08%
King County	16.97%
Kitsap	6.14%
Kittitas	2.89%
Klickitat	1.08%
Lewis	2.17%
Mason	1.81%
Okanogan	1.81%
Pacific	1.81%
Pend Oreille	.72%
Pierce	5.42%
San Juan	.36%
Skagit	1.44%
Skamania	1.08%
Snohomish	7.58%
Spokane	2.89%
Thurston	3.97%
Whakiakum	.36%
Walla Walla	2.17%
Whatcom	1.81%
Whitman	.36%
Yakima	2.89%
Uncategorized:	5.77%

5. CSAM is an acronym for Commercial Sexual Abuse of a Minor.

3: REVIEW

The following review is organized by the two categories to which the Safe Harbor Law relates: (1) Commercially Sexually Exploited Children; and (2) Perpetrators. It is further divided by subcategories within each category. Within each subcategory: an overview, with the provisions of the Safe Harbor Law that apply, key takeaways with regard to the understanding of, application of, and barriers to these provisions; missing data; and survey results and other data are provided.

3.1 Provisions Related to Commercially Sexually Exploited Children

There are three subcategories are: (1) Services; (2) Victim Benefits; and (3) Juvenile Justice Response.

3.1.1 Services

3.1.1.1 Overview

Applicable Provisions:
The provisions regarding services centered on the Child in Need of Services ("CHINS"), but also included a requirement that crisis residential centers and HOPE centers have staff trained to work with sexually exploited children. The three provisions are:

- Starting July 1, 2011, if a juvenile is a sexually exploited child, a petition may be filed alleging that the juvenile is a child in need of services. A sexually exploited child is defined as any person under the age of 18 who is a victim of the crime of CSAM[5], and promoting sexual abuse of a minor, or promoting travel for CSAM.
- Within available funding, when a sexually exploited child (or a youth who has been diverted for an alleged offense of prostitution or prostitution loitering) is referred to DSHS, DSHS must connect the child with services and treatment for sexually abused youth.
- DSHS must require, to be licensed or continue to be licensed as a secure or semi-secure crisis residential center or HOPE center that the center has on staff, or otherwise has access to, a person who has been trained to work with the needs of sexually exploited children.

Key Takeaways:
Understanding: The majority of Respondents were aware that a CHINS petition could be filed for CSEC.

Application: The majority of Respondents would not recommend using CHINS to access services for CSEC.

Barriers: Survey respondents noted inadequate services through CHINS, difficulty obtaining approval of CHINS petitions, and resistance from DSHS.

Members noted that many youth serving professionals do not understand the role of DSHS in the CHINS process and are concerned fear of the legal system challenges engagement of youth. Additionally, there is not a current way to measure how many CHINS petitions are filed and granted across the state.

5. CSAM is an acronym for Commercial Sexual Abuse of a Minor.

Anecdotal evidence suggests service providers could engage youth more easily using a CHINS petition if it were to provide housing and other resources. Both DSHS and community partners state they are undergoing a resource crisis, resulting in DSHS being unable to provide enough beds for dependent children. This leaves little to no resources for CHINS. Specifically, Members identified placement options for youth with co-occurring disorders as particularly inadequate. Despite additional funding mechanisms in House Bill 2449, Members suggest it fails to appropriately fund CRCs around the state, thereby contributing to the barriers experienced by providers and agencies serving CSEC using a CHINS petition.

Recommendations:

The legislature should:

- Provide funding for the implementation of a housing-first model, increasing placement options for all dependent youth, CSEC, and other youth with a CHINS petition;
- Provide funding for grants for community-based organizations providing long-term treatment of co-occurring disorders; and
- Examine the funding structure created by DB 2449 to determine why it is inadequate.

DSHS should publish a document clarifying its role in the CHINS process and distribute it to service providers statewide; and
The Administrative Office of the Courts should amend the pattern CHINS forms to include coding that allows it to track the reason for filing the petition so as to enable the Committee to evaluate whether CSEC are accessing services via CHINS.[6]

3.1.1.2 What Data Is NOT Available

The researchers attempted to obtain data on the number of CHINS petitions filed on behalf of or by CSEC from DSHS and AOC, but were not able. There is no data available on the number of CHINS petitions filed on behalf of commercially sexually exploited children. While the pattern form Child in Need of Services includes language that identifies how the child named in the petition meets the criteria, there is no specific code to further identify the reason for the filing of the petition and the findings are not specific as to which reason the CHINS petition was filed.

3.1.1.3 Survey and Other Data

The following survey questions were provided. Responses from three professional groups: Youth-Serving Providers & Defense Attorneys; Judicial Officers; and Other are provided for each.

6. Commercially Sexually Exploited Children State Wide Coordinated Committee meeting, June 14, 2016.

Are you aware that either a child, a child's parents, or DSHS can file a CHINS petition on behalf of a commercially sexually exploited child?

Professional Group	Yes, Aware	No, Not Aware	Number of Respondents
Youth-Serving Providers & Defense Attorneys	82.5%	17.5%	57
Judicial Officers	80.5%	19.5%	41
Other	45.7%	54.3%	35

Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?

Professional Group	Yes	No	Number of Respondents
Youth-Serving Providers & Defense Attorneys	15.8%	84.2%	57
Judicial Officers	N/A	N/A	N/A
Other	5.7%	94.3%	35

Are you aware that the law requires that, within available funding, when a commercially sexually exploited child (or a youth who has been diverted for an alleged offense of prostitution or prostitution loitering) is referred to DSHS, DSHS must connect the child with services and treatment for child victims of sexual assault?

Professional Group	Yes, Aware	No, Not Aware	Number of Respondents
Youth-Serving Providers & Defense Attorneys	52.63%	43.86%	35
Judicial Officers	52.5%	35%	40
Other	45.7%	54.3%	35

Additionally, the following comments were provided with regard to these provisions.

Select comments reflecting the viewpoint that services available through CHINS are inadequate:

"Very harmful, involves punitive state response, have seen negative results." Youth serving providers & defense attorneys, Page 7. Response to question 5: Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?

"Not effective through the CHINS, but did receive services through another resource." Youth serving providers & defense attorneys, page 8. Response to question 6: If you answered Yes to Question 5, did the child receive services through the CHINS process? If so were they effective? If the child did not receive services, why not?

"Yes…not sure about the effectiveness." Youth serving providers & defense attorneys, page 8. Response to question 6: If you answered Yes to Question 5, did the child receive services through the CHINS process? If so were they effective? If the child did not receive services, why not?

"No. Child does not want services or the parents don't take them to the services." Youth serving providers& defense attorneys, page 8. Response to question 6: If you answered Yes to Question 5, did the child receive services through the CHINS process? If so were they effective? If the child did not receive services, why not? "For most of the youth I work with, youth do not receive adequate services for their needs through the CHINS process when the parent if filing the CHINS." Youth serving providers& defense attorneys, page 9. Response to question 7: Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

"CHINS no matter what is not working on behalf of this youth. Social workers need to widen their perspective an attitude toward this youth, and not be so judgmental toward them." Other, page 8. Response to question 5: "Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?"

"CA [Children's Administration] staff can refer children/youth to many services without a CHINS. With such a shortage of foster or other placements for this population accessible to DSHS staff, I'm not sure that state custody is always the most effective placement." *Youth Serving Providers & Defense Attorneys, page 9. Response to Question 7: Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?*

Select comments reflecting the viewpoint that CHINS petitions are too difficult to file or there is a lack of departmental approval of CHINS.

"I was told that the youth did not meet the criteria for CHINS." Youth serving Providers & Defense attorneys, Page 7. Response to question 5: Have you recommended using a CHINS petition for a commercially sexually exploited child

in order to access services for that child?"

"Our office (public defender office) had to file a dependency petition on behalf of a child after a failed CHINS and the department continues to fight being joined and ordered to provide service, etc. even after the court found the child dependent. The youth was not sexually exploited but a neglected youth. It is not uncommon for the department to refuse to file petitions on kids that desperately need the department's help." Youth serving Providers & Defense attorneys, page 9. Response to question 7, Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

"It has been incredibly difficult to use the CHINS petition process for youth who have been sexually exploited and do not want to return to their family home. It seems that the pressure on parents to take their youth back and for the youth to do so is very high due to lack of options for these youth in the foster care system. Often it seems from our perspective that the youth return to the streets when they see no other option." Youth serving Providers & Defense attorneys, page 9. Response to question 7, Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

"Had a mother who had filed CHINS case already for her daughter and it took a long time to prove it as the youth said she was not an the court thought the mother had mental health problems. When the youth got arrested, the CHINS court finally paid attention." Youth serving providers/ defense attorneys, page 14. Response to question 11: Please list any other important comments you may have regarding these issues.

"DSHS routinely opposes CHINS petitions in order to avoid providing services… they are virtually a worthless tool until and unless DSHS gets on board with their efficacy." Judicial Officers, page 8. Response to question 7: Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

"However, most of the time CHINS get automatically denied when it is a chronic runaway youth or a youth contacting DSHS for CHINS petition during their stay in detention. The prejudice level against this youth for being incarcerated is unimaginable. They have no credibility due to simple fact that they are run away or detained." Other, page 7. Response to question 4: Are you aware that either a child, a child's parents or DSHS can file a CHINS petition on behalf of a commercially sexually exploited child?

"Not once, and these youth really needed CHINS to be approved. As of why, ask the DSHS, because again, they simply do not believe this population." Other, page 9. Response to question 6: If you answered Yes to Question 5, did the child receive services through the CHINS process? If so, were they were effective? If the child did not receive series, why not?

"Make it so that it works, and less biased toward the youth. Right now, there is no point of even asking for one if the youth is incarcerated or chronic runaway. State always takes the legal guardian side."

3.1.2 Victim Benefits

3.1.2.1 Overview

Applicable Provisions:
The provision regarding victim benefits is: a juvenile charged with prostitution who is also the victim in a CSAM, promoting sexual abuse of a minor, or promoting travel for CSAM charge is nevertheless considered a victim of a criminal act for purposes of qualifying to receive benefits from the Crime Victim's Compensation fund.

Key Takeaways:
Understanding: The majority of respondents indicated that they were aware of this provision.

Application: Approximately 25% of respondents indicated that they had assisted a commercially sexually exploited child in accessing benefits or otherwise directed them to the Crime Victim's Compensation Fund.

Barriers: There is insufficient data to draw conclusions on barriers.

Recommendations:

No recommendations with regard to this section were provided.

3.1.2.2 What Data Is NOT Available

The researchers were unable to obtain the number of youth charged with prostitution who also applied for benefits from the Crime Victim's Compensation Fund.

3.1.2.3 Survey and Other Data

The following survey questions were provided. Responses from three professional groups: Youth-Serving Providers & Defense Attorneys; Judicial Officers; and Other are provided for each.

Are you aware that a commercially sexually exploited child who is charged with prostitution is considered a victim of a criminal act for the purposes of qualifying to receive benefits from the Crime Victim's Compensation Fund?

Are you aware that a commercially sexually exploited child who is charged with prostitution is considered a victim of a criminal act for the purposes of qualifying to receive benefits from the Crime Victim's Compensation Fund?

Professional Group	Yes, Aware	No, Not Aware	Number of Respondents
Youth-Serving Providers & Defense Attorneys	63.16%	36.84%	35
Judicial Officers	50%	50%	40
Other	71.4%	28.6%	35

Have you assisted commercially sexually exploited children in accessing benefits or otherwise directed them to the Crime Victim's Compensation Fund?

Professional Group	Yes, Aware	No, Not Aware	Other	Number of Respondents
Youth-Serving Providers & Defense Attorneys	26.47%	64.71%	8.82%	35
Judicial Officers	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A

No comments were provided with regard to this section.

3.1.3 Juvenile Justice Response

3.1.3.1 Overview

Applicable Provisions:
The provisions regarding services centered on the diversion, but also included a presumption that a youth arrested for prostitution is a victim of a severe form of trafficking. The provisions are:

- If a juvenile is alleged to have committed the offense of prostitution or prostitution loitering and this is the juvenile's first offense, the prosecutor must divert the case.
- For subsequent allegations that the same minor has committed the above offenses, the prosecutor may either file an information in juvenile court or divert the case (if the county in which the offense is alleged to have been committed has a comprehensive program).
- There is a presumption that a youth arrested for prostitution or prostitution loitering meets the criteria for certification as a victim of a severe form of trafficking and is also a victim of CSAM.

Key Takeaways:
Understanding: A significant portion of respondents either indicated there were no

services or were unaware of the services available to commercially sexually exploited children involved in diversion programs.

Application: As the number of youth who are arrested and charged for prostitution related offenses decreases, so too does the applicability of a mandatory diversion for prostitution related offenses.

Barriers: Members questioned the benefit of this provision as youth must still be arrested for prostitution in order to accept a diversion. Even with diversion programs and a presumption that a youth is a victim, there is a lack of resources for commercially sexually exploited children involved in the juvenile justice system.

Some Members also noted that law enforcement agencies around the state are not well trained on alternatives to arresting youth who they suspect or identify as CSEC. Others noted that the alternatives are limited. Law enforcement are not permitted to drop off youth at any service or community-based shelter other than a CRC.

As CRCs are underfunded and insufficient in number, there are few alternative options to arresting youth. CSEC continue to be adjudicated for crimes related to child pornography, burglary, drugs, and various probation violations, which can reinforce cycles of exploitation. Despite diversion, the original charge may still be disclosed publically as result of internet information sharing, therefore the subsequent risk of discrimination remains.

Members expressed a continued concern that law enforcement and prosecutors are not identifying CSEC coming through their systems.
Lastly, Members suggested stakeholders statewide may not understand the nuances of current laws for CSEC, resulting in inconsistency and lack of protections for CSEC

Recommendations:

The legislature should:

- Work with the CSEC Statewide Coordinating Committee and the members of regional CSEC Task Forces to create and incentivize diversion programs available for CSEC-identified youth facing a variety of charges related to their exploitation;
- Consider amending state law to exempt victims of Commercial Sexual Abuse of a Minor (CSAM) from criminal liability for other crimes related to their exploitation;
- Amend state law to permit law enforcement to take CSEC to licensed community-based organizations as an alternative to CRCs, and fund CRC beds.
- The Committee and regional CSEC task forces should continue to train Law Enforcement and prosecutors on CSEC risk, identification, and alternatives to detention.

All stakeholders should work to clarify terminology, such as CSAM, trafficking and CSEC, and promote consistent use of terms so as to reduce confusion and increase alignment of goals.

3.1.3.2 What Data Is NOT Available

The researchers attempted to find data on the number of arrests of youth on prostitution or related charges, but these are not collected in any systematic way and therefore not available.

3.1.3.3 Survey and Other Data

The following survey questions were provided to Juvenile Court Staff and Judicial Officers.

What services are available to juveniles alleged to have committed prostitution or prostitution loitering offenses who are on diversion?
Of the 24 Juvenile Court Staff that responded, four responded "no services," four responded "unsure of services," and six responded "an advocate." Of the twenty judicial officers, half responded that they were unsure of the services that were available.

What services are available to juveniles under the supervision of juvenile court who have been identified as commercially sexually exploited but not alleged to have committed prostitution or prostitution loitering offenses.
Of the 25 Juvenile Court Staff that responded, two responded that they had not dealt with that situation, 11 responded that advocates were an important service, six responded counseling, and one said that there were no services.
Of the 21 judicial officers that responded, seven responded that they were unsure of what services could be offered.

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What services are available to juveniles alleged to have committed prostitution or prostitution loitering offenses who are on diversion?
Of the 24 Juvenile Court Staff that responded, four responded "no services," four responded "unsure of services," and six responded "an advocate." Of the twenty judicial officers, half responded that they were unsure of the services that were available.

What services are available to juveniles under the supervision of juvenile court who have been identified as commercially sexually exploited but not alleged to have committed prostitution or prostitution loitering offenses.
Of the 25 Juvenile Court Staff that responded, two responded that they had not dealt with that situation, 11 responded that advocates were an important service, six responded counseling, and one said that there were no services.

Of the 21 judicial officers that responded, seven responded that they were unsure of what services could be offered.

The following survey question was provided to Judicial Officers and Law Enforcement & Prosecutors.

Have you ever encountered a commercially sexually exploited child?
Of the 21 Judicial Officers that responded, 56.5% responded "Yes," 35%

responded "No," and 8.5% responded "Unsure." Of the 66 Law Enforcement & Prosecutors that responded, 31.8% responded "Yes," 43.9% "No," and 24.2% "Unsure."

The following survey questions were provided to Law Enforcement & Prosecutors.

Have you ever arrested a juvenile for prostitution?
Of the 64 respondents, 14% responded "Yes" and 86% responded "No."
Has your county/city charged/prosecuted a juvenile prostitution case?
OF the 69 respondents, 20.3% responded "Yes," 27.4% responded "No," and 53.2% responded "Unsure."

Additionally, the following comments were provided with regard to these provisions.

Comments reflecting the observation that youth who are known or suspected to be a victim of commercial sexual exploitation are charged with offenses unrelated to prostitution.
"Children who have been exploited never come with this label. They come to our attention as runaways, persons who are using unlawful drugs, dependents, theft, robbery, and in the old days as "O & A". The CSEC issue becomes more apparent over time." -Youth Serving Provider & Defense Attorneys, Page 7. Response to Question 5: Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?

"I have not yet had a youth on my case load charged for prostitution. They usually are charged for dealing drugs that the pimp has force them to do or stealing basic needs from stores" –Other, Page 12. Response to Question 9: Are you aware that a commercially sexually exploited charge who is charged

"I think the charge was changed to something else in plea bargaining." Other, page 25. Response to Question 22: Has your county/city ever charged/prosecuted a juvenile prostitution case?

"Get exploited children out of the offender system." Judicial Officers Page 15. Response to Question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"If they are charged with other crimes, probation services are available, CSEC advocates are always available." Judicial Officers, page 14. Response to Question 13: What services are available to juvenile under the supervision of juvenile court who have been identified as commercially sexually exploited but not alleged to have committed Prostitution or Prostitution Loitering offenses?

"We have not had a case involving a minor engaged in prostitution. As noted above, we have had cases involving drugs where we think sex is exchanged for drugs, but we have not been able to make those cases." Law Enforcement & Prosecutors, page 31. Response to Question 22: Has your county/city ever charged/prosecute a juvenile prostitution case?

"We know juveniles are trading sex for drugs, but we attempt to focus on the drug dealing and not the sex unless we can make a crime related to that and drug dealer." Law Enforcement & Prosecutors, page 26. Response to Question 20: Have you ever arrested a juvenile for prostitution?

"The need to provide resources for the youth that are involved with Juvenile Court that have been identified as CSEC that are sentenced for crimes not related to CSEC still need to be provided at long term JRA facilities. Also, the faith based community is a vital part of the community support family support and victim support that is missing in some of the funding resources and at the table of justice for the CSEC victims." Youth Serving Providers & Defense Attorneys, page 14. Response to question 11: Please list any other important comments you may have regarding these issues.

"They can also go to JRA [Juvenile Rehabilitation Administration], which I think is a terrible idea, but some judges, prosecutors, and service providers think it can help." Youth Serving Providers & Defense Attorneys, page 17. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

Comments reflecting the perspective that there is a need for placement alternatives and non-court affiliated places for youth

"Courts have wanted to incarcerate the girls as a protective measure. Instead of seeking a resolution in Court, I often called YouthCare to work with clients." Youth Serving Providers & Defense Attorneys, page 9. Response to Question 7: Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

"It would be beneficial to have an off-site safe location that was not court affiliated that youth could access." Juvenile Court Staff, page 15. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"Many of our high risk youth are on the run and do not want to be sent home. The SPD, Lutheran Services and community treatment agencies are looking for viable placement options. Nothing is secured." Juvenile Court Staff, page 15. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"We need safe and alternative placements." Juvenile Court Staff, page 15. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"We need safe housing available." Juvenile Court Staff, page 15. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"We have not developed a way to keep youth from returning to her trafficker or providing youth with a safe place out of the area if needed for safety. We

need to develop a program for education and job skills training." Juvenile Court Staff, page 15. Response to question 14: Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

"Need more housing and employment services." Juvenile Court Staff, page 16. Response to question 15: Please list any important comments you may have regarding these issues.

"When these youth are placed they run. Very frustrating to all of us. We have limited CRC beds and a homeless youth facility as our options." Juvenile Court Staff, page 16. Response to question 15: Please list any important comments you may have regarding these issues.

"Needs continued support and discussions. Need more safe houses and NGO [Non-Governmental Organizations]'s to partner with for LE [Law Enforcement]." Law Enforcement & Prosecutors, page 36. Response to question 25: Please list any other important comments you may have regarding these issues.

"More targeted services are needed for this uniquely situated population. Crisis residential and respite beds." Judicial Officers, Page 15. Response to question 14, Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court.

Select comments reflecting the observation that youth are arrested for prostitution related offenses but not charged, as a means to connecting them to services.

"On one occasion, we had no safe place for the juvenile, we did make an arrest but no charges were filed." Law Enforcement & Prosecutors, page 26. Response to question 20: Have you ever arrested a juvenile for prostitution?
"Maybe taken into custody for their safety but not charged." Law Enforcement & Prosecutors, page 26. Response to question 20: Have you ever arrested a juvenile for prostitution?

"Sometimes it is the only way to facilitate a rescue. My PA [Prosecuting Attorney] does not prosecute these incidents." Law Enforcement & Prosecutors, page 26. Response to question 20: Have you ever arrested a juvenile for prostitution?

"We know juveniles are trading sex for drugs, but we attempt to focus on the drug dealing and not the sex unless we can make a crime related to that and drug dealer." Law Enforcement & Prosecutors, page 26. Response to question 20: Have you ever arrested a juvenile for prostitution?

"We booked, released to family, or secure facility." Law Enforcement & Prosecutors, page 29. Response to question 21: Have you ever encountered a Commercially Sexually Exploited child (CSEC) victim?

"This is a very sensitive area. I completely agree the juvenile is a victim and should not be victimized further. The issue is are we using all the tools we have to assist this juvenile to make the right decisions in assisting them out of

exploitation lifestyle. Sometimes the arrest and charging of the juvenile allows family, LE [law enforcement], prosecutors, and others to formulate a game plan. Charges can be dismissed. There are no secure facilities in Snohomish County to hold a juvenile who is in danger or risk." Law Enforcement & Prosecutors, page 30. Response to question 22: Has your county/city ever charged/prosecuted a juvenile prostitution case?

"Prosecution was initiated in order to allow further investigation, which proved unsuccessful." Law Enforcement & Prosecutors, page 30. Response to question 22: Has your county/city ever charged/prosecuted a juvenile prostitution case?

3.2 Provisions Related to Perpetrators

There are three subcategories included in this section: (1) level and seriousness of offense; (2) fees; and (3) vehicle impoundment.

3.2.1 Level and Seriousness of Offense

3.2.1.1 Overview

Applicable Provisions:
The provisions regarding level and seriousness of offense are:

- CSAM (RCW 9.68A.100) was increased from a Level III seriousness to a Level VIII offense. Promoting CSAM (RCW 9.68A.101) was raised from a Level VIII seriousness to a Level XII offense.
- CSAM is changed from a class C to class B; promoting CSAM is changed from B to A.

Key Takeaways:
Understanding: According to the survey results and data obtained from AOC, very few law enforcement agencies and prosecutors have experience with CSEC crimes. AOC data indicates, only King County and Pierce County have more than 10 convictions for Promoting CSAM since 2011. Data provided by the Department of Commerce indicates that there were 59 arrests for CSAM (RCW 9.68A.100) between July 2015 and June 2016.[7] During the same time period, there were 31 arrests for Promoting CSAM (RCW 9.68A.101).[8] Additionally, there were 8 arrests for Promoting Travel for CSAM (RCW 9.68A.102).

Application: While the increased level of seriousness reflects a more accurate understanding of the serious nature of CSAM and Promoting CSAM crimes, in practice, the categorization and increased penalties are only applicable if cases are investigated and prosecuted.

Barriers: CSAM and Promoting CSAM crimes require proactive law enforcement investigations due to the complex nature of these offenses. Many arrests result from multi-agency "sting" operations, which take expertise to coordinate and sufficient resources to execute. Commonly, federal agencies are involved in these operations in order to provide leadership and resources. Aside from King County,[9] few city and county agencies conduct their own independent operations due to a lack of knowledge and dedicated resources towards CSEC crimes.

Although "lack of resources" can be cited for any public safety concern (including CSEC crimes), in this case, unnecessary barriers exist in prosecuting CSEC cases

7. However, only 5 counties reported (King, Clark, Benton, Snohomish, and Spokane). Pierce and Kitsap have reported directly to the Committee that they also had arrests during this time period.

8.Similarly, only 6 counties reported (King, Clark, Pierce, Snohomish, Spokane, and Yakima).

9. The Department of Commerce reports that King County accounts for nearly half of the arrests and convictions for CSAM over the last fiscal year, despite comprising only 9% of the state's total population.

simply due to a lack of priority. Although CSEC crimes are now classified as some of the most serious offenses, law enforcement resources are disproportionately invested in less serious offenses.

For instance, the Department of Commerce allocates funding for 18 Drug-Gang regional task forces, which encompass 26 of Washington's 39 counties.[10] According to the 2012 Status Report, 80% of the arrests made by these taskforces were related to only drug trafficking.[11] Additionally, there are two Financial Fraud and Identity Theft Task Forces as well that receive funding through the Department of Commerce.[12]

In comparison, there is **only one** multijurisdictional State task force dedicated to Commercial Sexual Exploitation of Children: the Washington State Patrol's Missing and Exploited Children Task Force (MECTF).[13] There are currently only 3 detectives appointed to the task force. Since September 2015, MECTF has organized and executed 5 multiagency "sting" operations targeting suspects attempting to pay to have sex with children (ages 8 to 13) via the internet in Kitsap, Pierce, Snohomish, Spokane, and Thurston counties. In these 5 operations, 58 suspects were arrested[14] and 6 children were removed from these suspects' homes. The success of these operations, despite very few resources, demonstrates the need for additional regional law enforcement task forces.

Furthermore, research shows that the illicit commercial sex market is comparable to that of the drug trade. A study done by the Urban Institute estimates that in 2007, Seattle's demand for commercial sex surpassed that of the illicit drug market.[15] The table below demonstrates that the commercial sex market in Seattle has exploded, from $50.3 million in 2003 to $112 million in 2007, while the illicit drug market remained stagnant at approximately $87 million.

City	Year	Sex	Drugs	Guns	Other
Seattle	2003	$50.3	$87.3	$83.1	$9,840
Seattle	2007	$112	$87.4	$60.1	$11,800

Another reason why resources may be disproportionately allocated to drug investigations is based on the revenue generated from cash and asset forfeitures resulting from these cases. While drug forfeitures are substantial,[16] the trafficking of children is an equally lucrative business due to the massive demand around the State. The Urban Institute estimates that post-2005, pimps in Seattle make on average $18,000 per week.[17] In addition to the revenue generated from the seizure and forfeiture of assets, the Safe Harbor Law has provided increased fines and impoundment fees for CSAM and Promoting CSAM crimes. Thus, the barrier in resources is not as great due to the enactment of the Safe Harbor Laws. There are similar financial incentives for law enforcement to target CSEC related crimes as there are for drug offenses.

The distribution of law enforcement resources to CSEC crimes appears incongruous to the relative seriousness of these offenses in comparison to the

10.Byrne JAG Drug-Gang Task Force, Washington State Department of Commerce, "Byrne JAG 2012 Status Report," at http://www.commerce.wa.gov/Programs/PublicSafety/Pages/Drug-Gang-Task-Force.aspx

11. Id. at 9.

12. Financial Fraud and Identity Theft Task Force Program, Washington State Department of Commerce, at http://www.commerce.wa.gov/Programs/PublicSafety/Pages/FinancialFraudIdentityTheft.aspx

13. MECTF is also tasked with investigating internet crimes against children, similar to the ICAC Taskforce, so they are not even exclusively investigating CSEC related crimes.

14. Some cases were not charged as CSAM due to a lack of a "fee" agreement as required by the statute. These cases are charged with various other sex offenses, including Child Rape.

15. Urban Institute, "Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities," Research Report March, 2014 at http://www.urban.org/research/publication/estimating-size-and-structure-underground-commercial-sex-economy-eight-major-us-cities

16. "Byrne JAG 2012 Status Report," (citied in note 6), reported $3,626,391 in currency forfeited and $2,048,807 in real property in 2011, at 7.

17. Urban Institute Report, 2014 (cited in note 9), at 30.

resources dedicated to other crimes, such as narcotics. The Safe Harbor Law has classified Promoting CSAM as a level XII offense, while the most serious drug offenses are level III offenses (e.g., Controlled Substance Homicide and Manufacturing Methamphetamine), many drug offenses are unranked, and no drug offenses are Class A offenses.[18] So while the Legislature and the Washington State criminal code appropriately recognize the extremely serious nature of CSEC crimes, law enforcement has not adjusted their priorities accordingly.

Therefore, the primary barrier for prosecuting these crimes and utilizing the increased penalties created by the Safe Harbor Law is a lack of prioritization of the already existing law enforcement resources, which are disproportionately targeting less serious offenses. Not only are CSAM and Promoting CSAM significantly more serious, data suggests that the prevalence of illicit commercial sex is just as significant as drug related offenses. Additionally, gangs, drugs and firearms are heavily intertwined with commercial sexual exploitation of children, so there seems to be no excuse to ignore CSEC crimes and continue the status quo of focusing on drug offenses.

2.2.1.2 Recommendations

As discussed previously, the Washington State Justice Assistance Grant (JAG) has helped fund twenty-six (26) Drug-Gang Task Forces. Although the funding is limited and highly competitive, the JAG funding does provide an incentive for local agencies to participate in the multi-jurisdictional task forces. One way to divert resources to CSEC crimes is to direct the Department of Commerce and the JAG Advisory Committee to allocate a specific percentage of the grants towards task forces dedicated exclusive to investigating CSEC crimes. Alternatively, the current Byrne JAG Task Forces should be restructured so that investigations of CSEC related crimes are equally emphasized, along with drugs and gangs. Human trafficking perpetrators and organizations operate across jurisdictions, regions, states, and internationally. To effectively prevent and prosecute these perpetrators, regional task forces will be the most effective model.

Training is an equally vital component for future success. Thus, each regional task force should be required to attend a specialized training for CSEC crimes. Similar to the 2015 enactment of RCW 43.280.095, which mandated that the office of crime victims advocacy (OCVA) establish a statewide training program of Washington's human trafficking laws for criminal justice personnel,[19] a training should be mandated for the JAG task forces. Additionally, training for all law enforcement should be offered; whether that is continuing the funding and mandate under RCW 43.280.095, or through a different mandate. One of the primary obstacles for law enforcement to attend these types of specialized trainings is that the local department has to pay for an officer to attend. Providing money or incentives to local agencies will allow them to send officers to training, in turn, significantly increasing the effectiveness of these trainings and results on the street.

A crucial component of these trainings should focus on how law enforcement can utilize seizures, civil forfeitures, and the specific fines associated with CSEC investigations to their benefit. As discussed previously, the reason why these

19. RCW 43.280.095

regional task forces are able to sustain themselves with limited JAG funding is because narcotics investigations involve the seizure and forfeiture of large amounts of cash and property. The same tools are available for CSEC related crimes; however, law enforcement must to be trained on how to use the tools that are available.

In terms of prosecutions, once law enforcement investigations increase, referrals of CSEC crimes will increase, and in turn there will be a greater demand for prosecutor trainings. This could be accomplished at yearly WAPA conferences and trainings in the future. Additionally, allowing prosecutors to attend the required law enforcement trainings would give prosecutors an opportunity to work closely with their regional task forces and various law enforcement agencies. The coordination between prosecutors and law enforcement is essential for successful CSEC related investigations and these trainings would help facilitate that process.

Finally, in order to properly assess the problem, the Department of Commerce and the JAG Advisory Committee should conduct a community assessment to determine the needs of each region. This could include the community based resources available, treatment facilities, schools, shelters, and other victim services, as well as the prevalence of CSEC crime and the illicit sex market in each region. An objective analysis would assist the State in determining which areas would benefit most from additional resources. This would also assist the CSEC Committee with collecting data and properly analyzing the issues in the future.

Recommendations:

The legislature should:

- Increase and/or divert law enforcement resources towards human trafficking specific regional taskforces;
- Provide funding to increase trainings for all levels of law enforcement and prosecutors;

The JAG Advisory Committee, Washington State Patrol, and the Department of Commerce should examine ways to restructure the regional drug taskforces and allocate resources toward investigating human trafficking, and specifically CSEC related crimes.

Human trafficking and CSEC related trainings should be mandated as a part of the Basic Law Enforcement Academy (BLEA) or similar requisite trainings. Funding for statewide trainings for law enforcement and prosecutors, like the OCVA training pursuant to RCW 43.280.095, should be continued.

3.2.1.3 What Data Is NOT Available

AOC data is limited and difficult to interpret in regards to statewide CSAM and Promoting CSAM specific offenses. The data provided by the Urban Institute report did not separate child victims from sex trafficking victims as a whole, making the specific sex market for children difficult to estimate as well.

3.2.1.4 Survey and Other Data

The survey was not used to gather information about the increased penalties.

2.2.2 Fees

3.2.2.1 Overview

Applicable Provisions:
The provisions regarding additional fees are:

- A person convicted of CSAM, promoting CSAM, promoting travel for CSAM, or who has been given a deferred prosecution or entered into a statutory or non-statutory diversion agreement for the aforementioned offenses must be assessed a fee of $5,000. RCW 9.68A.105.
- Prostitution and Intervention Account: This provision was subsequently modified. It now states that funds may be used for various services, which are listed in order of priority.

Key Takeaways:
Understanding: Because very few law enforcement agencies and prosecutors have experience with these crimes, the current imposition of these fees is not being assessed to their maximum potential. Additionally, the vast majority of the jurisdictions across the state lack a sufficient understanding of the statute as to how these fines are to be collected and distributed.

Application: The Safe Harbor Laws establish how the revenue from these required fees must be collected and used. At least 50 percent of the revenue 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. Up to 48 percent must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws. Two percent of the revenue shall be remitted quarterly to the Department of Commerce, together with a report detailing the fines assessed, the revenue received, and how that revenue was spent.[20] Some of the fees can be reduced up to two-thirds if the court explicitly finds that the offender does not have the ability to pay the fee.

Barriers: The same barriers identified in the section above, regarding the increased level and seriousness of the crimes, are equally applicable here. Fines will only be imposed if these offenses are investigated and prosecuted. However, the collection of these fines involves numerous procedural hurdles as well.

First, attorneys and judges must know the fees exist in order for them to be assessed. Second, judges must impose the fine, which can only be reduced by up to two-thirds if the court finds the defendant is indigent. Thus, there should be

10. See Department of Commerce Report to the Legislature: Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of a Minor (December 2016).

at a minimum, approximately $1,666 for each case. Based on statistics provided by the Department of Commerce, during the last fiscal year there were 99 arrests statewide for offenses that qualify for the RCW 9.68A.105 fee. That equates to $495,000 in fines, and at a minimum, $165,000 if every defendant were found to be indigent.

Another contributing factor to the lack of fees being imposed is likely due to the lack of specificity in the Felony Judgment and Sentence. The current standardized version does not separate the CSAM, Promoting CSAM, and promoting travel for CSAM fee of $5,000 from the Trafficking and Promoting Prostitution offenses. Currently, it states: "Trafficking/Promoting prostitution/Commercial sexual abuse of minor fee (may be reduced by no more than two thirds upon a finding of inability to pay.) RCW 9A.40.100, 9A.88.120, 9.68A.105." This makes the imposition and collection of the fines more difficult to identify.

The next step requires the court clerk to identify and separate the fee from other legal financial obligations. The Administrative Office of the Courts (AOC) is responsible for establishing new codes in JIS and informing courts about which codes to use. Data in JIS is coded to the account to which funds are directed, rather than to the statute applicable to the crime. As a result, it is not possible to separate the funds collected by the offense committed.[22] Upon collecting the fine, the court clerks must remit the fines to the treasurer of the county/city/town where the offense occurred for deposit in the county/city/town general fund.

Each jurisdiction must then establish a mechanism for allocating this revenue to comply with the distribution outlined in the statute. This process could greatly vary between jurisdictions because there is no guidance about ***who*** decides or ***how*** the funds should be spent. Aside from the 2 percent that must be remitted to the Department of Commerce, the statute allows the local jurisdiction quite a bit of discretion. For instance, one jurisdiction could decide that the Prosecutor's Office is responsible for deciding which "prevention" services should be funded with this revenue. While this is not a burden per se, it does require a great deal of organization and coordination within each jurisdiction.

Finally, each jurisdiction is required to provide quarterly reports to the Department of Commerce.[22] At this point, only the city of Kent has complied with this requirement.[23] Clearly, this makes a holistic analysis of the current barriers nearly impossible.

2.2.2.2 Recommendations

A relatively simply fix would be updating the standardized Felony Judgment and Sentences form by creating a separate section for CSAM, promoting CSAM, and promoting travel for CSAM to make the required fee clear to prosecutors, defendants and the courts.

King County has started the process of implementing these mechanisms, including updating their forms. One step they have taken is amending their "Statement of Defendant on Plea of Guilty", informally known as a "plea offer." King County Prosecutor's Office has created a section on the plea form that explicitly identifies

21. Id.

22. RCW 9.68A.105(2)(b).

23. See Department of Commerce Report to the Legislature: Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of a Minor (December 2016).

the CSEC related fees pursuant to RCW 9.68A.105:

(dd) Because the crime to which I am pleading guilty was the result of my arrest for one of the following crimes, the listed fee for the crime of arrest must be imposed by the judge at sentencing. The court may reduce the fine by up to two-thirds if it finds that I do not have the ability to pay the fee.

such priors.
Commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, promoting travel for commercial sexual abuse of a minor, or a comparable county or municipal crime: $5000.

In addition to updating the relevant forms, the Committee should be tasked with conducting an assessment of the various jurisdictions around the State. The CSEC Committee regional task forces are in the best position to conduct this assessment within their local jurisdictions. With the assistance of the Administrative Office of the Courts and the Department of Commerce, the Committee should determine: 1) whether the fees are being imposed, 2) whether the fees are being collected, and 3) how the revenue is being remitted, if at all. The Committee should then create a model of best practices to distribute to courts around the state.

A vital component is the education of all of the stakeholders. Thus, the Committee should conduct trainings for judges, attorneys, and court personnel to ensure they are aware the required fine and also provide guidance for implementing the mechanisms to collect and distribute the fines.

Recommendations:

The legislature should:

- Require quarterly reports to distinguish the revenue collected pursuant to RCW 9.68A.105 from other human trafficking related fines.

Renewing the Committee will be the best way to facilitate these changes around the state. The Committee oversees numerous Regional CSEC Task Forces, which can be utilized to assess the current local practice and then implement mechanisms to efficiently collect and distribute these fines.

The Committee can also facilitate trainings for judges, attorneys, and court personnel to educate them on the statute and give them model protocols for implementing these mechanisms.

2.2.2.3 What Data Is NOT Available

There is no way to determine if fees are derived from individuals convicted of CSAM, promoting CSAM, promoting travel for CSAM, or from individuals convicted of other crimes. According to a Department of Commerce report,

The Administrative Office of the Courts (AOC) is responsible for establishing new codes in JIS and informing courts about which codes to use. Data in JIS is coded to the account to which funds are directed, rather than the statue applicable to the crime. As a result, it is not possible to separate the funds collected by the offense committed…Certain courts, including the Seattle Municipal Court, do not utilize JIS. Additionally, some municipal courts contract with their county district court to collect fines on their behalf."[24]

Another limitation to obtaining accurate data is a result of the language in the statute. The statute states, "an adult offender who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9.68A.100, 9.68A.101, or 9.68A.102, or a comparable county or municipal ordinance shall be assessed a five thousand dollar fee."[25] Using the data provided by the Department of Commerce, during the 2016 fiscal year there were 99 arrests, while only 17 convictions, for offenses that qualify for the fee imposed under RCW 9.68A.105. Therefore, although there were only 17 convictions, all 99 arrests could be subject to the fee if they resulted in any type of disposition, other than a dismissal or acquittal. To be clear, the Committee is not recommending a change to this language, yet it does limit the ability to track the fees that are being imposed.

The only way to obtain the most accurate data is through the quarterly reports that each jurisdiction is required to send to the Department of Commerce.
2.2.2.4 Survey and Other Data

No survey questions were asked with regard to these provisions.

3.2.3 Vehicle Impound

3.2.3.1 Overview

Applicable Provisions:
The provision regarding vehicle impound is: upon a person's arrest for suspected violation of CSAM or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car. The suspect must pay a fine of $2,500 to redeem the impounded vehicle.

Key Takeaways:
Understanding: Seventy-five percent of Law Enforcement & Prosecutors were not aware of this provision. An even greater percentage, 85.5% indicated that they had never impounded a vehicle under this provision.

Application: The fees attached to vehicle impoundment may not be reduced. These fines are collected by the impounding agency if a law enforcement officer impounds a vehicle that was used in the commission of a CSAM or prostitution-related crime, or if other conditions are met. This fee is collected prior to the owner redeeming their vehicle. If the defendant is subsequently found not guilty of the crime, they are entitled to a refund of the fee.

Barriers: Under RCW 9A.88.140(1)(a), an officer may impound a vehicle when:

24. "Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of Minors," Department of Commerce, Dec. 2015, at 6.

25. RCW 9.68A.105.

1) the driver is arrested for patronizing, promoting prostitution in the first or second degree, or promoting travel for prostitution, 2) the vehicle was used in the commission of the crime; 3) the driver is the owner or the vehicle is a rental, and 4) the driver has previously been arrested for one of these crimes or the crime was committed in a SOPA. The decision to impound is discretionary.

Additionally, RCW 9A.88.140(2) requires an officer to impound a vehicle if: 1) the driver is arrested for commercial sex abuse of a minor, promoting commercial sex abuse of a minor, or promoting travel for commercial sex abuse of a minor, 2) the vehicle was used in the commission of the crime; and 3) the driver is the owner or the vehicle is a rental.

There are a number of issues with this statute that make it difficult to implement and may be causing law enforcement agencies to avoid these impounds when possible.

A. Impound Hold

Under subsection (3) of this statue, any vehicle impounded under this statute is subject to a "prostitution hold." However, unlike the other hold provisions contained in RCW 46.55.360 (DUI 12-hour hold) and RCW 46.55.120 (DWLS 30-60-90-day hold), the hold provision in this statute is not for a prescribed period of time. Rather, the vehicle must be held by the tow operator until the owner pays "a fine to the impounding agency," in addition to the applicable towing and storage fees charged by the tow operator. The fine is $500 if the vehicle is impounded under subsection (1)(a), and $2500 if it is impounded under subsection (2) of this statute. RCW 9A.88.140(4)(a). Following payment of the fine amount, the impounding agency must issue a receipt to the owner, who may then take it to the tow operator to redeem the vehicle.

1. The vehicle release provisions in RCW 9A.88.140 conflict with the release provisions in RCW 46.55.120.

RCW 9A.88.140(3) provides that impoundment under this statute must be made in accordance with the general provisions contained in Chapter 46.55 RCW. However, subsection (3) conflicts with the release provisions contained in RCW 46.55.120. Under RCW 46.55.120(1)(f), an impounded vehicle "shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such vehicle . . . ." Subsection (f) provides additional preconditions to release if the vehicle was impounded because the driver was DWLS, as does subsection (b) if the driver was arrested for DUI. There are no preconditions to release identified in this statute if the driver was arrested under RCW 9A.88.140, which creates a conflict between the release provisions in these two statutes.

2. The vehicle release provisions in RCW 9A.88.140 are problematic for rental vehicles.

The hold provision in this statute makes the process for release of rental vehicles problematic. The statute expressly provides for impoundment of rental

cars. Although under RCW 46.55.120 both the legal/registered owner and the driver/rental contract holder are authorized to redeem the vehicle, RCW 9A.88.140(4)(a) states that the vehicle may not be released until the fine is paid by "an adult owner of the impounded vehicle." The rental company is the owner of an impounded rental car, not the driver. Requiring the rental company to pay the fine for a rental contract holder would be unfair and contrary to the purpose for imposing the fine. However, under the clear language of this statute, the rental company could not redeem the vehicle until it paid the fine incurred as a result of the actions of the arrested driver. Failure to pay the fine would prevent the vehicle from being redeemed and would render it subject to being auctioned as an abandoned vehicle according to the statutorily-prescribed process.

B. Fines

This statute requires that the monetary fine be paid to the impounding agency, which must issue a receipt to the owner. RCW 9A.88.140(4)(b). Subsection (4)(c) requires that the fines shall be collected by the clerk of the court and then remitted to the treasurer of the jurisdiction in which the offense occurred. Although it is unstated, it is presumed that the impounding agency is responsible for transmitting the fines to the clerk of the court. The fines are then to be transmitted to the treasurer and deposited in the general fund of the county, city or town where the offense occurred to be used for local efforts to reduce the commercial sale of sex.

1. The requirement for the impounding law enforcement agency to collect and transmit fines creates an administrative burden.

This statute requires the impounding law enforcement agency to collect fines from drivers and issue receipts. The law enforcement agency must then remit the fines to the appropriate court. The collection and remittance of fines is an administrative burden on law enforcement agencies that may not otherwise have mechanisms in place for such tasks. In addition, the statue is silent as to where payment must be made, other than to the impounding agency, which may create unnecessary confusion and additional effort for both vehicle owners and agencies, as many agencies have multiple bureau, precinct, or detachment locations in addition to their headquarters.

It would be less of an administrative burden for drivers to go directly to the court with jurisdiction to pay the required fine. Court clerks' offices already have processes in place for collecting, receipting and remitting fines. At the time a vehicle is impounded, if the driver is present, a copy of the Uniform Tow/Impound and Inventory Record is provided to the driver. Otherwise, the driver could obtain a copy from the impounding agency. The driver could then take the document to the court to pay the fine. This document, which is signed by the impounding officer under penalty of perjury, would provide the necessary information to the clerk to establish what fine is due under the statue.

2. The fine refund provisions may create and undue financial burden on certain impounding agencies.

The statute contains a number of provisions that mandate that the impounding agency refund the fine to the driver. Under subsection (6)(a) and (c), if the

claimant substantially prevails at an impound hearing, the impounding agency must refund the $500 fine paid under subsection (4), as well as the costs of towing and storage. However, if the impounding agency is the Washington State Patrol or a law enforcement agency that is conducting an operation outside its jurisdictional boundaries at the time of the impound, the fine will be remitted to the treasurer of the county or municipality where the offense occurred. This will be a governmental entity separate from the impounding agency. In these instances, should the driver substantially prevail at an impound hearing or be acquitted at trial, both of which may occur many months or even a year after payment of the fine, there is no mechanism for the impounding agency to claw-back or otherwise recover the fine from the separate governmental entity so that it can be refunded. In such instances, the impounding agency is nonetheless liable for refund of the fine and must absorb the cost.

3. It is unclear whether the fine refund provisions in subsections 6(a) and (b) were intended to allow for refund of only $500 fines, as written, and not $2500 fines.

Subsections (6)(a) and (b) mandate a refund of a $500 fine in the event the driver substantially prevails at an impound hearing or is acquitted at trial. There is no provision for refund of a $2500 fine under either subsection.

It is unclear whether the limitation of these refund provisions to only the $500 fines was intentional, or whether it was the result of an oversight during the 2010 amendment of the statute. Prior to the 2010 amendment, a driver could recover the fine no matter the crime that resulted in the impoundment. However, during the 2010 amendment process, changes were made to the statutory structure such that it may have been merely an oversight that the references in the refund sections were limited in the current manner. It is likely that claimants will nonetheless seek return of the $2500 fines and courts may order their return notwithstanding the statutory language, especially if the claimants are acquitted at trial or prevail at an impound hearing on the basis that the arresting officers did not have probable cause for arrest.

C. Bases for Recovery of Fines, Fees and Costs

This statute allows a driver to recover fines, fees and costs if the driver substantially prevails at an impound hearing contesting the validity of the impoundment or if the driver is acquitted at trial for any of the crimes listed in subsection (1). All refunds must be paid by the impounding agency.

1. The "substantially prevails" standard in subsection (6)(a) is confusing in the context of RCW 46.55.120.

Under RCW 46.55.120(3), at a hearing to contest the validity of the impoundment, the question before the court is whether the impoundment was proper. "If the impoundment is found proper," the fees and costs must be assessed against the driver/owner. RCW 46.55.120(3)(d). A driver may recover only if the impoundment was held to be not proper. Overlaying a "substantially prevails" standard on top of the clear-cut standard set forth in Chapter 46.55 RCW is confusing and may lead to unnecessary litigation.

2. The provision allowing for recovery of fees, costs and fines if the driver is found not guilty after trial is problematic.

Under RCW 9A.88.140(6)(b), a driver who is charged with a crime listed under subsection (1) and who is found not guilty at trial may recover any towing and storage fees and the fine that the driver paid. Although this subsection does not authorize a similar refund if the criminal charges are declined or dismissed after being filed, it is possible that actions for recovery would nonetheless be brought under this section and would lead to unnecessary litigation.

Chapter 46.55 does not allow for recovery of impound and storage fees following an acquittal of any other crime, even when arrest for the crime was the sole basis for impoundment. RCW 46.55.113(1) authorizes an officer to impound a vehicle whenever a driver is arrested for DWLS, RCW 46.55.113(2)(d) authorizes impoundment whenever the driver is arrested and taken into custody, and RCW 46.55.360 authorizes impoundment whenever the driver is arrested for DUI.

Finally, RCW 9A.88.140(6)(b) permits the driver to recover fees and costs even if the impoundment was completely proper, and even if the driver previously lost at a hearing to challenge the validity of the impoundment. In order to impound a vehicle, the officer need only have probable cause that the crime was committed. This section creates a situation in which the impoundment was completely proper, but due to factors within the control of the prosecutor and criminal court, and beyond the control of the impounding agency, the agency will be required to pay the costs of impoundment and storage. In impounds in which the vehicle is in storage for extended periods of time, the combined costs of impound and storage are often in excess of $1000. This gives rise to the potential for significant liability for the impounding agency even if the impoundment was entirely lawful. These costs are in addition to any legal fees that may already have been expended by the agency at an impound hearing.

3.2.3.2 Recommendations

A proposed statutory amendment is attached as Appendix B. The Committee believes this will remedy the problematic legal issues and practical implications in the current statute.

3.2.3.3 What Data Is NOT Available

There was no way to determine an exact amount of impound fees assessed through AOC.

3.2.3.4 Survey and Other Data

The following survey questions were provided to Law Enforcement & Prosecutors:

Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or Promoting Travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime

and the suspect is the owner of the vehicle or the vehicle is a rental car.

Of the 56 respondents to this question, 25% responded "Yes" and 75% responded "No."

Have you ever impounded a vehicle under this provision (referring to the previous question)?

Of the 62 respondents to this question, 14.5% responded "Yes" and 85.5% responded "No."

The following comment addresses this provision:

> "I think the most accurate answer is yes and no. We have 38 police agencies in King County; some follow this law and others do not." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

3.3 Training

In addition to providing input on the provisions related to commercially sexually exploited children and perpetrators, survey respondents across all professional groups expressed a need for greater training. The following select comments represent the sentiments of respondents:

> "Need training through WSCADV (Washington State Coalition Against Domestic Violence) or WCSAP (Washington Coalition of Sexual Assault Programs)." Youth Serving Providers & Defense Attorneys, page 6. Response to question 4: Are you aware that either a child, a child's parents, or DSHS can file a CHINS petition on behalf of a commercially sexually exploited child?

> "This worker would find it very resourceful to have the most current and updated information along with trainings for providers and any others working in the community collectively with victims of CSE. Consistency and collective approach." Youth Serving Providers & Defense Attorneys, page 9. Response to question 7: Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

> "I realize I could know a lot more about how the legal system works in these cases. I would be happy to attend a training or a webinar about this." Youth Serving Providers & Defense Attorneys, page 14. Response to question 11: Please list any other important comments you may have regarding these issues.

> "I think we would benefit as a whole from identifying specially trained therapists to help respond to these cases. Having expert therapists who can help develop a treatment plan and support both child and parent though safety planning and the healing process seems to be lacking." Juvenile Court Administrators & Juvenile Court Staff, page 15. Response to question 14, Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

> "I would like to see a training offered for court staff, law enforcement, and prosecutors on juvenile prostitution/trafficking. In addition to traditional commercial prostitution, we need to learn strategies to deal with 'informal' prostitution where kids trade sex for drugs or a place to live." Juvenile Court Administrators & Juvenile Court Staff, page 15. Response to question 14, Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

> "Though many agencies state that they are trained and provide services, few are qualified and even fewer actually engage these youth." Juvenile Court Administrators & Juvenile Court Staff, page 15. Response to question 14, Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

> "It seems like there's a need for specially trained advocates and therapists to work with this population. Advocates who have the time to develop trusting relationships with these children and therapists who can help develop safety plans and provide support, as well as can help engage and inform parents on the

best path forward for their child given their unique set of circumstances." Juvenile Court Administrators & Juvenile Court Staff, page 16. Response to question 15: Please list any important comments you may have regarding these issues.

"I am aware of this based on participation in human trafficking investigations. However, I am not aware of agency wide training having been offered." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"Our line officers get little to no formal training in this area." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"The agency assigned to handle this type of case is trained, but I doubt that general law enforcement otherwise knows about this provision." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"We do not get much training on the topic in general." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"My understanding is that some of law enforcement is trained, but we are going to include it in our annual training in February with law enforcement." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"I am not sure that they have had any specialized training. The information regarding the impound of vehicles was included in an article form our office to the law enforcement that included this provision." Law Enforcement & Prosecutors, page 20. Response to question 16: Is law enforcement trained on

the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car.

"I think this is a good tool. My sense is our local law enforcement has an attitude that this issue does not happen here, despite info to the contrary." Law Enforcement & Prosecutors, page 25. Response to question 19: Any additional comments on the provision mentioned in question 16?

"There may have been legal updates on this law but I do not recall [a] specific training." Law Enforcement & Prosecutors, page 36. Response to question 25: Please list any other important comments you may have regarding these issues.

"LE [law enforcement] leaders must convince other LE agencies/officers that the problem is real and that they are missing the cases. Until this happens, LE will continue not to find credible the statements of social workers, probation officers and others currently involved. Get LE trained by committed and passionate LE and you will make a difference. Should be someone respected and once skeptical. CJTC and leadership are dropping the ball and losing confidence of community LE leaders." Law Enforcement & Prosecutors, page 36. Response to question 25: Please list any other important comments you may have regarding these issues.

"I appreciate the survey and reminder about these types of cases. I think more training for law enforcement and prosecutors helps. I feel the Spring WAPA conference section on the human trafficking was a good start and brought valuable information to my practice for future cases/investigations." Law Enforcement & Prosecutors, page 36. Response to question 25: Please list any other important comments you may have regarding these issues.

"I wish this information was readily made to probation working with adults." Judicial Officers, page 16. Response to question 15: Please list any other important comments you may have regarding these issues.

4. CONCLUSION

The survey results and other sources of information, as well as the lack of available data, raise concerns about the effectiveness of the Safe Harbor Law and the ability to evaluate it. The primary concerns among stakeholder appear to be:

- CHINS is not an effective mechanism for obtaining services for CSEC;
- Diversion on prostitution related offenses is not an effective mechanism for obtaining services either—both because so few youth are actually arrested on or charged with prostitution related offenses and because there are not adequate services to which youth can be diverted; and
- Law enforcement and courts are generally not assessing perpetrators with the penalties available under the Safe Harbor Law.
- Current law enforcement resources are disproportionately allocated to less serious crimes, primarily drug crimes, instead of crimes involving CSEC.
- The impound statute is problematic in its practical application for a number of reasons.

In conducting this review, the researchers also found that there is insufficient data to either support or oppose these concerns. No statewide data is collected on the number of youth arrested for prostitution related offenses. There are no codes to reflect when CHINS case involves a CSEC or when a fee is derived from a CSAM case.

To address these concerns and ensure the accuracy, the researchers created a preliminary report and presented it to the full Committee for its review in advance of the Committee's June 14, 2016 meeting. Based on input and discussion at this meeting, this final report was compiled, which has taken into account the additional feedback and recommendations of the Committee.

APPENDIX A

Safe Harbor Survey

1. Survey Regarding the Application and Understanding of Washington's "Safe Harbor Law"

In 2015, the Legislature tasked the Commercially Sexually Exploited Statewide Coordinating Committee with reviewing the extent to which Washington's 2010 "Safe Harbor Law" for Commercially Sexually Exploited Children is understood and applied, as well as any barriers to its full implementation.

To fulfill this duty, the Washington Attorney General's Office, with the assistance of the Center for Children & Youth Justice, is conducting the following survey.

This survey is designed to elicit feedback on a portion of the provisions within the Safe Harbor Law. We have grouped questions by professional group. We ask judicial officers to complete all of the survey sections; however some individual questions may not apply. For other respondents, please feel free to review questions from other groups and provide any input. We encourage you to input as much feedback in the comment boxes below the questions, and in the final comment section of the survey. All information you provide us will be extremely useful in compiling the final report.

Please complete this survey by Friday, February 12th, 2016. Your answers will remain anonymous. For questions or additional information, please contact Nicholas Oakley at noakley@ccyj.org or Sha Talebi at farshadt@atg.wa.gov.

Safe Harbor Survey

2. Professional Groups

1. Please tell us which professional group best fits your work? 1. Youth Serving Provider & Defense Attorneys 2. Juvenile Court Administrator & Juvenile Court Staff 3. Law Enforcement & Prosecutors 4. Judicial Officers

2. What is your jurisdiction/location?

3. (Optional) Please specify your role (e.g. if you are a youth-serving provider, a community-based advocate, case manager, juvenile defense attorney, etc?).

Safe Harbor Survey

3. **Survey for Youth-Serving Service Providers/ Juvenile Defense Attorneys/ Judicial Officers**

4. Are you aware that either a child, a child's parents, or DSHS can file a CHINS petition on behalf of a commercially sexually exploited child?

- ◯ Yes
- ◯ No

Comments

5. Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?

- ◯ Yes
- ◯ No

Comments

6. If you answered Yes to Question 5, did the child receive services through the CHINS process? If so, were they effective? If the child did not receive services, why not?

7. Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

8. Are you aware that the law requires that, within available funding, when a commercially sexually exploited child (or a youth who has been diverted for an alleged offense of prostitution or prostitution loitering) is referred to DSHS, DSHS must connect the child with services and treatment for child victims of sexual assault? RCW: 13.32A.270 (http://app.leg.wa.gov/rcw/default.aspx?cite=13.32A.270)

- ◯ Yes
- ◯ No
- ◯ Comments

9. Are you aware that a commercially sexually exploited child who is charged with prostitution is considered a victim of a criminal act for purposes of qualifying to receive benefits from the Crime Victim's Compensation Fund?

- ◯ Yes
- ◯ No

Comments

10. If you answered Yes to either or both Question 8 or 9, have you assisted commercially sexually exploited children in accessing benefits or otherwise directed them to the Crime Victim's Compensation Fund? – Please explain

11. Please list any other important comments you may have regarding these issues:

Safe Harbor Survey

4. **Survey for Juvenile Court Administrators/ Juvenile Court Staff/ Judicial Officers**

12. What services are available to juveniles alleged to have committed Prostitution or Prostitution Loitering offenses who are on diversion? – Please explain

13. What services are available to juveniles under the supervision of juvenile court who have been identified as commercially sexually exploited but not alleged to have committed Prostitution or Prostitution Loitering offenses? – Please explain.

14. Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

15. Please list any important comments you may have regarding these issues:

Safe Harbor Survey

5. **Survey for Law Enforcement/Prosecutors/ Judicial Officers**

16. Is law enforcement trained on the following provision? *Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car. RCW 9A.88.140(2) (http://app.leg.wa.gov/RCW/default.aspx?Cite=9A.88.140)*

- ◯ Yes
- ◯ No

Comments

17. If you answered Yes to Question 16, what sort of training is provided? – Please describe.

18. Have you ever impounded a vehicle under this provision?

- ◯ Yes
- ◯ No

Were there any issues or difficulties with impounding the vehicle(s)? If you have not impounded a vehicle, why not?

19. Any additional comments on the provision mentioned in Question 16?

20. Have you ever arrested a juvenile for prostitution?

- Yes
- No

Any comments

21. Have you ever encountered a Commercially Sexually Exploited Child (CSEC) victim?

Yes/No/Unsure?

If you answered yes, who did you contact/where did you place the victim?

22. Has your county/city ever charged/prosecuted a juvenile prostitution case?

- Yes
- No
- Unsure

Why or why not?

23. Have you ever investigated a Commercial Sexual Abuse of a Minor (CSAM) or Promoting CSAM case?

- Yes
- No

Why or why not?

24. Have you ever arrested anyone on the charges mentioned in Question 22?

- Yes
- No

Why or why not?

25. Please list any other important comments you may have regarding these issues:

Safe Harbor Survey

6. Thank You

Thank you for taking the time to complete this Safe Harbor Law survey. As mentioned earlier, the questions were grouped into professional sectors. However, please feel free to review questions from other groups and provide any additional input as you see fit.

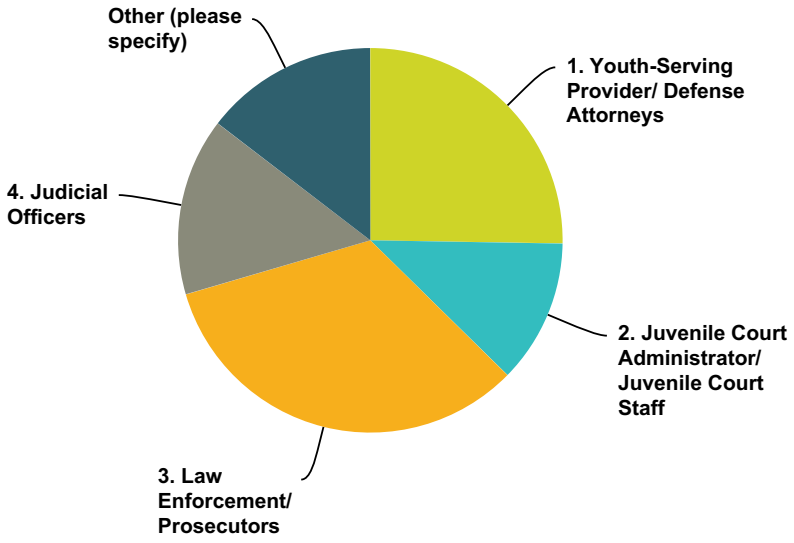
For questions or additional information, please contact Nicholas Oakley at noakley@ccyj.org or Sha Talebi at farshadt@atg.wa.gov.

APPENDIX A

Safe Harbor Survey

Q1 Please tell us which professional group best fits your work? 1. Youth Serving Provider & Defense Attorneys 2. Juvenile Court Administrator & Juvenile Court Staff 3. Law Enforcement & Prosecutors 4. Judicial Officers

Answered: 281 Skipped: 3



Answer Choices	Responses	
1. Youth-Serving Provider/ Defense Attorneys	**25.27%**	71
2. Juvenile Court Administrator/ Juvenile Court Staff	**12.10%**	34
3. Law Enforcement/ Prosecutors	**33.10%**	93
4. Judicial Officers	**14.95%**	42
Other (please specify)	**14.59%**	41
Total		**281**

#	Other (please specify)	Date
1	Enforcement of Federal Civil Rights in Employment	2/10/2016 3:50 PM
2	adult service provider	2/10/2016 10:05 AM
3	Adolescent Unit SW	2/9/2016 4:47 PM
4	medical	2/9/2016 2:55 PM
5	Assistant Attorney General	2/4/2016 10:00 AM
6	Emergency Medical Services	2/4/2016 9:42 AM
7	Director or a non profit serving adult women	2/3/2016 3:18 PM
8	Victim Advocacy	2/2/2016 3:39 PM
9	Soroptimist International	1/29/2016 3:12 PM

Safe Harbor Survey

10	Mental Health Therapist	1/28/2016 5:30 PM
11	CFWS	1/28/2016 1:22 PM
12	Advocate	1/28/2016 1:05 PM
13	State Funder	1/28/2016 11:46 AM
14	SANE	1/26/2016 4:18 PM
15	Communiyt Based Advocate	1/26/2016 3:14 PM
16	medical	1/26/2016 1:58 PM
17	Medical	1/26/2016 8:31 AM
18	Sexual Assault Center	1/25/2016 3:19 PM
19	DV Advocate, Child & Teen Advocate	1/25/2016 1:33 PM
20	Medical social work-sexual assault clinic	1/25/2016 9:29 AM
21	education	1/25/2016 8:21 AM
22	DV/SA Agency	1/25/2016 8:11 AM
23	NGO serving youth	1/25/2016 7:41 AM
24	Education	1/24/2016 4:05 PM
25	General Crime Victim Advocacy	1/22/2016 12:37 PM
26	Medical Support Staff	1/22/2016 12:14 PM
27	Mental Health Professional	1/22/2016 10:46 AM
28	court commissioner	1/22/2016 9:18 AM
29	Shelter	1/22/2016 7:30 AM
30	Writer Public SPeaker Activist	1/21/2016 9:50 PM
31	social worker	1/21/2016 5:50 PM
32	Community based advocate	1/21/2016 4:11 PM
33	Higher Education Advocacy	1/21/2016 2:46 PM
34	Probation	1/21/2016 2:13 PM
35	Mentor case manager, advocate, speaker	1/21/2016 1:55 PM
36	Domestic Violence Tx.- Perpetrator	1/21/2016 1:45 PM
37	Community based advocate	1/21/2016 1:11 PM
38	School counselor	1/21/2016 12:38 PM
39	Crime Victim Advocate	1/21/2016 9:27 AM
40	Victim Services Coordinator	1/21/2016 9:19 AM
41	.	1/15/2016 12:22 PM

Safe Harbor Survey

Q2 What is your jurisdiction/location?

Answered: 277 Skipped: 7

#	Responses	Date
1	Pierce Pierce County	2/23/2016 7:36 AM
2	Kitsap Kitsap County, WA	2/18/2016 11:07 AM
3	Kitsap Kitsap County	2/16/2016 9:19 AM
4	Kitsap Kitsap County	2/15/2016 5:14 PM
5	Kitsap Kitsap County	2/15/2016 3:17 PM
6	Kitsap Kitsap County	2/15/2016 3:04 PM
7	Benton & Franklin Benton and Franklin Counties	2/11/2016 3:29 PM
8	King County Northwest Region, out of Seattle	2/10/2016 3:50 PM
9	King County king county/Seattle city	2/10/2016 10:05 AM
10	Washington State	2/10/2016 8:05 AM
11	Washington, Alaska, Idaho	2/9/2016 4:52 PM
12	King County King South-Kent, FederalWay, Auburn	2/9/2016 4:47 PM
13	Snohomish Everett, WA	2/9/2016 2:55 PM
14	King County Seattle, King county	2/9/2016 2:48 PM
15	King County King County	2/8/2016 12:43 PM
16	Spokane spokane county	2/8/2016 10:43 AM
17	Pierce Pierce County, WA	2/8/2016 10:12 AM
18	King County City of kent	2/5/2016 9:39 PM
19	Pacific pacific county	2/5/2016 6:24 PM
20	King County King County	2/4/2016 10:00 AM
21	Benton & Franklin West Richland	2/4/2016 9:42 AM
22	Benton & Franklin Richland WA	2/3/2016 3:18 PM
23	King County Seattle, King County, Washington	2/3/2016 1:53 PM
24	Benton & Franklin Benton/Franklin counties	2/3/2016 8:59 AM
25	Snohomish Snohomish County	2/2/2016 3:39 PM
26	Kitsap City of Bremerton	2/1/2016 6:27 PM
27	Skagit Whatcom Whatcom and Skagit County	2/1/2016 2:08 PM
28	King County East and North King County	2/1/2016 1:39 PM
29	Jefferson Jefferson County, WA	2/1/2016 11:03 AM
30	King County King	2/1/2016 10:22 AM
31	King County King County	2/1/2016 8:55 AM
32	Snohomish Snohomish County	1/31/2016 5:40 PM
33	Spokane Spokane	1/31/2016 11:57 AM
34	King County King County, Washington	1/31/2016 9:46 AM
35	Clallam Clallam county Wa.	1/30/2016 11:39 PM

36	King County King County, WA	1/30/2016 3:16 PM
37	Clark Clark County, WA	1/30/2016 7:33 AM
38	Whatcom Whatcom County	1/29/2016 3:51 PM
39	Skagit Skagit	1/29/2016 3:14 PM
40	King County Seattle PD	1/29/2016 3:13 PM
41	Benton & Franklin Tri-Cities, WA	1/29/2016 3:12 PM
42	King County King County, WA	1/29/2016 1:24 PM
43	Benton & Franklin Benton-Franklin Counties	1/29/2016 1:00 PM
44	Clark Clark County	1/29/2016 12:12 PM
45	Clark Clark County	1/29/2016 11:00 AM
46	Kittitas Kittitas County	1/29/2016 10:53 AM
47	King County Seattle, King County	1/29/2016 10:48 AM
48	Snohomish Snohomish County	1/29/2016 10:32 AM
49	Clallam Clallam County	1/29/2016 10:06 AM
50	King County King County	1/29/2016 9:45 AM
51	King County Seattle	1/29/2016 8:57 AM
52	King County King County	1/29/2016 8:24 AM
53	Pierce Pierce county	1/29/2016 6:27 AM
54	Skagit skagit	1/28/2016 8:40 PM
55	King County King County	1/28/2016 6:45 PM
56	King County Seattle	1/28/2016 6:32 PM
57	Grant Grant	1/28/2016 6:20 PM
58	Pierce Pierce County	1/28/2016 5:41 PM
59	King County Kirkland/Redmond	1/28/2016 5:30 PM
60	Benton & Franklin Tri-Cities WA	1/28/2016 4:54 PM
61	King County Seattle	1/28/2016 4:49 PM
62	King County East King County, Washington	1/28/2016 3:52 PM
63	Seattle	1/28/2016 3:11 PM
64	Bremerton WA	1/28/2016 3:08 PM
65	King County South King County	1/28/2016 3:01 PM
66	Benton & Franklin Benton Franklin Counties	1/28/2016 2:41 PM
67	King County King County	1/28/2016 1:48 PM
68	Region 2	1/28/2016 1:22 PM
69	Benton & Franklin Benton Franklin Counties	1/28/2016 1:07 PM
70	Benton & Franklin Kennewick, WA	1/28/2016 1:05 PM
71	King County King County	1/28/2016 1:01 PM
72	Benton & Franklin Tri-Cities WA	1/28/2016 12:49 PM
73	King County All of King county	1/28/2016 12:27 PM
74	Kitsap Bremerton	1/28/2016 12:22 PM
75	Benton & Franklin Pasco	1/28/2016 12:11 PM
76	Benton & Franklin Benton/Franklin County	1/28/2016 11:57 AM

77	Statewide	1/28/2016 11:46 AM
78	King County King County	1/28/2016 11:45 AM
79	Snohomish Snohomish County	1/28/2016 11:35 AM
80	Kitsap Kitsap County	1/28/2016 11:21 AM
81	Kitsap Kitsap County	1/28/2016 11:19 AM
82	King County King County	1/28/2016 11:18 AM
83	Kitsap Kitsap County	1/28/2016 11:16 AM
84	King County King County	1/28/2016 9:31 AM
85	Snohomish Everett, Snohomish County	1/28/2016 9:15 AM
86	King County King County Superior Court	1/28/2016 9:02 AM
87	Pierce Pierce Co.	1/28/2016 8:56 AM
88	San Juan San Juan County	1/28/2016 8:28 AM
89	King County King	1/27/2016 7:02 PM
90	Thurston Thurston	1/27/2016 6:57 PM
91	Cowlitz Cowlitz County Superior Court	1/27/2016 5:56 PM
92	Snohomish Snohomish County	1/27/2016 5:16 PM
93	Puget Sound area	1/27/2016 4:37 PM
94	Snohomish Snohomish County	1/27/2016 4:11 PM
95	Spokane spokane	1/27/2016 4:09 PM
96	Walla Walla walla walla county	1/27/2016 3:05 PM
97	Snohomish Snohomish County, statewide jurisdiction	1/27/2016 3:00 PM
98	King County Seattle	1/27/2016 2:59 PM
99	Clark Clark County	1/27/2016 2:45 PM
100	Clark Clark County	1/27/2016 2:31 PM
101	Kitsap Kitsap County	1/27/2016 2:14 PM
102	Pierce pierc3e county	1/27/2016 2:12 PM
103	Snohomish Snohomish County Superior Court	1/27/2016 2:10 PM
104	King County king county	1/27/2016 1:58 PM
105	Benton & Franklin Benton-Franklin Counties	1/27/2016 1:54 PM
106	Spokane Spokane County	1/27/2016 1:42 PM
107	Clark Clark County Superior Court	1/27/2016 1:34 PM
108	King County seattle	1/27/2016 1:32 PM
109	Thurston Thurston County Superior Court	1/27/2016 1:18 PM
110	Snohomish Snohomish County Superior Court	1/27/2016 1:17 PM
111	Walla Walla walla walla county	1/27/2016 1:08 PM
112	Snohomish Snohomish County	1/27/2016 1:04 PM
113	Lewis Lewis County	1/27/2016 1:01 PM
114	Pierce pierce County	1/27/2016 1:00 PM
115	Pierce pierce County	1/27/2016 12:57 PM
116	King County King County Superior Court	1/27/2016 12:56 PM
117	Chelan Chelan County	1/27/2016 12:55 PM

Safe Harbor Survey

118	Clark Clark	1/27/2016 12:53 PM
119	Whatcom Whatcom County	1/27/2016 12:52 PM
120	Lewis Lewis County	1/27/2016 12:52 PM
121	Yakima Yakima County	1/27/2016 12:51 PM
122	Benton & Franklin Benton Franklin	1/27/2016 12:51 PM
123	Grays Harbor Grays Habor County	1/27/2016 10:14 AM
124	Kittitas Kittitas County	1/27/2016 8:17 AM
125	Clark Clark County WA	1/26/2016 5:26 PM
126	Klickitat County City of White Salmon	1/26/2016 4:36 PM
127	Kittitas Kittitas County	1/26/2016 4:18 PM
128	Pierce Pierce	1/26/2016 3:24 PM
129	Clark Clark County	1/26/2016 3:14 PM
130	Thurston Thurston County	1/26/2016 1:58 PM
131	Snohomish Snohomish County/ Everett	1/26/2016 9:47 AM
132	Snohomish Everett/Snohomish County	1/26/2016 9:42 AM
133	Snohomish City of Everett	1/26/2016 8:55 AM
134	Snohomish Snohomish County	1/26/2016 8:52 AM
135	Kitsap Kitsap County	1/26/2016 8:31 AM
136	Kitsap kitsap	1/25/2016 8:40 PM
137	Benton & Franklin Benton County, WA	1/25/2016 3:36 PM
138	Kitsap Kitsap County	1/25/2016 3:19 PM
139	Benton & Franklin Benton/Franklin Counties	1/25/2016 3:02 PM
140	Cowlitz Cowlitz County	1/25/2016 1:49 PM
141	Mason Mason County	1/25/2016 1:33 PM
142	Clark Clark County	1/25/2016 1:23 PM
143	Benton & Franklin Benton County	1/25/2016 11:48 AM
144	Pierce Pierce County - concentrated in Tacoma	1/25/2016 11:40 AM
145	Grays Harbor Grays Harbor	1/25/2016 11:17 AM
146	Ferry County Ferry County	1/25/2016 10:23 AM
147	Snohomish Snohomish County	1/25/2016 10:14 AM
148	King County King County	1/25/2016 9:58 AM
149	Thurston Thurston Co	1/25/2016 9:29 AM
150	Okanogan Okanogan County	1/25/2016 9:17 AM
151	King County King County	1/25/2016 9:10 AM
152	Yakima Yakima	1/25/2016 9:06 AM
153	Pierce Pierce County	1/25/2016 9:02 AM
154	Skamania Skamania County	1/25/2016 8:53 AM
155	King County King County<,WA	1/25/2016 8:46 AM
156	Asotin asotin county	1/25/2016 8:21 AM
157	Klickitat County Klickitat County	1/25/2016 8:11 AM
158	Benton & Franklin Benton County	1/25/2016 7:41 AM

159	Okanogan Okanogan County and Ferry County	1/25/2016 7:37 AM
160	Spokane Spokane County	1/25/2016 7:20 AM
161	Benton & Franklin Benton County	1/25/2016 6:10 AM
162	King County King County	1/24/2016 8:38 PM
163	Asotin Asotin County	1/24/2016 4:05 PM
164	Clark Clark County	1/24/2016 3:53 PM
165	Clark clark county	1/22/2016 4:56 PM
166	Clark Vancouver, WA	1/22/2016 4:32 PM
167	Benton & Franklin Benton County	1/22/2016 4:17 PM
168	Island Island County	1/22/2016 4:05 PM
169	Walla Walla City of Walla Walla	1/22/2016 3:17 PM
170	Clark Clark	1/22/2016 1:05 PM
171	King County King County Juvenile Court	1/22/2016 12:54 PM
172	Thurston Thurston County	1/22/2016 12:50 PM
173	Okanogan IOkanogan County	1/22/2016 12:45 PM
174	Snohomish Snohomish County	1/22/2016 12:37 PM
175	Grays Harbor Lewis Mason Pacific Thurston Thurston County: We serve: Thurston, Mason,Lewis, Grays Harbor, & Pacific	1/22/2016 12:14 PM
176	Whitman County Whitman County	1/22/2016 11:59 AM
177	Jefferson Jefferson County	1/22/2016 11:28 AM
178	Pierce City of Tacoma	1/22/2016 11:27 AM
179	Clark Cowlitz Clark and Cowlitz Counties	1/22/2016 10:46 AM
180	Thurston Thurston County Sheriff's Office / Olympia, WA	1/22/2016 10:38 AM
181	Walla Walla Walla Walla County	1/22/2016 10:25 AM
182	Adams County Othello	1/22/2016 10:18 AM
183	Spokane Spokane County	1/22/2016 9:37 AM
184	Thurston Thurston County	1/22/2016 9:36 AM
185	Kittitas Kittitas County	1/22/2016 9:36 AM
186	eastern washington	1/22/2016 9:30 AM
187	Clark clark county superior court	1/22/2016 9:18 AM
188	Chelan Chelan Co.	1/22/2016 9:16 AM
189	Okanogan Okanogan	1/22/2016 9:07 AM
190	County	1/22/2016 9:01 AM
191	Douglas Douglas County	1/22/2016 8:03 AM
192	Clark Vancouver, wa	1/22/2016 8:01 AM
193	Pierce Pierce	1/22/2016 7:55 AM
194	SW Washington	1/22/2016 7:30 AM
195	City Police	1/22/2016 7:05 AM
196	King County King County	1/21/2016 9:50 PM
197	Clark Vancouver	1/21/2016 7:53 PM
198	Pierce Pierce	1/21/2016 7:50 PM

199	Clark Clark County	1/21/2016 5:50 PM
200	Yakima Yakima	1/21/2016 5:42 PM
201	Snohomish Snohomish County	1/21/2016 5:33 PM
202	Skamania skamania county	1/21/2016 5:30 PM
203	Multnomah Multnomah County & surrounding area	1/21/2016 5:13 PM
204	Clark Clark county	1/21/2016 4:11 PM
205	Kittitas Ellensburg, WA	1/21/2016 2:46 PM
206	Kittitas Kittitas County	1/21/2016 2:40 PM
207	Walla Walla Walla Walla County	1/21/2016 2:26 PM
208	Cowlitz Cowlitz County	1/21/2016 2:17 PM
209	Cowlitz Longview/Cowlitz County	1/21/2016 2:14 PM
210	Clark Clark	1/21/2016 2:13 PM
211	Thurston Thurston County	1/21/2016 1:57 PM
212	Multnomah Clark County resident/ Multnomah County employee	1/21/2016 1:55 PM
213	Clark Vanc. WA. Clark Co.	1/21/2016 1:45 PM
214	Clark Clark County, WA	1/21/2016 1:44 PM
215	Spokane Spokane	1/21/2016 1:25 PM
216	Asotin Asotin County Sheriff's Office	1/21/2016 1:16 PM
217	Thurston Olympia	1/21/2016 1:11 PM
218	Garfield Garfiled County	1/21/2016 12:56 PM
219	Clark Vancouver, WA Clark County	1/21/2016 12:38 PM
220	Cowlitz Longview WA	1/21/2016 12:28 PM
221	Clark Clark county	1/21/2016 12:04 PM
222	Clark clark county	1/21/2016 11:58 AM
223	Benton & Franklin Benton County/Richland	1/21/2016 11:55 AM
224	Clark Clark County, WA	1/21/2016 11:54 AM
225	Snohomish Snohomish County	1/21/2016 11:22 AM
226	Clark Skamania Clark and Skamania county	1/21/2016 11:15 AM
227	Cowlitz cowlitz county	1/21/2016 10:40 AM
228	Western Washington	1/21/2016 10:25 AM
229	Spokane Spokane	1/21/2016 10:20 AM
230	Clark Clark County, WA	1/21/2016 10:15 AM
231	Clark Clark County	1/21/2016 10:09 AM
232	Mason Mason County	1/21/2016 10:07 AM
233	Kittitas Kittitas County	1/21/2016 9:35 AM
234	King County King County	1/21/2016 9:27 AM
235	Grays Harbor Lewis Mason Pacific Thurston Thurston, Mason, Pacific, Lweis, and Grays Harbor Counties	1/21/2016 9:21 AM
236	Whatcom Whatcom County	1/21/2016 9:19 AM
237	Benton & Franklin City of Pasco, Franklin County	1/21/2016 9:19 AM
238	Klickitat County Goldendale	1/21/2016 9:15 AM
239	King County King County	1/21/2016 9:09 AM

240	Pierce Tacoma, WA	1/21/2016 9:01 AM
241	Pacific South Bend/Pacific County	1/21/2016 9:01 AM
242	Columbia Columbia County	1/21/2016 9:00 AM
243	Kittitas Kittitas County	1/21/2016 7:51 AM
244	Asotin Asotin County	1/21/2016 7:49 AM
245	Clallam clallam county	1/20/2016 12:12 PM
246	PEND OREILLE PEND OREILLE COUNTY	1/20/2016 11:45 AM
247	Lewis Lewis County	1/20/2016 10:46 AM
248	Wahkiakum Wahkiakum	1/20/2016 9:21 AM
249	Mason Mason County, WA	1/20/2016 8:20 AM
250	PEND OREILLE Pend Oreille County	1/20/2016 8:15 AM
251	Clallam Clallam County	1/19/2016 4:43 PM
252	Jefferson Jefferson County	1/19/2016 4:26 PM
253	Columbia Columbia County	1/19/2016 3:52 PM
254	Clark Clark County	1/19/2016 3:23 PM
255	Benton & Franklin Franklin County	1/19/2016 3:20 PM
256	Okanogan Okanogan	1/19/2016 3:14 PM
257	Pacific Pacific County	1/19/2016 3:08 PM
258	Yakima Yakima County	1/19/2016 2:59 PM
259	Yakima Yakima county	1/19/2016 2:51 PM
260	Yakima Yakima, WA	1/19/2016 2:46 PM
261	Island King County Skagit Snohomish Whatcom King, Snohomish, Skagit, Whatcom, Island, San Juan Counties	1/19/2016 2:46 PM
262	Kitsap Kitsap County	1/19/2016 2:38 PM
263	Yakima Yakima County, Washington	1/19/2016 2:37 PM
264	Western Washington	1/19/2016 2:30 PM
265	Clark Clark County	1/19/2016 2:26 PM
266	Kitsap kitsap county	1/19/2016 2:25 PM
267	Garfield Garfield County	1/19/2016 2:10 PM
268	Kitsap Kitsap County	1/19/2016 2:09 PM
269	Benton & Franklin Benton County	1/19/2016 2:08 PM
270	Grant Grant County	1/19/2016 2:01 PM
271	Walla Walla WALLA WALLA	1/19/2016 1:59 PM
272	Lewis lewis county	1/19/2016 1:47 PM
273	Ferry County Ferry County	1/19/2016 12:43 PM
274	Douglas Douglas	1/19/2016 12:33 PM
275	.	1/15/2016 12:22 PM
276	Yakima Yakima County	1/15/2016 11:44 AM
277	King County South County	1/15/2016 11:29 AM

Q3 (Optional) Please specify your role (e.g. if you are a youth-serving provider, a community-based advocate, case manager, juvenile defense attorney, etc?).

Answered: 231 Skipped: 53

#	Responses	Date
1	juvenile defense attorney	2/23/2016 7:36 AM
2	WestNet/Special Investigations Detective	2/18/2016 11:07 AM
3	Narcotics Detective	2/16/2016 9:19 AM
4	Detective	2/15/2016 5:14 PM
5	Detective	2/15/2016 3:17 PM
6	Narcotic Sergeant	2/15/2016 3:04 PM
7	Child Protective Services supervisor	2/11/2016 3:29 PM
8	Outreach, Training, and Education Program Manager	2/10/2016 3:50 PM
9	community based advocate	2/10/2016 10:05 AM
10	Program administrator	2/10/2016 8:05 AM
11	Adolescent Unit SW whose cases primarily consist of youth who have been CSE and victims of sex crimes.	2/9/2016 4:47 PM
12	Forensic Nurse Examiner	2/9/2016 2:55 PM
13	Case Manager	2/9/2016 2:48 PM
14	Community-based advocate	2/8/2016 12:43 PM
15	youth attorney	2/8/2016 10:43 AM
16	juvenile defense attorney/foster youth attorney	2/8/2016 10:12 AM
17	Police commander	2/5/2016 9:39 PM
18	represent children in dependencies/legally free youth	2/5/2016 6:24 PM
19	Firefighter/Paramedic	2/4/2016 9:42 AM
20	Director of a non-profit providing referrals and advocacy for adult women in the Benton-Franklin Co area Occasionally I encounter an older juvenile or the child of a woman I am referring. We are not licensed for juveniles and quickly refer them to the appropriate services.	2/3/2016 3:18 PM
21	community based advocate for human trafficking	2/3/2016 8:59 AM
22	Community based advocate	2/2/2016 3:39 PM
23	(Police) Patrol Sergeant	2/1/2016 6:27 PM
24	Housing Program Manager	2/1/2016 2:08 PM
25	A youth-serving provider. A King County Safe Place Liaison.	2/1/2016 1:39 PM
26	Public Defense	2/1/2016 10:22 AM
27	Community Advocate	2/1/2016 8:55 AM
28	I'm an attorney representing dependent youth and an attorney guardian ad litem (AGAL) for dependent youth.	1/31/2016 5:40 PM
29	Juvenile Defense Attorney	1/31/2016 9:46 AM
30	Children's attorney	1/30/2016 11:39 PM
31	Juvenile Defense Attorney	1/30/2016 3:16 PM

32	Lead Detention Officer	1/30/2016 7:33 AM
33	juvenile defense attorney	1/29/2016 3:51 PM
34	community-based advocate	1/29/2016 3:12 PM
35	Juvenile defense attorney	1/29/2016 1:24 PM
36	Administrator	1/29/2016 1:00 PM
37	Juvenile Defense Attorney	1/29/2016 12:12 PM
38	Juvenile defense attorney, and youth serving provider	1/29/2016 11:00 AM
39	Representation of youth	1/29/2016 10:53 AM
40	Community Advocate	1/29/2016 10:48 AM
41	public defender for children accused of crimes	1/29/2016 10:06 AM
42	Judge	1/29/2016 8:24 AM
43	Community-based advocate	1/29/2016 6:27 AM
44	juvenile defense	1/28/2016 8:40 PM
45	Private youth attorney	1/28/2016 6:45 PM
46	Professor and defense attorney	1/28/2016 6:32 PM
47	Juvenile defense attorney	1/28/2016 6:20 PM
48	Juvenile Court Commissioner	1/28/2016 5:41 PM
49	LMHCA (Licensed Mental Health Counselor Associate)	1/28/2016 5:30 PM
50	CPS investigator	1/28/2016 4:54 PM
51	community based advocate	1/28/2016 4:49 PM
52	Manager of youth-serving providers	1/28/2016 3:52 PM
53	Probation	1/28/2016 3:11 PM
54	Vice Detective	1/28/2016 3:08 PM
55	Youth-serving provider	1/28/2016 3:01 PM
56	Advocate case manager	1/28/2016 2:41 PM
57	I am a Missing from Care Locator	1/28/2016 1:48 PM
58	Juvenile Court Manager	1/28/2016 1:07 PM
59	Community-Based Victim Advocate	1/28/2016 1:05 PM
60	Executive Director, our organization primarily provides services to youth through community-based advocacy.	1/28/2016 1:01 PM
61	CPS Investigator/Youth-Serving Provider.	1/28/2016 12:49 PM
62	Juvenile justice assessment team-JJAT Case manager counselor and in-school assessor	1/28/2016 12:27 PM
63	Detective	1/28/2016 12:22 PM
64	Detective Sergeant	1/28/2016 12:11 PM
65	Youth homeless teen shelter	1/28/2016 11:57 AM
66	Community Advocate	1/28/2016 11:45 AM
67	DCFS Social Worker	1/28/2016 11:35 AM
68	Investigative Division	1/28/2016 11:21 AM
69	Narcotics / VICE supervisor	1/28/2016 11:19 AM
70	administration	1/28/2016 11:18 AM
71	Deputy Prosecuting Attorney	1/28/2016 11:16 AM
72	Judge with no current responsibility for juvenile cases	1/28/2016 9:31 AM

73	Marriage and Family Therapist, Child Sexual Abuse Survivor specialist	1/28/2016 9:15 AM
74	Commissioner	1/28/2016 8:56 AM
75	Judge	1/28/2016 8:28 AM
76	Judge	1/27/2016 7:02 PM
77	Judge	1/27/2016 5:56 PM
78	trial court judge	1/27/2016 5:16 PM
79	Judge	1/27/2016 4:37 PM
80	judge	1/27/2016 3:05 PM
81	youth-serving provider	1/27/2016 2:59 PM
82	Superior Court Judge	1/27/2016 2:45 PM
83	judge	1/27/2016 2:31 PM
84	Judge	1/27/2016 2:14 PM
85	judge	1/27/2016 1:58 PM
86	Judicial Officer	1/27/2016 1:54 PM
87	Judge who hears some Juv. cases	1/27/2016 1:34 PM
88	judge	1/27/2016 1:32 PM
89	Judge	1/27/2016 1:18 PM
90	Judge	1/27/2016 1:17 PM
91	judge	1/27/2016 1:08 PM
92	Judge	1/27/2016 1:01 PM
93	Judge	1/27/2016 12:56 PM
94	Judicial officer	1/27/2016 12:53 PM
95	Judge	1/27/2016 12:52 PM
96	youth servicing provider	1/27/2016 10:14 AM
97	Detective Supervisor	1/27/2016 8:17 AM
98	Community Corrections Officer	1/26/2016 5:26 PM
99	Hospital based Sexual Assault Nurse Examiner	1/26/2016 4:18 PM
100	Probation Manager	1/26/2016 3:24 PM
101	Community Based Advocate	1/26/2016 3:14 PM
102	provide medical exams	1/26/2016 1:58 PM
103	Law enforcement investgations	1/26/2016 9:42 AM
104	Law Enforcement Special Assault Unit	1/26/2016 8:55 AM
105	Deputy Prosecuting Attorney	1/26/2016 8:52 AM
106	Sane examiner	1/26/2016 8:31 AM
107	case manager	1/25/2016 8:40 PM
108	Deputy Prosecutor	1/25/2016 3:36 PM
109	probation counselor	1/25/2016 1:49 PM
110	I am an advocate for DV victims and their children	1/25/2016 1:33 PM
111	Juvenile Probation Associate, youth and family serving	1/25/2016 1:23 PM
112	Deputy Prosecuting Attorney	1/25/2016 11:48 AM
113	Community Mental Health Center	1/25/2016 11:40 AM

114	Deputy Prosecuting Attorney	1/25/2016 11:17 AM
115	Juvenile Prosecutor	1/25/2016 10:23 AM
116	Deputy Prosecuting Attorney	1/25/2016 10:14 AM
117	Deputy Prosecuting Attorney	1/25/2016 9:58 AM
118	medical social worker	1/25/2016 9:29 AM
119	Prosecutor	1/25/2016 9:17 AM
120	Prosecutor	1/25/2016 9:06 AM
121	DPA	1/25/2016 9:02 AM
122	JCA	1/25/2016 8:53 AM
123	Probation Counselor	1/25/2016 8:46 AM
124	educator and case manager of high risk youth	1/25/2016 8:21 AM
125	Victims Advocate	1/25/2016 8:11 AM
126	juvenile probation counselor	1/25/2016 7:56 AM
127	Community based advocate	1/25/2016 7:41 AM
128	Law Enforcement Officer who enforces juvenile law as necessary with daily duties	1/25/2016 7:37 AM
129	Juvenile Probation Counselor	1/25/2016 7:20 AM
130	Victim Witness Unit Supervisor	1/25/2016 6:10 AM
131	Unit Supervisor, King County Sheriff's Office	1/24/2016 8:38 PM
132	Sexual Assault Advocate	1/24/2016 3:53 PM
133	supervise community based advocacy programs	1/22/2016 4:56 PM
134	Child and Family Therapist	1/22/2016 4:32 PM
135	Deputy Prosecutor	1/22/2016 4:17 PM
136	JCA	1/22/2016 4:05 PM
137	Police Officer	1/22/2016 3:17 PM
138	Program Manager	1/22/2016 1:05 PM
139	Juvenile Probation	1/22/2016 12:54 PM
140	Community Based Advocate	1/22/2016 12:45 PM
141	Registered Medical Assistant	1/22/2016 12:14 PM
142	Juvenile Court Administrator	1/22/2016 11:59 AM
143	advocate	1/22/2016 10:46 AM
144	Law enforcement	1/22/2016 10:38 AM
145	Administrator for Walla Walla County Corrections Department	1/22/2016 10:25 AM
146	Police	1/22/2016 10:18 AM
147	Youth serving agency.	1/22/2016 9:37 AM
148	deputy prosecutor	1/22/2016 9:36 AM
149	Juvenile Court Administrator with direct contact and involvement in a small rural county with youth, parents and providers of various services.	1/22/2016 9:36 AM
150	JCA	1/22/2016 9:16 AM
151	Prosecutor	1/22/2016 9:07 AM
152	physical and sexual abuse of children investigator	1/22/2016 9:01 AM
153	supervisor	1/22/2016 8:01 AM

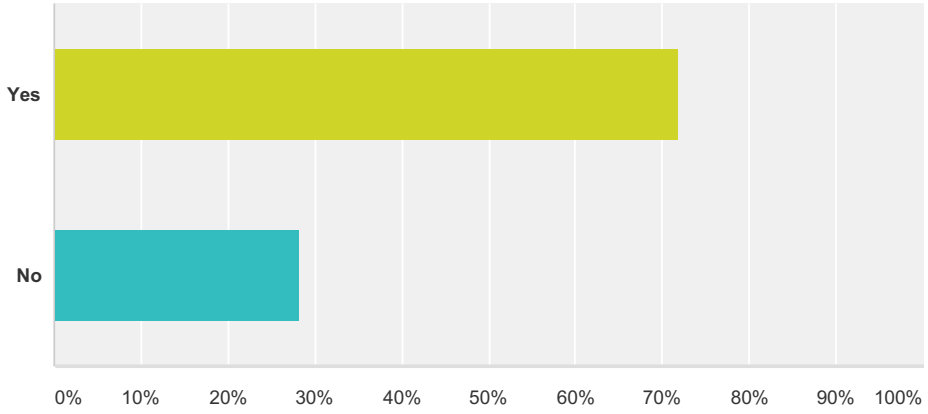
154	House mom	1/22/2016 7:30 AM
155	Police officer	1/22/2016 7:05 AM
156	Public Educator, Informed Survivor	1/21/2016 9:50 PM
157	Police Officer	1/21/2016 7:53 PM
158	Probation Officer	1/21/2016 7:50 PM
159	social worker	1/21/2016 5:50 PM
160	Prosecutor	1/21/2016 5:42 PM
161	youth-serving provider	1/21/2016 5:33 PM
162	youth-serving provider	1/21/2016 5:13 PM
163	Community based advocate	1/21/2016 4:11 PM
164	Health Educator, Violence Prevention and Response Coordinator	1/21/2016 2:46 PM
165	prosecutor	1/21/2016 2:40 PM
166	Prosecutor	1/21/2016 2:26 PM
167	Juvenile Probation Counselor	1/21/2016 2:17 PM
168	Detective	1/21/2016 2:14 PM
169	Probation Officer	1/21/2016 2:13 PM
170	Community-based Advocate	1/21/2016 1:57 PM
171	Case manager to adult women 18+ who have been or are being commercially sexually exploited	1/21/2016 1:55 PM
172	Domestic Violence Perpetrator Treatment provider	1/21/2016 1:45 PM
173	Deputy Prosecuting Attorney	1/21/2016 1:44 PM
174	A community-based advpcate	1/21/2016 1:11 PM
175	School Resource Officer	1/21/2016 12:56 PM
176	Intervention Specialist at high school level	1/21/2016 12:38 PM
177	Therapist	1/21/2016 12:04 PM
178	advocate specializing in youth and prevention	1/21/2016 11:58 AM
179	Detective	1/21/2016 11:55 AM
180	School Resource Officer	1/21/2016 11:54 AM
181	youth psychotherapist	1/21/2016 11:53 AM
182	Sexual abuse therapist	1/21/2016 11:22 AM
183	Juvenile parole officer	1/21/2016 11:15 AM
184	Detective	1/21/2016 10:40 AM
185	Community-based advocate/service provider	1/21/2016 10:25 AM
186	victim advocate	1/21/2016 10:20 AM
187	juvenile probation counselor	1/21/2016 10:15 AM
188	Community based advocate	1/21/2016 10:09 AM
189	Community based advocate	1/21/2016 10:07 AM
190	Elected prosecutor	1/21/2016 9:35 AM
191	Community-based advocate	1/21/2016 9:27 AM
192	Pediatrician	1/21/2016 9:21 AM
193	Community-based advocate	1/21/2016 9:19 AM
194	Law enforcement resources, crime prevention	1/21/2016 9:19 AM

195	community based advocate	1/21/2016 9:15 AM
196	Community-based advocate	1/21/2016 9:09 AM
197	Director of LGBTQ youth center that offers community based advocacy services	1/21/2016 9:01 AM
198	Law Enforcement	1/21/2016 9:01 AM
199	Prosecuting attorney	1/21/2016 7:51 AM
200	Deputy Prosecutor	1/21/2016 7:49 AM
201	deputy prosecutor	1/20/2016 12:12 PM
202	PROSECUTOR	1/20/2016 11:45 AM
203	DPA	1/20/2016 10:46 AM
204	PA	1/20/2016 9:21 AM
205	Deputy Prosecutor	1/20/2016 8:20 AM
206	Prosecutor	1/20/2016 8:15 AM
207	Deputy Prosecutor	1/19/2016 4:43 PM
208	Deputy Prosecutor	1/19/2016 4:26 PM
209	Elected Prosecutor	1/19/2016 3:52 PM
210	Probation Counselor	1/19/2016 3:23 PM
211	I'm a deputy prosecuting attorney.	1/19/2016 3:20 PM
212	Prosecutor	1/19/2016 3:08 PM
213	Detention Manager	1/19/2016 2:59 PM
214	Prosecutor	1/19/2016 2:51 PM
215	Prosecutor	1/19/2016 2:46 PM
216	CA CSEC Liaison	1/19/2016 2:46 PM
217	Prosecutor	1/19/2016 2:38 PM
218	Prosecuting Attorney	1/19/2016 2:37 PM
219	Trainer	1/19/2016 2:30 PM
220	Probation Counselor	1/19/2016 2:26 PM
221	prosecutor	1/19/2016 2:25 PM
222	Prosecutor	1/19/2016 2:10 PM
223	Deputy Prosecutor	1/19/2016 2:09 PM
224	deputy prosecutor	1/19/2016 2:01 PM
225	DEPUTY PROSECUTING ATTORNEY	1/19/2016 1:59 PM
226	DPA	1/19/2016 1:47 PM
227	Appointed Prosecuting Attorney	1/19/2016 12:43 PM
228	Prosecutor	1/19/2016 12:33 PM
229	.	1/15/2016 12:22 PM
230	Community based victim advocate	1/15/2016 11:44 AM
231	Probation Officer	1/15/2016 11:29 AM

Safe Harbor Survey

Q4 Are you aware that either a child, a child's parents, or DSHS can file a CHINS petition on behalf of a commercially sexually exploited child?

Answered: 135 Skipped: 149

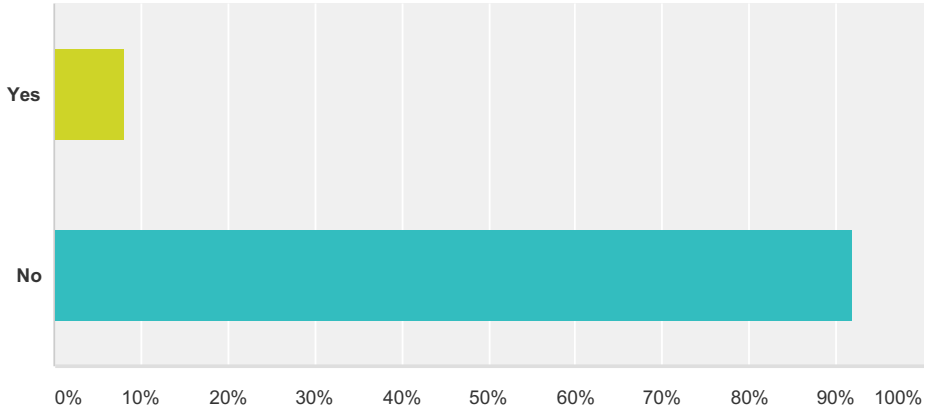


Answer Choices	Responses	
Yes	**71.85%**	97
No	**28.15%**	38
Total		**135**

#	Comments	Date
1	However, with the new policy, unless there is suspected neglect or abuse, all intakes regarding youth being sexually exploited are being screened out and sent to LE.	2/9/2016 4:59 PM
2	However, most of the time CHINS get automatically denied when it is a chronic runaway youth or a youth contacting DSHS for CHINS petition during their stay in detention. The prejudice level against this youth for being incarcerated is unimaginable. They have no credibility due to simple fact that they are run away or detained.	2/2/2016 3:46 PM
3	I am not very familiar with responses to the human trafficking issue.	1/29/2016 10:13 AM
4	I do now!	1/27/2016 5:18 PM
5	I was aware of the CHINS petition, but not in the case of commercially sexually exploited children.	1/21/2016 12:39 PM
6	What is a CHINS?	1/21/2016 12:07 PM
7	Need training through WSCADV (Washington State Coalition Against Domestic Violence) or WCSAP (Washington Coalition of Sexual Assault Programs)	1/21/2016 10:10 AM

Q5 Have you recommended using a CHINS petition for a commercially sexually exploited child in order to access services for that child?

Answered: 135 Skipped: 149



Answer Choices	Responses	
Yes	**8.15%**	11
No	**91.85%**	124
Total		**135**

#	Comments	Date
1	Not yet	2/11/2016 3:31 PM
2	I've not had this come up.	2/8/2016 10:13 AM
3	Never had an opportunity to.	2/4/2016 9:46 AM
4	CHINS no matter what is not working on behalf of this youth. Social workers need to widen their perspective and attitude toward this youth, and not be so judgmental toward them.	2/2/2016 3:46 PM
5	They were already in the Dependency system	1/30/2016 3:18 PM
6	I have not had a commercially sexually exploited child to represent. I have recommended a CHINS in other situations.	1/29/2016 12:13 PM
7	I have recommended many CHINS petitions be filed to my juvenile clients. My commercially sexually exploited clients have been dependent children in the WA State foster care system and therefore, already pulled out of trafficking except when they run away to re-engage in predatory prostitution.	1/29/2016 10:13 AM
8	Children who have been exploited never come with this label. They come to our attention as runaways, persons who are using unlawful drugs, dependents, theft, robbery, and in the old days as "O&A". The CSEC issue becomes more apparent over time.	1/28/2016 6:55 PM
9	I was told that the youth did meet the criteria for CHINS	1/28/2016 3:40 PM
10	All of the kids I work with are dependent; cannot file a CHINS on a dependent youth.	1/28/2016 11:37 AM
11	Situation has not arose since I took the bench, so no opportunity to use it.	1/27/2016 3:08 PM
12	Has not come before me	1/27/2016 1:35 PM
13	I have never had the situation arise where it could be used.	1/27/2016 12:54 PM
14	Not personally, our medical providers and social workers that work directly with the family regarding services would be recommending CHINS.	1/22/2016 12:17 PM

15	The child left the service location.	1/21/2016 1:20 PM
16	Very harmful, involves a punitive state response, have seen negative results	1/21/2016 9:10 AM

Q6 If you answered Yes to Question 5, did the child receive services through the CHINS process? If so, were they effective? If the child did not receive services, why not?

Answered: 19 Skipped: 265

#	Responses	Date
1	NA	2/11/2016 3:31 PM
2	I recommended it to a CPS investigator. I have not followed up on whether she did so or not.	2/9/2016 4:59 PM
3	n/a	2/4/2016 9:46 AM
4	Yes, they were limited	2/3/2016 9:04 AM
5	Not once, and these youth really needed CHINS to be approved. As of why, ask the DSHS, because again, they simply do not believe this population.	2/2/2016 3:46 PM
6	Not really.	1/29/2016 10:54 AM
7	The services are effective to the segment that I represent as noted above.	1/29/2016 10:13 AM
8	n/a	1/28/2016 6:55 PM
9	Effective The child did receive services, they were effective in this case	1/28/2016 4:51 PM
10	Not Effective Not effective through the CHINS but did receive services though another resource.	1/28/2016 3:40 PM
11	Not Effective yes..not sure about the effectiveness	1/28/2016 3:02 PM
12	n/a	1/28/2016 12:33 PM
13	Effective The child received services and the services were somewhat effective.	1/28/2016 11:49 AM
14	n/a	1/27/2016 2:15 PM
15	n/a	1/27/2016 12:53 PM
16	Not Effective No - another arrangement was worked out.	1/25/2016 11:43 AM
17	I have no personal knowledge of any services provided.	1/22/2016 9:19 AM
18	I have not seen any commercially sexually exploited children.	1/21/2016 11:55 AM
19	Not Effective No. Child does not want services or the parents don't take them to the services.	1/15/2016 11:53 AM

Q7 Do you have any additional comments regarding CHINS and services for commercially sexually exploited children?

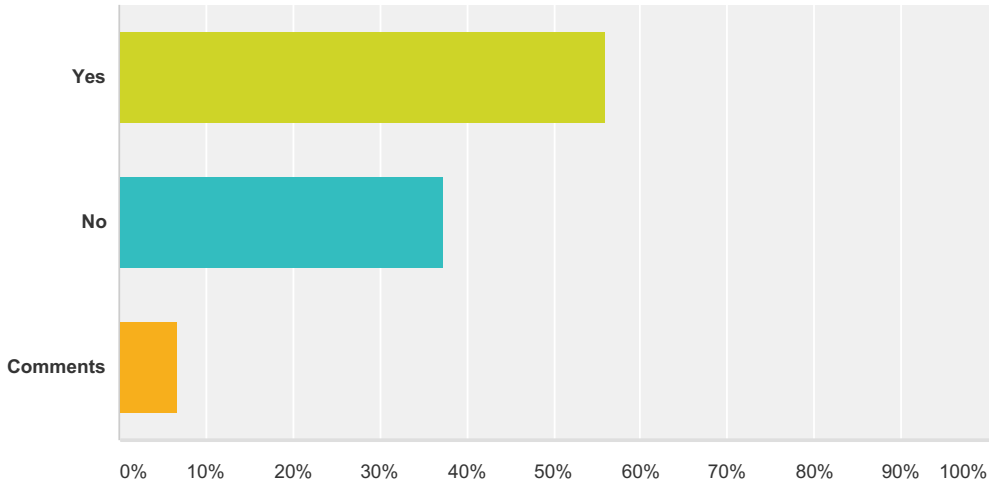
Answered: 28 Skipped: 256

#	Responses	Date
1	No	2/11/2016 3:31 PM
2	The department can not sign the youth into placement since they do not have legal authority under a CHINS. The parent/guardian have to sign the youth into placements. The department basically is just a means to provide and offer services to the youth and the family.	2/9/2016 4:59 PM
3	Our office (public defender office) had to file a dependency petition on behalf of a child after a failed CHINS and the department continues to fight being joined and ordered to provide service etc. even after the court found the child dependent. The youth was not a sexually exploited child but a neglected youth. It is not uncommon for the department to refuse to file petitions on kids that desperately need the department's help.	2/8/2016 10:30 AM
4	No	2/4/2016 9:46 AM
5	Understanding the severe complex trauma that a commercially exploited child faces leads to the need for longer more restrictive care in a specialized trafficking aftercare facility (not limited by statute but by individual needs)	2/3/2016 9:04 AM
6	Make it so that it works, and less biased toward the youth. Right now, there is no point of even asking for one if the youth is incarcerated or chronic runaway. State always takes the legal guardian side.	2/2/2016 3:46 PM
7	No	1/31/2016 9:48 AM
8	It is woefully inadequate in this county.	1/29/2016 10:54 AM
9	no	1/29/2016 10:13 AM
10	Courts have wanted to incarcerate the girls as a protective measure. Instead of seeking a resolution in Court, I often called Youthcare to work with clients.	1/28/2016 6:55 PM
11	This worker would find it very resourceful to have the most current and undated information along with trainings for providers and any others working in the community collectively with victims of CSE. Consistency and collective approach.	1/28/2016 3:40 PM
12	No	1/28/2016 12:33 PM
13	For most of the youth that I work with, youth do not receive adequate services for their needs through the CHINS process when the parent is filing the CHINS.	1/28/2016 11:49 AM
14	A brochure would be a helpful resource	1/28/2016 9:17 AM
15	DSHS routinely opposes CHINS Petitions in order to avoid providing services...they are virtually a worthless tool until and unless DSHS gets on board with their efficacy.	1/28/2016 8:57 AM
16	No	1/28/2016 8:31 AM
17	no	1/27/2016 3:08 PM
18	no	1/27/2016 2:15 PM
19	We need secure housing for kids (if they run from home)	1/27/2016 1:01 PM
20	No	1/25/2016 3:17 PM
21	It has been incredibly difficult to use the CHINS petition process for youth who have been sexually exploited and do not want to return to their family home. It seems that the pressure on parents to take their youth back and for the youth to do so is very high due to lack of options for these youth in the foster care system. Often it seems from our perspective that the youth return to the streets when they see no other option.	1/25/2016 11:43 AM
22	No	1/22/2016 12:17 PM
23	no	1/22/2016 9:19 AM
24	no	1/21/2016 11:55 AM

25	Though I've heard of them, I could use more information on what exactly filing a CHINS petition means and looks like for the youth	1/21/2016 10:15 AM
26	I just recently learned what CHINS is and have yet to use it in my position.	1/21/2016 9:29 AM
27	CA staff can refer children/youth to many services without a CHINS. With a such a shortage of foster or other placements for this population accessible to DSHS staff, I'm not sure that state custody is always the most effective strategy.	1/19/2016 2:53 PM
28	There needs to be follow up b the dept. and see what might be helpful to get child in the services.	1/15/2016 11:53 AM

Q8 Are you aware that the law requires that, within available funding, when a commercially sexually exploited child (or a youth who has been diverted for an alleged offense of prostitution or prostitution loitering) is referred to DSHS, DSHS must connect the child with services and treatment for child victims of sexual assault? RCW: 13.32A.270 (http://app.leg.wa.gov/rcw/default.aspx?cite=13.32A.270)

Answered: 134 Skipped: 150



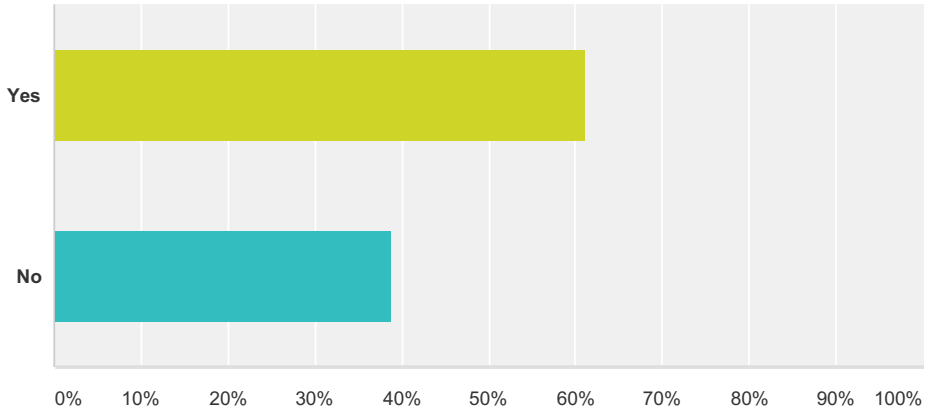
Answer Choices	Responses	
Yes	**55.97%**	75
No	**37.31%**	50
Comments	**6.72%**	9
Total		**134**

#	Comments	Date
1	I am, but I am not convinced that DSHS does. We get push back from them at times even taking a report.	2/9/2016 2:57 PM
2	Not aware, but I have not yet been rotated into Juvenile Court	1/29/2016 10:33 AM
3	No, but again, I'm representing children accused of prostitution in the past but not on my caseload. I would hope our law enforcement would know that children cannot be prostitutes.	1/29/2016 10:13 AM
4	I refer youth to Youthcare rather than DCFS directly.	1/28/2016 6:55 PM
5	I am aware of the law, I am not aware of any particular funding. I have never seen the Department file a CHINS.	1/27/2016 4:10 PM
6	problem is as always funding	1/27/2016 1:33 PM
7	Never had such an offense ever referred let alone charged and convicted	1/27/2016 1:02 PM

8	I have never had a juvenile prostitution case in this county.	1/27/2016 12:54 PM
9	I think the issue here is that while it is know to refer for services for sexual assault, legal offenses regarding CSEC are still not widely recognized as needing services/treatment rather than probation time.	1/25/2016 7:47 AM

Q9 Are you aware that a commercially sexually exploited child who is charged with prostitution is considered a victim of a criminal act for purposes of qualifying to receive benefits from the Crime Victim's Compensation Fund?

Answered: 134 Skipped: 150



Answer Choices	Responses	
Yes	**61.19%**	82
No	**38.81%**	52
Total		**134**

#	Comments	Date
1	Did not know that they could receive benefits from CVC Fund	2/10/2016 3:54 PM
2	However, I am aware that they are victims of rape, assault, and coercion. I did not know that they could tap into benefits from the Crime Victim's Compensation Fund. That is awesome. However, I have not yet had a youth on my case load charged for prostitution. They usually are charged for dealing drugs that the pimp has forced them to do or stealing basic needs from stores.	2/9/2016 4:59 PM
3	That is good to find out!	2/3/2016 3:18 PM
4	Which is why it's ridiculous to charge the child with prostitution in the first place.	1/29/2016 10:13 AM
5	Now I do. This survey is a great educational tool!	1/28/2016 6:55 PM
6	now I am aware...	1/27/2016 4:42 PM
7	It has been many years since a child was charged with prostitution. And CVC is a payer of last resort so benefits are not usually the issue.	1/15/2016 11:53 AM

Q10 If you answered Yes to either or both Question 8 or 9, have you assisted commercially sexually exploited children in accessing benefits or otherwise directed them to the Crime Victim's Compensation Fund? – Please explain

Answered: 76 Skipped: 208

#	Responses	Date
1	Yes Yes, I have coordinated this through our local MDT staffing.	2/11/2016 3:31 PM
2	No	2/10/2016 3:54 PM
3	I have not tapped into the Crime Victims Compensation Fund. However, I refer the children to KCSARC, connect them with an advocate, and when necessary I remove them from the stimulus and place them in a treatment facility so that they can get better and live a healthy productive life.	2/9/2016 4:59 PM
4	yes, our sdvocates help them fill out the application	2/9/2016 2:57 PM
5	No Not yet	2/8/2016 12:45 PM
6	No no	2/8/2016 10:30 AM
7	No, I have not been in a situation to do so.	2/4/2016 10:06 AM
8	No	2/4/2016 9:46 AM
9	I have referred them to other agencies that work with juveniles. I generally work with adult women	2/3/2016 3:18 PM
10	Yes Yes	2/3/2016 9:04 AM
11	Yes.	2/2/2016 3:46 PM
12	No No.	2/1/2016 1:42 PM
13	No No	1/31/2016 5:43 PM
14	No No, I have not had the opportunity to do so.	1/31/2016 11:58 AM
15	No No	1/30/2016 11:40 PM
16	Already receiving service They were already getting this	1/30/2016 3:18 PM
17	I have not had direct contact with commercially exploited children.	1/29/2016 3:14 PM
18	No No	1/29/2016 1:25 PM
19	No No, see comments to 5	1/29/2016 12:13 PM
20	Already receiving service No, the youth was already being connected with services.	1/29/2016 11:04 AM
21	No No. As explained above.	1/29/2016 10:13 AM
22	No, because in King County we don't charge children with prostitution.	1/29/2016 9:50 AM
23	Yes Yes. I have assisted csec victims in filling out CVC forms for therapy services.	1/29/2016 6:28 AM
24	No no.	1/28/2016 8:41 PM
25	No n/a	1/28/2016 6:55 PM
26	Recent rotation to Juvenile Court and issue has not been factually presented to me at the time.	1/28/2016 5:43 PM
27	Other Understanding the CVCF benefits are not always clear and completely understood in a lot of the agency's that provide the resource and or working with CSEC individuals. The understanding at the time services and compensation were considered this worker was told that the victim needed to have an open case and receiving services from the service provider that maintained the contracts with OCVA.	1/28/2016 3:40 PM

28	No, primarily work with adults.	1/28/2016 3:13 PM
29	No no	1/28/2016 3:02 PM
30	Yes-I have assisted in the CVC application process for CSEC Children. I don't believe there were any issues accessing these benefits.	1/28/2016 1:08 PM
31	Yes I have done extensive training with CSEC, and I have worked with several CSEC Youth.	1/28/2016 12:33 PM
32	Yes Yes, when we have had a victim in our facility referalls are made to access services	1/28/2016 11:59 AM
33	No I have assisted youth in accessing various services specific to their needs, but have not assisted a youth in accessing the Crime Victim's Compensation Fund.	1/28/2016 11:49 AM
34	Yes Yes, through the CSEC advocate	1/28/2016 11:37 AM
35	N/A	1/28/2016 9:33 AM
36	No	1/28/2016 9:03 AM
37	No, have not had the opportunity	1/28/2016 8:57 AM
38	No know child that qualified. I expect probation would be on top of this.	1/27/2016 5:57 PM
39	NO	1/27/2016 4:12 PM
40	Situation has not arose.	1/27/2016 3:08 PM
41	No no	1/27/2016 3:00 PM
42	no	1/27/2016 2:00 PM
43	I just mention it to their attorney.	1/27/2016 1:56 PM
44	no, has not come before me	1/27/2016 1:35 PM
45	No-I have not handled a juvenile case involving commercial sexual exploitation of a child in the last 7 years	1/27/2016 1:08 PM
46	I have not served as a Judicial Officer in Juvenile Court	1/27/2016 12:58 PM
47	I have not. I was aware of the issue, but never had to address the issue while on the bench.	1/27/2016 12:53 PM
48	No but other departments we works with have.	1/26/2016 8:32 AM
49	Our sexual assault advocates always discuss the Crime Victim's Compensation Fund to clients when appropriate.	1/25/2016 3:17 PM
50	No	1/25/2016 1:34 PM
51	no	1/25/2016 9:30 AM
52	yes. When I was employed as a juvenile probation officer I coordinated service for 2 girls arrested for prostitution .	1/25/2016 8:23 AM
53	no	1/25/2016 8:12 AM
54	No, I've assisted in providing funding when there is no funding left for transport of victims, etc.	1/25/2016 7:47 AM
55	yes	1/24/2016 4:07 PM
56	No No	1/24/2016 3:57 PM
57	No No--I do not provide direct service	1/22/2016 4:57 PM
58	No No, haven't seen any exploited children.	1/22/2016 12:48 PM
59	Our social workers explain and help with the CVC applications. They are handed out to each victim that we see for Sexual Assault.	1/22/2016 12:17 PM
60	I have not had the opportunity to do so.	1/22/2016 7:32 AM
61	No	1/21/2016 5:51 PM
62	Yes Yes. When they seek services with our agency they are automatically directed to CVC to help pay for their treatment.	1/21/2016 5:35 PM
63	Not in my current work capacity	1/21/2016 4:11 PM
64	No	1/21/2016 2:47 PM
65	No	1/21/2016 2:14 PM

66	No No	1/21/2016 1:58 PM
67	yes however the youth was not interested	1/21/2016 1:20 PM
68	No.	1/21/2016 12:39 PM
69	No No.	1/21/2016 12:07 PM
70	Yes Yes, staff in our program are trained to ask each victim if they have filed for CVC compensation and to assist as needed	1/21/2016 11:24 AM
71	Not that specific crime victim yet but I have assisted other clients with CVC	1/21/2016 9:29 AM
72	Yes Yes, routinely do this in our clinic at Providence	1/21/2016 9:22 AM
73	no	1/21/2016 9:20 AM
74	No No	1/19/2016 2:53 PM
75	No No	1/19/2016 2:31 PM
76	No no. I have not had experience with minors accessing services by opening an account with CVC	1/15/2016 11:53 AM

Q11 Please list any other important comments you may have regarding these issues:

Answered: 18 Skipped: 266

#	Responses	Date
1	None	2/11/2016 3:31 PM
2	The most success that I have seen with these girls is getting them away from their community of origin where they are being victimized. I have placed them in facilities in different states that specialize in working with girls who have been commercially exploited. In these facilities they have mental health counseling, nurse, school ,housing, everything is encompassed on a campus in the middle of nowhere.	2/9/2016 4:59 PM
3	What is happening to the lower socioeconomic youth in this country is heartbreaking. The public isn't aware of what these kids go through every day. I hope that you will continue to do what you are doing to help these most vulnerable kids.	2/8/2016 10:30 AM
4	The availability of those services is limited. We need more after care facilities that truly serve this population	2/3/2016 9:04 AM
5	Had a mother who had filed a CHINS case already for her daughter and it took a long time to prove it as the youth said she was not and the court thought the mother had mental health problems. When the youth got arrested, the CHINS court finally paid attention.	1/30/2016 3:18 PM
6	I have been listing to Praise 106.5 run a radio-thon to donate to pull children OUT of prostitution in Thailand. I believe there should be a secular campaign to held people not only to become aware of this issue, but to actually have an agency they may donate time and money to extricate children from the situation.	1/29/2016 10:13 AM
7	I appreciate CCYJ's leadership on this issue.	1/28/2016 6:55 PM
8	The need to provide resources for the youth that are involved with Juvenile Court that have been identified as CSEC that are sentenced for crimes not related to CESC still need to be provided at long term JRA facilities. Also the Faith base community is a vital part of the community support family support and victim support that is missing in some of the funding resources and at the table of justice for the CSEC victims.	1/28/2016 3:40 PM
9	I believe that youth who are survivors should be informed about having the right to access the Crime Victim's Compensation fund.	1/28/2016 11:49 AM
10	I realize I could know a lot more about how the legal system works in these cases. I would be happy to attend a training, or webinar about this.	1/28/2016 9:17 AM
11	We have never had a known commercially sexually exploited child involved in any judicial proceeding in this County.	1/28/2016 8:31 AM
12	DSHS never "has" money.	1/27/2016 4:12 PM
13	I think accessing funding to assist these victims get treatment/needs met is definitely an issue. Those working in counseling directly with the youth have mentioned the need to see the victims more frequently than funding allows, and how this piece would go a long way to keep a youth off the streets and headed the right direction.	1/25/2016 7:47 AM
14	I was a commercially exploited youth and had no idea any resurces existed at the time if they in fact did at all	1/21/2016 9:51 PM
15	We have to continue to work to end this travisty and support the victims and survivors.	1/21/2016 4:11 PM
16	I have never personally worked with a CSEC as far as I know - and our general policy is to forward those calls to advocates who have specific training on the laws and systems CSECs have to deal with.	1/21/2016 11:59 AM
17	how are benefits accessed from the Crime Victims Compensation fund?	1/21/2016 9:20 AM
18	Without funding services are hard to come by.	1/19/2016 2:53 PM

Q12 What services are available to juveniles alleged to have committed Prostitution or Prostitution Loitering offenses who are on diversion? – Please explain

Answered: 72 Skipped: 212

#	Responses	Date
1	Unsure/unknown Unknown	2/11/2016 3:32 PM
2	Mental Health Treatment, community service, special victims advocate or advocate from a contracted agency (Youth Care/OPS), Victims Compensation Fund, Housing in a Youth Shelter such as Youth Haven, Cocoon House, Youth Care, Pathways	2/9/2016 5:02 PM
3	Unsure/unknown I don't know	2/4/2016 9:47 AM
4	NA	2/3/2016 3:18 PM
5	Mental health or chemical dependency treatment and counseling.	2/1/2016 9:00 AM
6	Unsure/unknown Unsure - I don't do criminal	1/30/2016 3:18 PM
7	Referral to youth advocates, police unit, Juvenile court Probation	1/30/2016 7:35 AM
8	Not many, although juveniles are not being charged with those crimes any longer.	1/29/2016 1:27 PM
9	Drug/Alcohol Classes, YWCA, Counseling, Family Counseling, Education Assistance (special GED programs, and alternative schooling), etc.	1/29/2016 12:20 PM
10	Unsure/unknown I am unaware if the diversion probation counselors help them or not.	1/29/2016 11:09 AM
11	we have a social worker/counselor in our detention facility to help screen and counsel such juveniles.	1/29/2016 10:34 AM
12	Community advocacy through YES to Hope program.	1/29/2016 6:29 AM
13	Safe Housing Assistance, Mental Health Counseling (in-house and community-based), Educational Advocates, Law Enforcement referral and reporting assistance, FFT, ART, art therapy, medical support services, Protection Order/Stalking/Harassment/Confidential address and/or name change assistance, Community DV Advocates, assigned attorneys and community attorney resources, direct FBI telephone and address contacts, Substance abuse treatment resources, all Probation assisted services available within our facility..	1/28/2016 5:57 PM
14	Unsure/unknown ?	1/28/2016 5:32 PM
15	Unsure/unknown No sure if there are some services for these teenagers in our community.	1/28/2016 4:58 PM
16	individual counseling, peer mentorship, fitness, job training, skill building, advocacy and support	1/28/2016 4:52 PM
17	N/A. Primarily work with adults	1/28/2016 3:16 PM
18	Unsure/unknown Do not know all the services	1/28/2016 3:08 PM
19	None We do not have any specific service set up that I'm aware of. We have not had this type of case referred to Diversion.	1/28/2016 1:20 PM
20	In the counties that our agency serves; if youth are charged with prostitution (which I have not seen happen) they would be referred to services with our agency for sexual assault advocacy, therapy, and any other helpful resources.	1/28/2016 1:12 PM
21	CSEC, and intervention gender specific groups.	1/28/2016 12:36 PM
22	Those cases are not charged in King County.	1/28/2016 11:23 AM
23	Unsure/unknown Don't know	1/28/2016 9:03 AM
24	I believe that our juvenile dept offers appropriate services to these youth but I am not currently assigned to work at FJC so don't have specifics	1/27/2016 6:59 PM
25	Unsure/unknown Unknown	1/27/2016 5:57 PM

26	These youth are not typically (and may never) be charged with prostitution in this jurisdiction. That said, we have a variety of resources available to CSEY: an advocate who meets with youth in our detention facility; services through Dawson Place Child Advocacy Center; services through Cocoon House. There are additional efforts to establish a Peoria House in Snohomish County.	1/27/2016 5:21 PM
27	Unsure/unknown Unsure	1/27/2016 4:13 PM
28	Unsure/unknown Assume DSHS would offer services, but I don't know.	1/27/2016 3:10 PM
29	Unsure/unknown Our Juvenile Staff could answer this better than I.	1/27/2016 2:47 PM
30	Unsure/unknown I am not sure of specific services for those offenses.	1/27/2016 2:16 PM
31	Unsure/unknown I do not know	1/27/2016 2:12 PM
32	We do not have too many anymore because our jurisdiction does prosecute prostitution in juvenile court anymore	1/27/2016 2:03 PM
33	housing, counseling, educational	1/27/2016 1:36 PM
34	not in juvenile court, believe there are a variety of services available	1/27/2016 1:34 PM
35	NO such case has been referred	1/27/2016 1:03 PM
36	Unsure/unknown Unknown.	1/27/2016 12:56 PM
37	We have a diversion unit - and I am not familiar with all of their available services.	1/27/2016 12:55 PM
38	Unsure/unknown Do not know	1/27/2016 12:53 PM
39	Unsure/unknown unknown	1/27/2016 12:52 PM
40	Community Based Services CABS ART/GOAL and FFT for those eligible	1/26/2016 3:28 PM
41	we referr to our junenile department and trafficking advocate	1/26/2016 8:33 AM
42	Therapy and advocacy.	1/25/2016 3:17 PM
43	In our area youth are seen as victims and do not receive charges of prostitution or Prostitution loitering. There is medical care, Sexual assault advocates from the YWCA and housing available if the youth chooses to accept.	1/25/2016 1:25 PM
44	We've never had a youth diverted for such an offense; however, our local Community Health would serve these youth as needed.	1/25/2016 9:03 AM
45	community based theapies	1/25/2016 8:48 AM
46	CSAP, traditional therapy, case management	1/25/2016 8:24 AM
47	Unsure/unknown not sure	1/25/2016 8:13 AM
48	counseling, case mgmt, job training, education	1/25/2016 7:57 AM
49	Lutheran services (Victim Advocates')	1/25/2016 7:40 AM
50	support services - counseling - medical exams	1/24/2016 3:58 PM
51	Nothing specific to prostitution. Just the standard services that are available to all diversion participants.	1/22/2016 4:07 PM
52	Beyond couseling, I do not know. If I came across this situation, I would have to do some research.	1/22/2016 12:56 PM
53	We are in the process of dealing with our first case of this type. Counseling would be all we have available at this time.	1/22/2016 12:01 PM
54	Appropriate counseling, educational and housing assistance, mental health services, chemical dependency services, gender responsive/trauma informed programming	1/22/2016 11:40 AM
55	Lutheran Family Services referrals	1/22/2016 11:39 AM
56	We have not had experience with this issue/circumstance in our jurisdiction in the last 14 years I have worked in Kittitas County. We would look to identify local providers depending on any specific identified needs. No specific services available targeting these offenses.	1/22/2016 11:32 AM
57	We offer standard programs to diversion youth and include mental health counseling. We have a girls counsel program that is offered	1/22/2016 10:29 AM
58	Unsure/unknown Don't know	1/22/2016 9:20 AM
59	Same as other diversion youth- up to 10 hrs. counseling and 20 hrs. educational sessions. We don't have the comprehensive program described by 13.40.213.	1/22/2016 9:16 AM

60	None None	1/22/2016 8:04 AM
61	CSEC Advocate	1/22/2016 7:33 AM
62	The Clark County Juvenile Court has a PO assigned to DMST	1/21/2016 5:51 PM
63	None None	1/21/2016 2:28 PM
64	n/a	1/21/2016 2:15 PM
65	Unsure/unknown I am not aware of the services specifically, but I am aware the county has moved into the direction of providing more services.	1/21/2016 12:41 PM
66	I do counseling for children who have been sexually abused through the OCVA grant.	1/21/2016 12:08 PM
67	Our county does not charge these offenses for minors, but there would be services available of sexual assault advocacy, medical exam, and trained staff available to talk with them.	1/21/2016 10:30 AM
68	basic child advocacy	1/21/2016 10:11 AM
69	None None	1/19/2016 3:00 PM
70	Varies per County	1/19/2016 2:32 PM
71	Counseling, sexual assault advocates, SANE exams, medical, educational advocate	1/19/2016 2:30 PM
72	Community advocacy, Counseling at KC Sexual Assault Center,	1/15/2016 11:42 AM

Q13 What services are available to juveniles under the supervision of juvenile court who have been identified as commercially sexually exploited but not alleged to have committed Prostitution or Prostitution Loitering offenses? – Please explain.

Answered: 73 Skipped: 211

#	Responses	Date
1	Unsure/Unknown Unknown	2/11/2016 3:32 PM
2	The same services as above without the community service. There also is the Barista training program that I forgot to mention above. Having an income and being kept busy is important for these kids.	2/9/2016 5:02 PM
3	Unsure/Unknown I don't know	2/4/2016 9:47 AM
4	NA	2/3/2016 3:18 PM
5	The youth can be referred to a community advocate who will outreach the youth and if they agree to participate in the program voluntarily, the advocate will connect them with with services and provide intensive case management.	2/1/2016 9:00 AM
6	Unsure/Unknown Unsure	1/30/2016 3:18 PM
7	Referral to youth advocate and Juvenile Court Probation	1/30/2016 7:35 AM
8	Drug treatment, mental health counseling, perhaps more depending on the posture of their case.	1/29/2016 1:27 PM
9	They are given opportunity for counseling and safe places to stay.	1/29/2016 11:09 AM
10	mental health counseling, substance abuse counseling.	1/29/2016 10:34 AM
11	If they are charged with other crimes, probation services are available, CSEC advocates are always available.	1/29/2016 9:55 AM
12	Community advocacy through YES to Hope program.	1/29/2016 6:29 AM
13	See 12 above.	1/28/2016 5:57 PM
14	Unsure/Unknown ?	1/28/2016 5:32 PM
15	Unsure/Unknown Unknown if there is any.	1/28/2016 4:58 PM
16	same	1/28/2016 4:52 PM
17	N/A. Primarily work with adults	1/28/2016 3:16 PM
18	Unsure/Unknown Do not know all the services	1/28/2016 3:08 PM
19	We have a person very knowledgeable in CSEC screening and assessing youth who are in detention and on probation, who assists in referring to services when there's an identified disclosure of being sexually exploited or trafficked. We also have access to a MDT based on a protocol established by the Tri Cities Coalition against trafficking to respond to victims of CSEC.	1/28/2016 1:20 PM
20	Access to the Youth Engagement Specialist in Detention, as well as mental health therapy in Detention. Upon release, our county protocol states that service providers will host a meeting to ensure the youth has access to continued services prior to leaving detention. The youth who are identified to be victims of CSEC will be encouraged, if not mandated by their probation counselor, to engage in support services and/or therapy with individuals knowledgeable in CSEC.	1/28/2016 1:12 PM
21	CSEC, and intervention gender specific groups in-custody or Alternative treatment at WAPI community services.	1/28/2016 12:36 PM
22	Community advocates are available to all youth. Other services depend upon the risk level of the youth and their reason for involvement with the court (criminal or Becca).	1/28/2016 11:23 AM
23	Unsure/Unknown Don't know	1/28/2016 9:03 AM
24	see #12 above	1/27/2016 6:59 PM

25	Unsure/Unknown Unknown	1/27/2016 5:57 PM
26	See question 12.	1/27/2016 5:21 PM
27	There is a child advocate for them.	1/27/2016 4:13 PM
28	Hasn't come up in this smaller county.	1/27/2016 3:10 PM
29	Unsure/Unknown I do not know.	1/27/2016 2:47 PM
30	Unsure/Unknown I am not sure of specific services for those situations.	1/27/2016 2:16 PM
31	Counseling, substance abuse treatment	1/27/2016 2:12 PM
32	We refer to CSEC advocates who are there for them for counseling and to educate regarding other wrap around services offered.	1/27/2016 2:03 PM
33	see above	1/27/2016 1:34 PM
34	Same as above	1/27/2016 1:03 PM
35	ART, FFT (if they qualify through the Risk Assessment tool), Arts Connect, Girls Circle, family counseling through community mental health	1/27/2016 1:03 PM
36	Unsure/Unknown Unknown.	1/27/2016 12:56 PM
37	This has never come up here.	1/27/2016 12:55 PM
38	Unsure/Unknown Do not know	1/27/2016 12:53 PM
39	Unsure/Unknown unknown	1/27/2016 12:52 PM
40	Community Based Services (mental health, D&A, Oasis) Services provided through FBI task force Court Intervention-EBP's	1/26/2016 3:28 PM
41	Unsure/Unknown again refer so not exactly sure	1/26/2016 8:33 AM
42	Therapy and advocacy.	1/25/2016 3:17 PM
43	In our area youth are seen as victims and do not receive charges of prostitution or Prostitution loitering. There is medical care, Sexual assault advocates from the YWCA and housing available if the youth chooses to accept.	1/25/2016 1:25 PM
44	same as 4.	1/25/2016 9:03 AM
45	if eligible- ART, FFT, FIT, MST Youth Care case managers	1/25/2016 8:48 AM
46	same	1/25/2016 8:24 AM
47	Unsure/Unknown not sure	1/25/2016 8:13 AM
48	same as above	1/25/2016 7:57 AM
49	Lutheran services (Victim Advocates')	1/25/2016 7:40 AM
50	support services, counseling, medical exams	1/24/2016 3:58 PM
51	Same as Question #4, applicable to kids on supervision.	1/22/2016 4:07 PM
52	Unsure/Unknown Beyond counseling, I would have to ask as I do not know having not encountered this.	1/22/2016 12:56 PM
53	Have never had this situation.	1/22/2016 12:01 PM
54	We have yet to have such a charge/diversion	1/22/2016 11:40 AM
55	The Spokane Police Department is working very closely with our Probation Department and Lutheran in the identification of CSEC youth and offering of services.	1/22/2016 11:39 AM
56	Our Juvenile Court Services staff work in coordination with our local contracted detention facility staff to make referrals to local Comprehensive CSEC Program Advocates. This is the only "service" specific to this issue. If youth have not been screened through detention and CSEC is suspected direct referral is made to the Comprehensive CSEC Advocates.	1/22/2016 11:32 AM
57	We offer standard programs and include mental health counseling. We have a girls counsel program that is offered	1/22/2016 10:29 AM
58	Unsure/Unknown Don't know	1/22/2016 9:20 AM
59	Chemical dependency treatment, mental health counseling, referral to sexual assault/victim services center.	1/22/2016 9:16 AM
60	Counseling	1/22/2016 8:04 AM

61	CSEC Advocate on staff. Then we link to available services based on the individuals need.	1/22/2016 7:33 AM
62	I refer youth to our FBI victim advocate for resources and support	1/21/2016 7:51 PM
63	Ask DMST PO	1/21/2016 5:51 PM
64	None	1/21/2016 2:28 PM
65	n/a	1/21/2016 2:15 PM
66	I am not aware of the services specifically, but I think there is a support group of some sort as well as other services.	1/21/2016 12:41 PM
67	OCVA grant counseling.	1/21/2016 12:08 PM
68	The services available would be sexual assault advocacy, hospital medical exam, and trained staff available to talk with them.	1/21/2016 10:30 AM
69	**Unsure/Unknown** Don't know	1/21/2016 10:11 AM
70	Referred to Sexual Assault Advocate with Central Washington Comprehensive Mental Health	1/19/2016 3:00 PM
71	Varies per County	1/19/2016 2:32 PM
72	Counseling, sexual assault advocates, SANE exams, medical, educational advocate	1/19/2016 2:30 PM
73	Community advocacy, KCSARC, counseling with appropriate agency (very few actually have the level of trauma training to be effective), Girls Circle (when available)	1/15/2016 11:42 AM

Q14 Do you have any additional comments regarding services for commercially sexually exploited children under the supervision of juvenile court?

Answered: 40 Skipped: 244

#	Responses	Date
1	Unknown	2/11/2016 3:32 PM
2	n/a	2/4/2016 9:47 AM
3	NA	2/3/2016 3:18 PM
4	They can also go to JRA, which I think is a terrible idea, but some judges, prosecutors, and service providers think it can help.	1/29/2016 1:27 PM
5	The provider to services to these youth have their work cut as youth have conflicted loyalties to their "johns"..	1/29/2016 11:09 AM
6	Services for CSEC are woefully inadequate. Most of these youth are victims of trauma that occurred long before they were CSEC, and multiple levels of trauma as CSEC. We need to significantly increase trauma informed mental, substance abuse treatment, and co-occurring disorder treatment, both community-based and residential. We need to significantly increase evidence-based services (FIT, FFT, MST) to them and their families, and we need to provide educational resources specific to their needs.	1/29/2016 9:55 AM
7	More targeted services are needed for this uniquely situated population. Crisis Residential and respite beds.	1/28/2016 5:57 PM
8	No.	1/28/2016 4:58 PM
9	Where do I find this information?	1/28/2016 3:16 PM
10	I think we would benefit as a whole from identifying specially trained therapists to help respond to these cases. Having expert therapists who can help develop a treatment plan and support both child and parent through safety planning and the healing process seems to be lacking.	1/28/2016 1:20 PM
11	No	1/28/2016 12:36 PM
12	It would be beneficial to have an offsite safe location that was not court affiliated that youth could access.	1/28/2016 11:23 AM
13	no	1/28/2016 9:03 AM
14	Get exploited children out of the offender system.	1/27/2016 7:04 PM
15	in addition to court services, I believe that locally Community Youth Services has services available for these youth	1/27/2016 6:59 PM
16	None	1/27/2016 5:57 PM
17	Referrals to mental health services and medical services	1/27/2016 4:10 PM
18	no	1/27/2016 3:10 PM
19	No.	1/27/2016 2:47 PM
20	Would love to have a stronger, specific program. Only "lock up" is in California (to my knowledge); would love to have that available in Washington	1/27/2016 1:03 PM
21	These are extremely complex cases that can provide multiple challenges. The more funding and support our communities can have access to provide support would be extremely beneficial to our young people and families impacted by this.	1/26/2016 3:28 PM
22	no	1/25/2016 1:25 PM
23	My assumption would be that any youth Skamania has that may be caught up in this trade would be doing so in the Portland/Vancouver metro area.	1/25/2016 9:03 AM
24	other than the services provided to other youth on supervision; other than a Youth Advocate from Youth Care there are no specified services.	1/25/2016 8:48 AM
25	no	1/25/2016 7:57 AM

26	none	1/25/2016 7:40 AM
27	This type of offense, or offender, is not something that we typically see in Island County.	1/22/2016 4:07 PM
28	No	1/22/2016 12:56 PM
29	No	1/22/2016 11:40 AM
30	Many of our high risk youth are on the run and do not want to be sent home. The SPD, Lutheran Services and community treatment agencies are looking for viable placement options. Nothing is secured.	1/22/2016 11:39 AM
31	I have no clear understanding of what would be perceived to be "services" specific to CSEC.	1/22/2016 11:32 AM
32	No	1/22/2016 10:29 AM
33	No.	1/22/2016 9:20 AM
34	I would like to see a training offered for court staff, law enforcement, and prosecutors on juvenile prostitution/ trafficking. In addition to traditional commercial prostitution, we need to learn strategies to deal with "informal" prostitution where kids trade sex for drugs or a place to live.	1/22/2016 9:16 AM
35	We need safe and secure alternative placements	1/22/2016 7:33 AM
36	screening is critical	1/21/2016 5:51 PM
37	We need safe housing available.	1/21/2016 10:30 AM
38	A lot of counties need services	1/19/2016 2:32 PM
39	we have not developed a way to keep a youth from returning to her trafficker or providing youth with a safe place out of the area if needed for safety. We need to develop a program for education and job skills training.	1/19/2016 2:30 PM
40	Though many agencies state they are trained and provide services, few are qualified and even fewer actually engage these youth	1/15/2016 11:42 AM

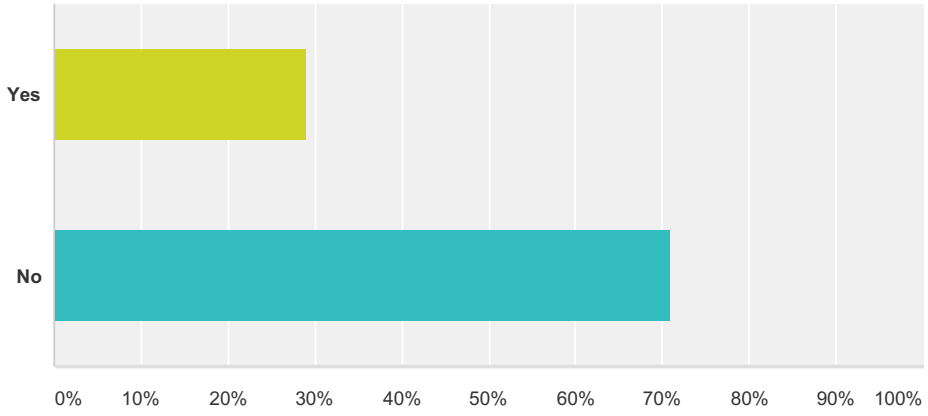
Q15 Please list any important comments you may have regarding these issues:

Answered: 21 Skipped: 263

#	Responses	Date
1	Unknown	2/11/2016 3:32 PM
2	n/a	2/4/2016 9:47 AM
3	NA	2/3/2016 3:18 PM
4	The psychological abuse and drugs given to these youth often places them in confusion about who to be loyal to.	1/29/2016 11:09 AM
5	Greater system awareness, reporting, recording and intervention resources. More safe and secure housing.	1/28/2016 5:57 PM
6	I wish this information was readily made to probation working with adults.	1/28/2016 3:16 PM
7	It seems like there's a need for specially trained advocates and therapists to work with this population. Advocates who have the time to develop trusting relationships with these children and therapists who can help develop safety plans and provide support, as well as can help engage and inform parents on the best path forward for their child given their unique set of circumstances.	1/28/2016 1:20 PM
8	More training and acknowledgment is needed.	1/28/2016 12:36 PM
9	In Snohomish County better information may be obtained from Judges who are currently on Juvenile Court rotations.	1/27/2016 4:13 PM
10	We would do all we can to offer services if the situation arose.	1/27/2016 3:10 PM
11	My last rotation as a juvenile court judge was over 5 years ago, so much has changed since then. I'll get "up to speed" again when my next rotation occurs.	1/27/2016 1:20 PM
12	I was not aware of these provisions or services.	1/27/2016 12:59 PM
13	need more housing and employment services	1/25/2016 7:57 AM
14	I believe that trafficking is taking place in the larger cities. I believe it is commonly very subtle in nature, (boyfriend or family member) at times. It appears that more agencies are becoming more aware of this situation and are taking measures to improve their awareness and approach to the problem. I would like to see law enforcement and prosecutors approach it with more sensitivity towards the victim.	1/25/2016 7:40 AM
15	When these youth are placed they run. Very frustrating to all of us. We have limited CRC beds and a homeless youth facility as our options.	1/22/2016 11:39 AM
16	There does not appear to be any currently available system response that effectively protects youth from their behaviors and actions that put them at risk and or address underlying issues at play with individual youth.	1/22/2016 11:32 AM
17	None	1/22/2016 10:29 AM
18	The program described in 13.40.213 is a "Cadillac" program. Small courts that have never or only rarely had a case of juvenile prostitution referred to them would be hard-pressed to create and maintain this comprehensive program. It looks great on paper but is anyone actually able to do it in the real world?	1/22/2016 9:16 AM
19	The Clark County juvenile detention center is great about calling in a community based advocate when a youth shows signs of being trafficked (or discloses)	1/21/2016 10:16 AM
20	CSEC cases are time consuming and sometimes staff has too many cases to provide the intensity of services and connection that is needed.	1/19/2016 2:30 PM
21	There are not adequate services to respond to SE victims needs	1/15/2016 11:42 AM

Q16 Is law enforcement trained on the following provision? Upon a person's arrest for a suspected violation of Commercial Sexual Abuse of a Minor (CSAM) or promoting travel for CSAM, the arresting officer must impound the suspect's vehicle if the vehicle was used in the commission of the crime and the suspect is the owner of the vehicle or the vehicle is a rental car. RCW 9A.88.140(2) (http://app.leg.wa.gov/RCW/default.aspx?Cite=9A.88.140)

Answered: 79 Skipped: 205



Answer Choices	Responses	
Yes	**29.11%**	23
No	**70.89%**	56
Total		**79**

#	Comments	Date
1	I am aware of this based on participation in human trafficking investigations. However, I am not aware of agency wide training having been offered.	2/15/2016 3:25 PM
2	Unknown	2/11/2016 3:34 PM
3	NA	2/3/2016 3:18 PM
4	I don't have knowledge of law enforcement training practices.	2/1/2016 9:03 AM
5	My Unit is the primary investigators for all CSEC related crimes for the City of Seattle.	1/29/2016 3:27 PM
6	I'm not sure. I've never dealt with law enforcement on this issue before.	1/29/2016 12:21 PM
7	I'm not aware of whether law enforcement is so trained. I assume so, as I have been to trainings put on by law enforcement and our county has a task force for trafficking victims.	1/29/2016 10:36 AM
8	NA	1/29/2016 9:56 AM

9	Training and in-field application should be on-going. Recognition of the issue and looking for it during contacts with people.	1/28/2016 6:04 PM
10	I do not know.	1/28/2016 5:33 PM
11	don't know	1/28/2016 3:10 PM
12	I believe that there are several law enforcement agencies that facilitate training and offer knowledge about CSEC. I also believe that our community is very ahead of others regarding this issue and training has been offered to most professions who may or may not come into contact with CSEC victims.	1/28/2016 1:18 PM
13	Was not aware it was "mandatory".	1/28/2016 11:23 AM
14	We are working on training local law enforcement	1/28/2016 11:20 AM
15	Don't know	1/28/2016 9:39 AM
16	Yes, but that law is very difficult to use in practice and has, likely, some unconstitutional components.	1/28/2016 8:59 AM
17	This I cannot answer b	1/27/2016 7:06 PM
18	I don't know the answer to this question	1/27/2016 7:01 PM
19	Unknown	1/27/2016 5:58 PM
20	Unsure	1/27/2016 4:14 PM
21	Don't know	1/27/2016 4:11 PM
22	don't know	1/27/2016 3:34 PM
23	Unknown	1/27/2016 2:49 PM
24	I don't know.	1/27/2016 2:17 PM
25	Do not know.	1/27/2016 2:15 PM
26	Don't know about their training	1/27/2016 2:04 PM
27	I don't know the level of training the officers have had	1/27/2016 1:39 PM
28	don't know	1/27/2016 1:23 PM
29	don't know	1/27/2016 1:10 PM
30	no idea what law enforcement is trained on	1/27/2016 1:06 PM
31	Unknown.	1/27/2016 12:58 PM
32	Unknown what training the law enforcement officers are receiving.	1/27/2016 12:56 PM
33	I am unsure.	1/27/2016 12:56 PM
34	Do not know	1/27/2016 12:54 PM
35	unknown	1/27/2016 12:52 PM
36	We would call Police for assistance on this.	1/26/2016 5:33 PM
37	I think the most accurate answer is yes and no. We have 38 police agencies in King County; some follow this law and others do not.	1/25/2016 10:39 AM
38	Do not know.	1/25/2016 10:17 AM
39	Unknown	1/25/2016 9:19 AM
40	I rather doubt it.	1/25/2016 9:05 AM
41	Don't know	1/25/2016 9:03 AM
42	not sure	1/25/2016 8:49 AM
43	I do not know	1/25/2016 8:45 AM
44	Unsure	1/25/2016 6:12 AM
45	I do not know	1/22/2016 11:41 AM
46	I am unsure whether or not law enforcement has received training regarding this RCW.	1/22/2016 9:39 AM

47	unknown	1/22/2016 8:05 AM
48	Our line officers get little or no formal training in this area.	1/22/2016 8:03 AM
49	unknown	1/21/2016 5:55 PM
50	unknown	1/21/2016 5:32 PM
51	Unknown, not in law enforcement.	1/21/2016 2:31 PM
52	unknown	1/21/2016 2:16 PM
53	The agency assigned to handle this type of case is trained, but I doubt that general law enforcement otherwise knows about this provision.	1/21/2016 1:46 PM
54	At least not to my knowledge.	1/21/2016 12:58 PM
55	I have no idea if law enforcement is trained on this or not.	1/21/2016 12:43 PM
56	We do not get much training on the topic in general.	1/21/2016 12:34 PM
57	Really not certain. Have not been brought cases, although Juvenile Probation has provided some intelligence on kids they believe are involved, but nothing yet.	1/21/2016 9:43 AM
58	unknown	1/21/2016 7:50 AM
59	I DON'T KNOW	1/20/2016 11:48 AM
60	My understanding is some of law enforcement is trained, but we are going to include it in our annual training in February with law enforcement.	1/20/2016 10:53 AM
61	I am not sure that they have had any specialized training. The information regarding the impound of vehicles was included in an article from our office to the law enforcement that included this provision.	1/20/2016 8:17 AM
62	No, this is rural, elderly county and do not see much if any, of this type of crime. I do not believe the training level of law enforcement if particularly high with regards to this subject area.	1/19/2016 4:29 PM
63	Not sure	1/19/2016 3:54 PM
64	I have no idea. I am not a law enforcement officer.	1/19/2016 3:23 PM
65	Not through the prosecutor's office. We may develop specific training on the topic for law enforcement, but none at this time.	1/19/2016 3:11 PM
66	I have not seen a case like this in our jurisdiction, but I suspect that they do not.	1/19/2016 3:09 PM
67	Some are but many local LE are not yet trained or at least not following it	1/19/2016 2:33 PM
68	Unsure - but this charge has not yet arisen in our jurisdiction.	1/19/2016 12:45 PM
69	Unaware of training on this issue.	1/19/2016 12:36 PM

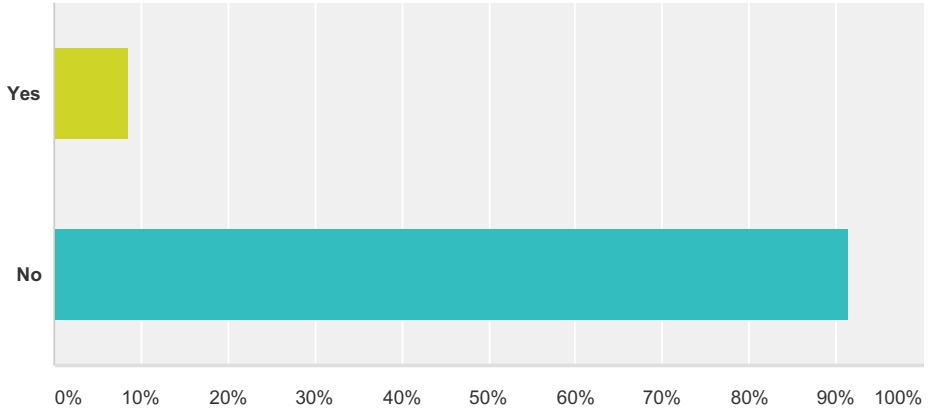
Q17 If you answered Yes to Question 16, what sort of training is provided? – Please describe.

Answered: 25 Skipped: 259

#	Responses	Date
1	Verbalized at recent MECTF brief	2/18/2016 11:18 AM
2	At operational briefing	2/15/2016 5:16 PM
3	NA	2/11/2016 3:34 PM
4	legal training	2/10/2016 8:37 AM
5	do not know	2/10/2016 8:06 AM
6	Officers receive that training in the academy.	2/5/2016 9:42 PM
7	NA	2/3/2016 3:18 PM
8	Being the primary investigators my Unit is proactive in reading new legislation as well as media and academic papers related to CSEC.	1/29/2016 3:27 PM
9	Local law enforcement through their legal advisors. FBI and collaborative training and enforcement practices.	1/28/2016 6:04 PM
10	John School, SSE program	1/28/2016 4:53 PM
11	None	1/28/2016 3:18 PM
12	There have been law enforcement specific training facilitated by multiple professionals from out of the area. Additionally, some of our service providers locally have engaged in train the trainer style training to bring back to our local community. There have been formal and informal training provided on CSEC.	1/28/2016 1:18 PM
13	Little other than "in house"	1/28/2016 8:59 AM
14	n/a	1/27/2016 3:34 PM
15	unsure	1/26/2016 8:34 AM
16	Usually training on an agency-by-agency basis. This is either done by me or through other sources, but I don't believe that other trainings incorporate this piece.	1/25/2016 10:39 AM
17	legislative update portion of in-service, email, briefings	1/22/2016 10:41 AM
18	I do not know the type of training only that they have been notified of the law.	1/22/2016 9:21 AM
19	Officers are trained in obtaining the necessary evidence to justify charges on any suspect. If the vehicle is used in the commission of a crime it is impounded.	1/22/2016 7:09 AM
20	provided with statute	1/21/2016 2:28 PM
21	Unsure.	1/21/2016 1:46 PM
22	In service training.	1/21/2016 11:58 AM
23	powerpoint/discussion.	1/20/2016 10:53 AM
24	n/a	1/19/2016 3:54 PM
25	Unsure	1/19/2016 12:45 PM

Q18 Have you ever impounded a vehicle under this provision?

Answered: 106 Skipped: 178



Answer Choices	Responses	
Yes	**8.49%**	9
No	**91.51%**	97
Total		**106**

#	Were there any issues or difficulties with impounding the vehicle(s)? If you have not impounded a vehicle, why not?	Date
1	No issues.	2/15/2016 3:25 PM
2	Innocent owner	2/15/2016 3:07 PM
3	NA	2/11/2016 3:34 PM
4	Don't do much enforcement anymore. My officers working for me have impounded vehicles for this crime.	2/5/2016 9:42 PM
5	NA	2/3/2016 3:18 PM
6	The defendant was the registered owner but the financial institution holding the loan on the defendant's vehicle questioned whether they had to pay the fee to recover the car when the defendant chose not to claim it. A Seattle Municipal Court judge decided that they did have to pay to recover the vehicle. He added that their recourse was to recoup their costs from the defendant.	1/29/2016 3:27 PM
7	I am not involved in the impounding process for vehicles.	1/28/2016 1:18 PM
8	No issues.	1/28/2016 11:23 AM
9	n/a	1/27/2016 7:01 PM
10	n/a	1/27/2016 3:34 PM
11	N/A	1/27/2016 2:15 PM
12	No one has asked me to impound a vehicle. Ever.	1/27/2016 1:23 PM
13	I personally did not, but I prosecuted cases where the agencies did it. I did not observe any issues.	1/25/2016 10:39 AM
14	N/A	1/25/2016 10:17 AM
15	N/A	1/25/2016 9:05 AM
16	unsure	1/25/2016 6:12 AM
17	No	1/22/2016 8:03 AM

18	n/a	1/21/2016 2:16 PM
19	No Issues	1/21/2016 11:58 AM
20	I am not commissioned.	1/21/2016 9:20 AM
21	unknown	1/21/2016 7:50 AM
22	N/A	1/20/2016 11:48 AM
23	I have not impounded a vehicle as I have not had this type of case yet.	1/20/2016 10:53 AM
24	n/a	1/19/2016 3:54 PM
25	Prosecutor's office does not impound vehicles	1/19/2016 3:11 PM
26	Have yet to investigate such a crime in this jurosdiction.	1/19/2016 2:13 PM
27	Charge has never arisen in our jurisdiction.	1/19/2016 12:45 PM
28	Not an impounding agency.	1/19/2016 12:36 PM

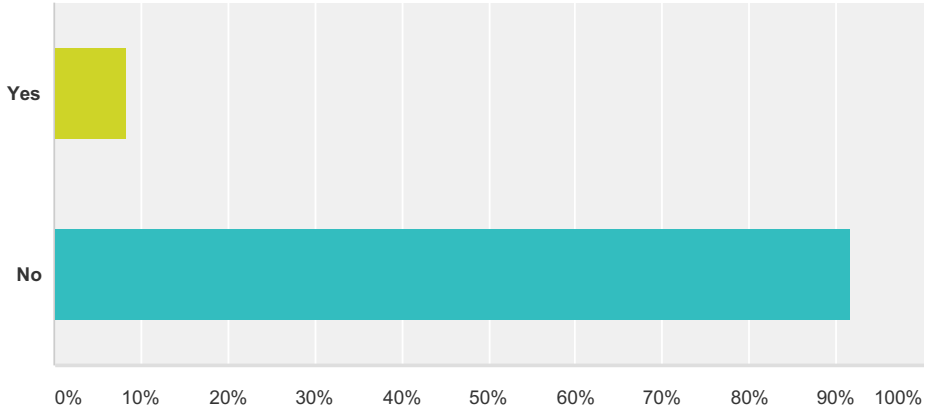
Q19 Any additional comments on the provision mentioned in Question 16?

Answered: 5 Skipped: 279

#	Responses	Date
1	NA	2/11/2016 3:34 PM
2	NA	2/3/2016 3:18 PM
3	No.	1/22/2016 9:21 AM
4	Think it is a good tool. My sense is our local law enforcement has an attitude that this issue does not happen hear despite info to the contrary.	1/21/2016 9:43 AM
5	Question 16?	1/19/2016 3:23 PM

Q20 Have you ever arrested a juvenile for prostitution?

Answered: 109 Skipped: 175



Answer Choices	Responses	
Yes	**8.26%**	9
No	**91.74%**	100
Total		**109**

#	Any comments	Date
1	During Joint Investigation with DHS, Kitsap County Detectives and MECTF	2/18/2016 11:18 AM
2	I have not come across any juvenile prostitutes during my investigations although other detectives I work with have come across juvenile prostitutes	2/15/2016 3:25 PM
3	NA	2/11/2016 3:34 PM
4	NA	2/3/2016 3:18 PM
5	**Arrest but no charge** On one occasion, we had no safe place for the juvenile, so we did make an arrest but no charges were filed.	1/28/2016 11:20 AM
6	I am not a police officer	1/28/2016 8:59 AM
7	As a judge I do not arrest people. Stupid question.	1/27/2016 7:06 PM
8	n/a	1/27/2016 7:01 PM
9	Not apply	1/27/2016 5:58 PM
10	n/a	1/27/2016 3:34 PM
11	Not law enforcement officer	1/27/2016 2:15 PM
12	NA	1/27/2016 2:04 PM
13	I am a Judge I don't arrest	1/27/2016 1:39 PM
14	I'm a judge, not a law enforcement officer.	1/27/2016 1:23 PM
15	Again, I did not personally, but I have worked on cases where a juvenile was arrested.	1/25/2016 10:39 AM
16	**Arrest but no charge** Maybe taken them into custody for their safety but not charged.	1/25/2016 6:12 AM
17	We dont arrest the juveniles. We treat them as victims.	1/22/2016 8:03 AM
18	not relevant to my position	1/21/2016 5:55 PM

19	n/a	1/21/2016 2:16 PM
20	Prostitution has not been a major priority for my department. It takes time and a lot of man power to conduct these types of investigations.	1/21/2016 12:34 PM
21	**Arrest but no charge** Sometimes, it is the only way to facilitate a rescue. My PA does not prosecute on these incidents.	1/21/2016 11:58 AM
22	**Drugs/narcotic** We know juveniles are trading sex for drugs, but we attempt to focus on the drug dealing and not the sex unless we can make a crime related to that and drug dealer.	1/21/2016 9:43 AM
23	not commissioned	1/21/2016 9:20 AM
24	NA	1/20/2016 11:48 AM
25	I do not make arrests, so I cannot give a full answer.	1/20/2016 10:53 AM
26	I know of no suspected prostitution crimes being investigated in my county since 2007 when I took office.	1/19/2016 3:54 PM
27	Not arresting agency.	1/19/2016 12:36 PM

Q21 Have you ever encountered a Commercially Sexually Exploited Child (CSEC) victim?

Answered: 115 Skipped: 169

Answer Choices	Responses	
Yes/No/Unsure?	**100.00%**	115
If you answered yes, who did you contact/where did you place the victim?	**40.87%**	47

#	Yes/No/Unsure?	Date
1	Unsure Unsure	2/18/2016 11:18 AM
2	No No	2/16/2016 9:34 AM
3	No No	2/15/2016 5:16 PM
4	No No	2/15/2016 3:25 PM
5	No No	2/15/2016 3:07 PM
6	N/A NA	2/11/2016 3:34 PM
7	Yes yes	2/10/2016 8:37 AM
8	No no	2/10/2016 8:06 AM
9	Unsure unsure	2/9/2016 4:53 PM
10	Yes Yes	2/5/2016 9:42 PM
11	Yes Yes	2/3/2016 3:18 PM
12	Yes Yes	2/1/2016 6:33 PM
13	Yes Yes	2/1/2016 9:03 AM
14	Yes Yes.	1/29/2016 3:27 PM
15	No No	1/29/2016 12:21 PM
16	Yes yes	1/29/2016 10:36 AM
17	No No	1/28/2016 6:04 PM
18	No no	1/28/2016 5:33 PM
19	Yes yes	1/28/2016 4:53 PM
20	No No	1/28/2016 3:10 PM
21	Yes yes	1/28/2016 3:10 PM
22	Yes Yes	1/28/2016 1:18 PM
23	Yes Yes	1/28/2016 12:38 PM
24	No No	1/28/2016 12:23 PM
25	Yes Yes	1/28/2016 11:25 AM
26	Yes Believe so.	1/28/2016 11:23 AM
27	Yes Yes	1/28/2016 11:20 AM
28	Unsure Unsure	1/28/2016 9:39 AM
29	Yes yes	1/28/2016 8:59 AM
30	Yes Yes.	1/27/2016 7:06 PM

31	Yes only through the court	1/27/2016 7:01 PM
32	Unsure Unsure	1/27/2016 5:58 PM
33	Yes Yes	1/27/2016 4:11 PM
34	No no	1/27/2016 3:34 PM
35	Yes Yes	1/27/2016 2:49 PM
36	Yes yes	1/27/2016 2:17 PM
37	Yes Yes	1/27/2016 2:15 PM
38	Yes Yes	1/27/2016 2:04 PM
39	Yes Yes	1/27/2016 1:45 PM
40	Yes yes	1/27/2016 1:39 PM
41	No no	1/27/2016 1:23 PM
42	No no	1/27/2016 1:10 PM
43	No No	1/27/2016 1:06 PM
44	Yes Yes.	1/27/2016 12:58 PM
45	Yes Yes	1/27/2016 12:56 PM
46	No No	1/27/2016 12:56 PM
47	No No	1/27/2016 12:56 PM
48	No No	1/27/2016 12:54 PM
49	No no	1/27/2016 8:18 AM
50	No No	1/26/2016 5:33 PM
51	Yes Yes.	1/26/2016 10:02 AM
52	Yes Yes	1/26/2016 8:56 AM
53	Yes yes	1/26/2016 8:34 AM
54	Unsure Unsure	1/25/2016 1:35 PM
55	Yes yes	1/25/2016 1:30 PM
56	Yes Yes	1/25/2016 11:49 AM
57	Yes Yes.	1/25/2016 10:39 AM
58	Unsure Unsure	1/25/2016 10:17 AM
59	No no	1/25/2016 9:31 AM
60	Unsure Unknown	1/25/2016 9:19 AM
61	Yes yes	1/25/2016 9:11 AM
62	No Not to my knowledge	1/25/2016 9:05 AM
63	Unsure Unsure	1/25/2016 9:03 AM
64	Yes yes	1/25/2016 8:49 AM
65	Yes yes	1/25/2016 8:45 AM
66	No No	1/25/2016 7:39 AM
67	Yes yes	1/25/2016 6:12 AM
68	Not as a juvenile	1/22/2016 11:41 AM
69	Yes Yes	1/22/2016 10:52 AM
70	No No	1/22/2016 10:41 AM
71	Unsure unsure	1/22/2016 10:30 AM

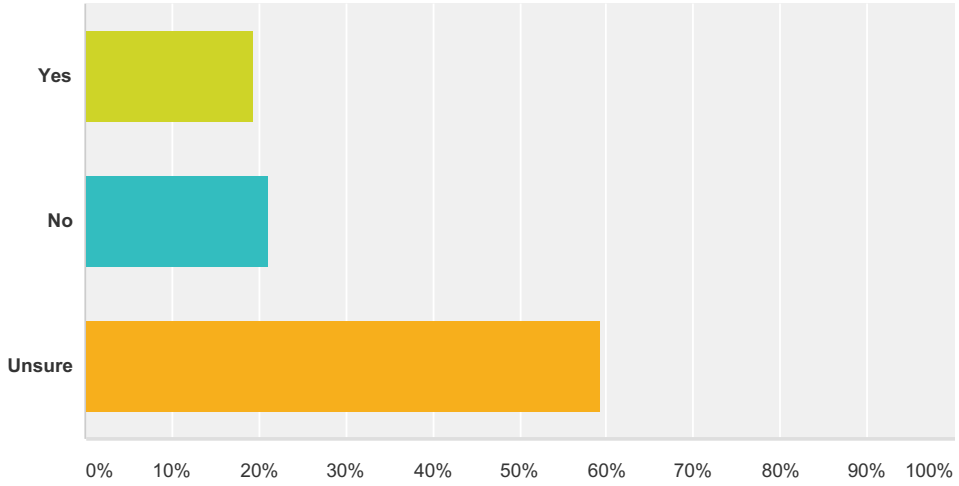
72	No no	1/22/2016 10:21 AM
73	Unsure unsure	1/22/2016 9:39 AM
74	Yes yes	1/22/2016 9:21 AM
75	Yes Yes	1/22/2016 8:03 AM
76	No NO	1/22/2016 7:09 AM
77	Yes Yes	1/21/2016 9:53 PM
78	Unsure Unsure	1/21/2016 7:57 PM
79	Yes yes	1/21/2016 5:55 PM
80	No No	1/21/2016 5:44 PM
81	Unsure unsure	1/21/2016 5:32 PM
82	No No	1/21/2016 2:47 PM
83	Unsure Unsure	1/21/2016 2:31 PM
84	Unsure unsure	1/21/2016 2:28 PM
85	No No	1/21/2016 2:16 PM
86	Yes yes	1/21/2016 2:16 PM
87	Yes Yes	1/21/2016 1:46 PM
88	Unsure unsure	1/21/2016 1:27 PM
89	No No	1/21/2016 12:58 PM
90	Unsure Unsure	1/21/2016 12:43 PM
91	Unsure Unsure? Probably	1/21/2016 12:34 PM
92	Yes Yes	1/21/2016 12:04 PM
93	Yes Yes	1/21/2016 11:58 AM
94	No no	1/21/2016 10:41 AM
95	Unsure Unsure. We have some juveniles that our Juv. Prob. Department things are involved, but no one has put the case together for us.	1/21/2016 9:43 AM
96	Unsure Unsure	1/21/2016 9:20 AM
97	No No	1/21/2016 9:01 AM
98	Unsure unknown	1/21/2016 7:50 AM
99	No no	1/20/2016 12:19 PM
100	No NO	1/20/2016 11:48 AM
101	Unsure Unsure.	1/20/2016 10:53 AM
102	No No	1/20/2016 8:17 AM
103	No No	1/19/2016 4:48 PM
104	Yes yes	1/19/2016 4:29 PM
105	Unsure Unsure	1/19/2016 3:54 PM
106	Yes Yes	1/19/2016 3:23 PM
107	Unsure Unsure	1/19/2016 3:16 PM
108	Yes Yes	1/19/2016 3:11 PM
109	No No	1/19/2016 3:09 PM
110	No No	1/19/2016 2:53 PM
111	Yes Yes	1/19/2016 2:48 PM

112	No No	1/19/2016 2:13 PM
113	No no	1/19/2016 2:03 PM
114	No No	1/19/2016 12:45 PM
115	No No	1/19/2016 12:36 PM
#	**If you answered yes, who did you contact/where did you place the victim?**	**Date**
1	FBI VS handled it	2/10/2016 8:37 AM
2	Not sure. My officers work with the FBI's CETF	2/5/2016 9:42 PM
3	They were referred to me and I referred them on to the appropriate compassionate juvenile counselor/authority	2/3/2016 3:18 PM
4	Worked with the Kitsap County Prosecutor's Office	2/1/2016 6:33 PM
5	The client was referred to an advocate after being identified by DSHS, law enforcement or another service provider.	2/1/2016 9:03 AM
6	That is my Unit's job.	1/29/2016 3:27 PM
7	in my drug court. I did not place the victim.	1/29/2016 10:36 AM
8	OPS	1/28/2016 4:53 PM
9	shelter and programs	1/28/2016 3:10 PM
10	There have been multiple victims I've come in contact with so it's difficult to narrow down to answer this question. Typically I contact those working with the victim to host a meeting and develop an action/safety plan for the victim to ensure support and safety.	1/28/2016 1:18 PM
11	The Youth's wrap around services.	1/28/2016 12:38 PM
12	Youth was already connected with appropriate services	1/28/2016 11:25 AM
13	We contact Natalie Mays who provideds in house advocacy and assists the victim with obtaining resources, works with the juvenile system, and works with CPS. We also contact the relevant parties that can assist the victim. Sometimes, that is supportive parents, sometimes cps and sometime the juvenile justice system if the victim is on probation for unrelated offenses	1/28/2016 11:20 AM
14	in court as part of a case	1/28/2016 8:59 AM
15	Offender.	1/27/2016 7:06 PM
16	with parents	1/27/2016 4:11 PM
17	I was not making a placement decision at the time.	1/27/2016 2:49 PM
18	in court	1/27/2016 2:17 PM
19	respondents in juvenile offender matters and some dependent children--placement depends on circumstances	1/27/2016 2:15 PM
20	Referedto CSEC advocate	1/27/2016 2:04 PM
21	In court	1/27/2016 1:45 PM
22	Didn't contact anyone, I was informed by the Juv. Ct. staff and they were involving the family and DSHS	1/27/2016 1:39 PM
23	Came to our SCRC from semi secure CRC	1/27/2016 12:58 PM
24	Juvenile court	1/27/2016 12:56 PM
25	We booked, released to family, or secure facility	1/26/2016 10:02 AM
26	Contacted community-based victim advocate, arranged for short-term housing at Cocoon House	1/26/2016 8:56 AM
27	law enforcement and trafficking advocate	1/26/2016 8:34 AM
28	the youth remained in Juvenile custody due to being on warrant status with Juvenile court	1/25/2016 1:30 PM
29	By the time I was involved, advocates were already part of the process.	1/25/2016 10:39 AM
30	victim seen in court and referred to services/an advocate	1/25/2016 9:11 AM
31	I contacted the victim in detention	1/25/2016 8:49 AM
32	csap	1/25/2016 8:45 AM
33	juvenile detention.	1/25/2016 6:12 AM

34	CPS	1/22/2016 10:52 AM
35	when I was the commissioner in juvenile criminal court	1/22/2016 9:21 AM
36	Minor child prostitute found on Backpage.	1/22/2016 8:03 AM
37	I am a survivor of Child Commercial Sexual Exploitation	1/21/2016 9:53 PM
38	after turning 18 in the jail	1/21/2016 5:55 PM
39	n/a	1/21/2016 2:16 PM
40	victim in a prosecution	1/21/2016 1:46 PM
41	Yes was identified through use of State CSEC Assessment tool and disclosures from the victims. Victims were either in juvenile detention and/or placed in safe houses or treatment facilities through the State.	1/21/2016 12:04 PM
42	Shared Hope	1/21/2016 11:58 AM
43	I have not encountered one to my knowledge, but that does not mean there have not been ones who we were unable to identify as such.	1/20/2016 10:53 AM
44	I was given a referral that involved one	1/19/2016 4:29 PM
45	N/A - I'm aware she's being pimped by her boyfriend; law enforcement is also aware.	1/19/2016 3:23 PM
46	Was advised of it by others involved in the system	1/19/2016 3:11 PM
47	Respite care	1/19/2016 2:48 PM

Q22 Has your county/city ever charged/prosecuted a juvenile prostitution case?

Answered: 123 Skipped: 161



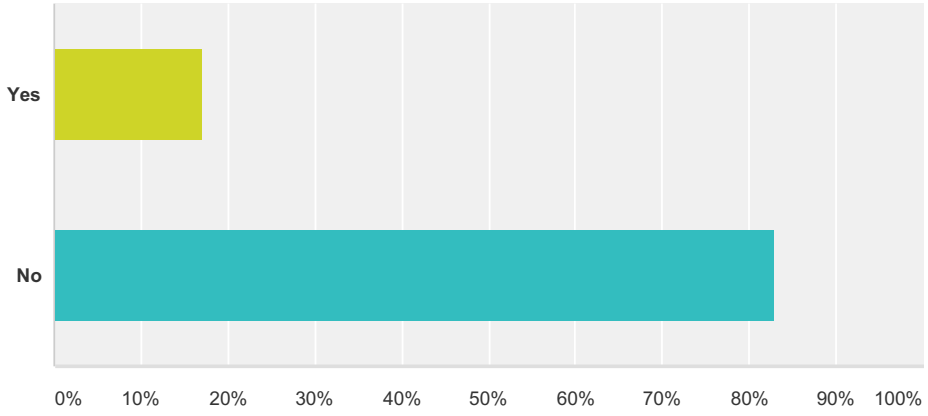
Answer Choices	Responses	
Yes	**19.51%**	24
No	**21.14%**	26
Unsure	**59.35%**	73
Total		**123**

#	Why or why not?	Date
1	Prosecutor's Office is working on forming a task force to address this very issue in Kitsap County.	2/15/2016 3:07 PM
2	Not within our legal jurisdiction	2/9/2016 4:53 PM
3	In the past... Not sure if they are prosecuting them now. Our county/city has new protocols now.	2/3/2016 3:18 PM
4	I believe juveniles used to be charged but that hasn't happened for a few years.	2/1/2016 9:03 AM
5	Charges based upon arresting officers incident report to prosecuting authority.	1/28/2016 6:04 PM
6	They used to charge all youth with prostitution. Not anymore.	1/28/2016 4:53 PM
7	Primarily supervise adults	1/28/2016 3:18 PM
8	I don't believe this has happened in the last five+ years; however, I cannot speak to the past prior to that.	1/28/2016 1:18 PM
9	Frequently in the past, but as of 2015 there were no charged prostitution cases in King County Juvenile Court.	1/28/2016 11:25 AM
10	Prosecutor would have to answer this question. As law enforcement, we investigate and submit reports to the Prosecutor for charging review/decision.	1/28/2016 11:23 AM
11	Not to my knowledge	1/27/2016 3:34 PM
12	Cannot personally recall seeing such a case but not sure if our county has "ever" filed such a case.	1/27/2016 2:15 PM
13	Not for many years.	1/27/2016 1:45 PM
14	But the last time that I am aware of was years ago before this issue came to be so prominent	1/27/2016 1:39 PM

15	I believe this county has prosecuted those involved with juvenile prostitution, but I don't know if the juveniles have been prosecuted.	1/27/2016 1:23 PM
16	How could I ever answer this question?	1/27/2016 1:06 PM
17	Ever? yes years ago. Now, no.	1/27/2016 1:04 PM
18	I have never had one come before me in 8 years on the bench	1/27/2016 12:56 PM
19	I was the presiding juvenile court judge for 2 years, and this never came up in our court.	1/27/2016 12:56 PM
20	I am not aware of any	1/27/2016 8:18 AM
21	This is a very sensitive area. I completely agree the juvenile is a victim and should not be victimized further. The issue is are we using all the tools we have to assist this juvenile to make the right decisions in assisting them out of exploitation lifestyle. Sometimes the arrest and charging of the juvenile allows family, LE, prosecutors, and others to formulate a game plan. Charges can be dismissed. There are no secure facilities in Snohomish county to hold a juvenile who is in danger or risk.	1/26/2016 10:02 AM
22	If we have, it hasn't happened recently. In our jurisdiction our focus is on providing services to those juveniles instead of arresting/prosecuting them.	1/26/2016 8:56 AM
23	Not recently since the new law took affect that any person under 18 was considered a victim and couldn't consent to take anything as compensation for sex.	1/25/2016 1:30 PM
24	Prior to 2010, our county regularly prosecuted these cases. However, over time, we reevaluated this approach based on better understanding of the exploitation involved in juvenile prostitution. In 2015 we did not prosecute a single case of juvenile prostitution.	1/25/2016 10:39 AM
25	I think the charge was changed to something else in plea bargaining	1/25/2016 8:45 AM
26	yes, but not charged the juvenile.	1/25/2016 6:12 AM
27	We are a small town and do not work vice crimes. Exploited juveniles rarely come to us.	1/22/2016 10:21 AM
28	Before we began treating them as victims.	1/22/2016 8:03 AM
29	Have not had any arrest on the charge.	1/22/2016 7:09 AM
30	not tied to my position	1/21/2016 5:55 PM
31	Prosecution was initiated in order to allow further investigation, which proved to be unsuccessful.	1/21/2016 5:44 PM
32	I've never seen one.	1/21/2016 5:32 PM
33	have not had a case presented	1/21/2016 2:28 PM
34	We have not had a case involving a minor engaged in prostitution. As noted above, we have had cases involving drugs where we thing sex is exchanged for drugs, but we have not been able to make those cases.	1/21/2016 9:43 AM
35	unknown	1/21/2016 7:50 AM
36	IT HAS NOT BEEN CHARGED IN MY 25 YEARS WITH THE COUNTY	1/20/2016 11:48 AM
37	We have not in recent years.	1/20/2016 10:53 AM
38	I have not had a case referred to me. I would be wary of charging a potential victim with a crime.	1/19/2016 3:54 PM
39	I've only been doing this job since 2009. I do not know what occurred prior to that time, but I've never prosecuted a juvenile prosecution case.	1/19/2016 3:23 PM
40	Never, at least not in many years if so, but I don't believe so. The prevailing thought today is to treat juvenile victims as victims; not prostitutes. I have not charged a juvenile as a pimp or john.	1/19/2016 3:11 PM
41	I have been in the Prosecuting Attorney's Office for slightly more than two years. I have not seen a case of prostitution yet.	1/19/2016 2:02 PM
42	None referred by LEA.	1/19/2016 12:36 PM

Q23 Have you ever investigated a Commercial Sexual Abuse of a Minor (CSAM) or Promoting CSAM case?

Answered: 111 Skipped: 173



Answer Choices	Responses	
Yes	**17.12%**	19
No	**82.88%**	92
Total		**111**

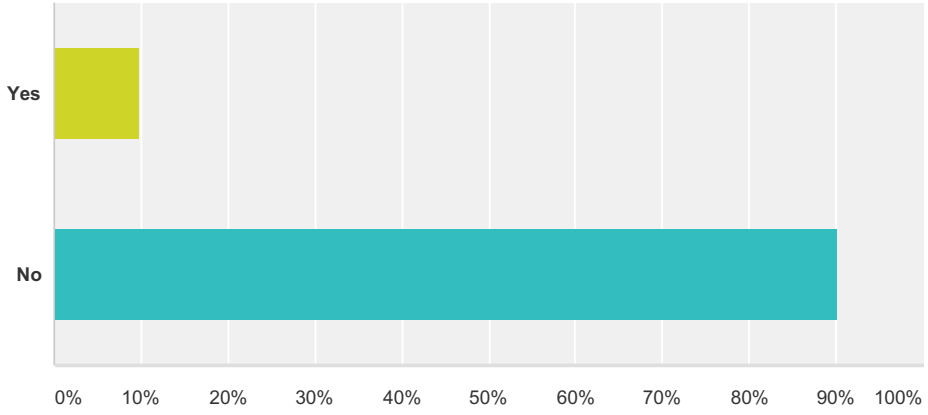
#	Why or why not?	Date
1	Assisted MECTF during recent sting in E. Bremerton	2/18/2016 11:18 AM
2	Assisted during a MECTF net nanny sting	2/15/2016 5:16 PM
3	I assisted another detective with follow up investigation regarding a case he was working involving CSAM.	2/15/2016 3:25 PM
4	Has not typically fallen into the realm of investigating narcotics.	2/15/2016 3:07 PM
5	NA	2/11/2016 3:34 PM
6	Not within our legal jurisdiction	2/9/2016 4:53 PM
7	NA	2/3/2016 3:18 PM
8	I have worked one case involving two minors. The result of the investigation was the convictions of I believe 8 co-conspirators. The primary suspect was convicted of a multitude of crimes including Promoting CSAM and was sentenced to about 40 years in prison.	2/1/2016 6:33 PM
9	I am not law enforcement.	2/1/2016 9:03 AM
10	I'm not in law enforcement.	1/29/2016 12:21 PM
11	I have no investigative function.	1/28/2016 6:04 PM
12	Primarily supervise adults	1/28/2016 3:18 PM
13	Only one year in detectives	1/28/2016 3:10 PM
14	I am not an investigator.	1/28/2016 1:18 PM
15	Not in law enforcement.	1/28/2016 11:25 AM
16	Believe so.	1/28/2016 11:23 AM
17	From my role as a prosecutor, I have assisted law enforcement in obtaining warrants and providing legal advise on CSAM related cases	1/28/2016 11:20 AM

18	I am not a police officer	1/28/2016 8:59 AM
19	I am a judge.	1/27/2016 7:06 PM
20	n/a	1/27/2016 7:01 PM
21	Not apply.	1/27/2016 5:58 PM
22	I'm not an investigator	1/27/2016 4:11 PM
23	n/a	1/27/2016 3:34 PM
24	I am a judge. I have signed numerous warrants regarding investigation of CSAM.	1/27/2016 2:49 PM
25	Not law enforcement	1/27/2016 2:15 PM
26	Not in my role as a judicial officer. I know the police do investigate these types of crimes	1/27/2016 2:04 PM
27	I am not in Law Enforcement.	1/27/2016 1:45 PM
28	I am a Judge and I don't investigate	1/27/2016 1:39 PM
29	I'm not a cop.	1/27/2016 1:23 PM
30	N/A	1/27/2016 12:56 PM
31	See #22	1/27/2016 12:56 PM
32	I handle cases for people that have already been charged with a crime, as I do probation and parole.	1/26/2016 5:33 PM
33	beginning stages of an investigation, getting minimal information.	1/25/2016 1:30 PM
34	Many. Because the demand for prostitution is the cause of trafficking and if the demand can be reduced through a combination of law enforcement activity and community-based efforts, we can reduce exploitation.	1/25/2016 10:39 AM
35	not an investigator	1/25/2016 8:45 AM
36	I have not yet received a law enforcement report alleging CSAM or Promoting.	1/22/2016 9:39 AM
37	Have not had any committed that we are aware of.	1/22/2016 7:09 AM
38	Im not a criminal investigator	1/21/2016 9:53 PM
39	handled by specialized unit	1/21/2016 7:57 PM
40	not tied to my position	1/21/2016 5:55 PM
41	No	1/21/2016 2:31 PM
42	office doesn't have investigators	1/21/2016 2:28 PM
43	Specific case hasn't been brought to my attention	1/21/2016 2:16 PM
44	n/a	1/21/2016 2:16 PM
45	NO indications of this type of crime in our jurisdiction.	1/21/2016 12:58 PM
46	Suspects were preying upon young vulnerable victims, getting them hooked on narcotics, soliciting the victims for sexual encounters for money, paying the victims in food and narcotics. Victims were all threatened, coerced, assaulted (both physically and sexually) and/or had their basic needs withheld as a way to control.	1/21/2016 12:04 PM
47	Multiple DMST investigations with traffickers arrested.	1/21/2016 11:58 AM
48	I/we don't investigate crimes until they come to us or we are asked to participate. LE has not brought us such a case and so we have not had the opportunity to comment on their investigation to prepare for prosecution.	1/21/2016 9:43 AM
49	not commissioned	1/21/2016 9:20 AM
50	I HAVE NEVER RECEIVED A REPORT WITH THIS CHARGE IN IT.	1/20/2016 11:48 AM
51	There have not been any cases in the year plus that I have been here that had any indications.	1/20/2016 10:53 AM
52	I have not known of a case in Columbia County	1/19/2016 3:54 PM
53	I do not perform criminal investigations.	1/19/2016 3:23 PM

54	Not many juvenile suspects involved.	1/19/2016 3:11 PM
55	one hasn't come up	1/19/2016 2:03 PM
56	None referred by LEA.	1/19/2016 12:36 PM

Q24 Have you ever arrested anyone on the charges mentioned in Question 22?

Answered: 91 Skipped: 193



Answer Choices	Responses	
Yes	**9.89%**	9
No	**90.11%**	82
Total		**91**

#	Why or why not?	Date
1	I assisted Washington State MECTF with an enforcement operation where persons seeking to engage in prostitution with minors were arrested.	2/15/2016 3:25 PM
2	Currently is not a part of my division's mission statement.	2/15/2016 3:07 PM
3	NA	2/11/2016 3:34 PM
4	Not within our legal jurisdiction	2/9/2016 4:53 PM
5	Don't know. Can't see question 22	2/5/2016 9:42 PM
6	NA	2/3/2016 3:18 PM
7	During the above listed investigation.	2/1/2016 6:33 PM
8	I can't see Question 22.	1/29/2016 3:27 PM
9	See 23 above.	1/28/2016 6:04 PM
10	Primarily supervise adults	1/28/2016 3:18 PM
11	I am not an investigator.	1/28/2016 1:18 PM
12	Not a law enforcement officer.	1/28/2016 11:25 AM
13	Don't know what question 22 is yet?	1/28/2016 11:23 AM
14	I am not a law enforcement officer	1/28/2016 11:20 AM
15	I am not a police officer	1/28/2016 8:59 AM
16	I am a judge.	1/27/2016 7:06 PM
17	n/a	1/27/2016 7:01 PM
18	Not apply.	1/27/2016 5:58 PM
19	I don't arrest people	1/27/2016 4:11 PM

20	n/a	1/27/2016 3:34 PM
21	I'm not a law enforcement officer.	1/27/2016 2:49 PM
22	Not law enforcement	1/27/2016 2:15 PM
23	Same as above	1/27/2016 2:04 PM
24	same answer	1/27/2016 1:23 PM
25	N/A	1/27/2016 12:56 PM
26	I can only charge crimes that occur in my presence, otherwise we seek assistance from the police.	1/26/2016 5:33 PM
27	There is no question 22.	1/26/2016 10:02 AM
28	I'm not a police officer nor do I have arresting capapabilities	1/25/2016 1:30 PM
29	I don't know what Question 22 says.	1/25/2016 10:39 AM
30	n/a	1/25/2016 10:17 AM
31	not front line law enforcement	1/25/2016 8:45 AM
32	not sure what question 22 is yet?	1/25/2016 6:12 AM
33	Where is question 22?	1/22/2016 10:52 AM
34	I am a deputy prosecutor and do make arrests.	1/22/2016 9:39 AM
35	Im not a cop	1/21/2016 9:53 PM
36	not tied to my position	1/21/2016 5:55 PM
37	don't have arrest owers	1/21/2016 2:28 PM
38	n/a	1/21/2016 2:16 PM
39	Multiple DMST investigations with traffickers arrested.	1/21/2016 11:58 AM
40	For the reasons stated above.	1/21/2016 9:43 AM
41	not commissioned	1/21/2016 9:20 AM
42	Haven't seen question 22 yet	1/21/2016 7:50 AM
43	NA	1/20/2016 11:48 AM
44	I think you are referring to question 11 -There have not been any cases in the year plus that I have been here that had any indications.	1/20/2016 10:53 AM
45	see above	1/19/2016 3:54 PM
46	I don't know what charges are mentioned in Question 22, as this is only Question 12.	1/19/2016 3:23 PM
47	Not arresting agency.	1/19/2016 12:36 PM

Q25 Please list any other important comments you may have regarding these issues:

Answered: 11 Skipped: 273

#	Responses	Date
1	The specific targeting of suspects in these types of crimes is still fairly new to the LE agencies in Kitsap County. However, we are on a more regular basis conducting operations that specifically deal with the problem of human sex trafficking.	2/15/2016 3:25 PM
2	NA	2/11/2016 3:34 PM
3	I'm not LE or a Judicial Officer but I'm very concerned about the practice and negative consequences attributed to the handcuffing of youth in our juvenile detention facility. Every single kid that comes through and is taken to court, gets handcuffed. This would include victims of sexual abuse, runaways, At Risk Youth, and contempt . Handcuffing has serious negative impact on kids. It should be used in only the most extreme cases.	2/8/2016 10:43 AM
4	Because these investigations are so involved and difficult to investigate / prosecute, it takes an enormous amount of resources. City and County Police and Sheriff's Offices struggle with the resources to accomplish these investigations or at least me proactive in uncovering these cases.	2/1/2016 6:33 PM
5	This is a ridiculous survey. You have lumped law enforcement with judges.	1/27/2016 7:06 PM
6	There may have been legal updates on this law but I do not recall and specific training	1/21/2016 7:57 PM
7	I think it is unclear who to call if you have a victim.	1/21/2016 12:43 PM
8	Needs continued support and discussions. Need more safe houses and NGO's to partner with for LE.	1/21/2016 11:58 AM
9	LE leaders must convince other LE agencies/officers that the problem is real and that they are missing the cases. Until that happens, LE will continue not to find credible the statements of social workers, probation officers and others currently involved in education. Get LE trained by committed and passionate LE and you will make a difference. Should be someone respected and once skeptical. CJTC and leadership are dropping the ball and losing confidence of community LE leaders.	1/21/2016 9:43 AM
10	Strange survey questions for my position (prosecutor)	1/21/2016 7:50 AM
11	I appreciate the survey and reminder about the these types of cases. i think more training for law enforcement and prosecutors helps. I feel the Spring WAPA conference section on the human trafficking was a good start and brought valuable information to my practice for future cases/investigations.	1/20/2016 10:53 AM

APPENDIX B

APPENDIX B

AN ACT Relating to amending RCW 9A.88.140, Vehicle impoundment—Fees—Fines.

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

RCW 9A.88.140 is amended to read as follows:

(1)(a) Upon an arrest for a suspected violation of patronizing a prostitute, promoting prostitution in the first degree, promoting prostitution in the second degree, promoting travel for prostitution, the arresting law enforcement officer may impound the person's vehicle if (i) the motor vehicle was used in the commission of the crime; (ii) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465; and (iii) either (A) the person arrested has previously been convicted of one of the offenses listed in this subsection or (B) the offense was committed within an area designated under (b) of this subsection.

(b) A local governing authority may designate areas within which vehicles are subject to impoundment under this section regardless of whether the person arrested has previously been convicted of any of the offenses listed in (a) of this subsection.

(i) The designation must be based on evidence indicating that the area has a disproportionately higher number of arrests for the offenses listed in (a) of this subsection as compared to other areas within the same jurisdiction.

(ii) The local governing authority shall post signs at the boundaries of the designated area to indicate that the area has been designated under this subsection.

(2) Upon an arrest for a suspected violation of commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor, the arresting law enforcement officer shall impound the person's vehicle if (a) the motor vehicle was used in the commission of the crime; and (b) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465.

(3) Impoundments performed under this section shall be in accordance with chapter 46.55 RCW and the ((~~impoundment~~)) impound order and inventory must clearly state "prostitution hold." At the time the vehicle is impounded, a copy of the impound order and inventory shall be provided to the driver. If the driver is not present, the driver or adult owner can obtain a copy from the impounding law enforcement agency.

(4)(a) Prior to redeeming the impounded vehicle, and in addition to all applicable impoundment, towing, and storage fees paid to the towing company under chapter 46.55 RCW, an adult owner of an impounded vehicle must present a copy of the impound order and inventory and pay a fine to the ((~~impounding agency~~)) clerk of the court of the county where the offense occurred. If the vehicle is a rental car as defined in RCW 46.04.465, the arrest driver or rental contract holder must present a copy of the impound order and inventory and pay a fine to the clerk of the court of the county where the offense occurred. The fine shall be five hundred dollars for the offenses specified in subsection (1) of this section, or two thousand five hundred dollars for the offenses specified in subsection (2) of this section.

(b) Upon receipt of the fine paid under (a) of this subsection, the ((~~impounding agency~~)) clerk of the court shall issue a written receipt to the owner of the impounded vehicle.

(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 in 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 35.20.220.

(d) Notwithstanding (a) of this subsection, a rental car business may immediately redeem a rental vehicle it owns by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held subject to the "prostitution hold."

(e) Notwithstanding (a) of this subsection, a motor vehicle dealer or lender with a perfected security interest in the vehicle may redeem or lawfully repossess a vehicle immediately by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held subject to the "prostitution hold."

(5)(a) In order to redeem a vehicle impounded under this section, the ((~~owner~~)) person seeking redemption must provide the towing company with the written receipt issued under subsection (4)(b) of this section.

(b) The written receipt issued under subsection (4)(b) of this section authorizes the towing company to release the impounded vehicle upon payment of all impoundment, towing, and storage fees.

(c) A towing company that relies on a forged receipt to release a vehicle impounded under this section is not liable ((~~to the impounding authority~~)) for any unpaid fine under subsection (4)(a) of this section.

(6)(a) In any proceeding under chapter 46.55 RCW to contest the validity of an impoundment under this section where the ((~~claimant substantially prevails)~~) impound is found to be improper, in addition to the costs and fees permitted under RCW 46.55.120, the ((~~claimant~~)) person seeking redemption is entitled to a full refund of the ((~~impoundment, towing, and storage fees paid under chapter 46.55 RCW and the five hundred dollar)~~) fine paid under subsection (4) of this section.

((~~(b) If the person is found not guilty at trial for a crime listed under subsection (1) of this section, the person is entitled to a full refund of the impoundment, towing, and storage fees paid under chapter 46.55 RCW and the fine paid under subsection (4) of this section.)~~)

((~~(c)~~)) (b)All refunds of the fine paid under subsection (4) of this section ((~~made under this section~~)) shall be paid by the ((~~impounding agency~~)) treasurer of the county or municipality that received the revenue from the fine.

((~~(d)~~)) (c) Prior to receiving any refund ((~~under~~)) of the fine paid under subsection (4) of this section, the claimant must provide proof of payment.

AN ACT Relating to amending RCW 46.55.120, Redemption of vehicles—Sale of unredeemed property—Improper impoundment.

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

RCW 46.55.120 is amended to read as follows:

(1)(a) Vehicles or other items of personal property registered or titled with the department that are impounded by registered tow truck operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140 may be redeemed only by the following persons or entities:

(i) The legal owner;

(ii) The registered owner;

(iii) A person authorized in writing by the registered owner;

(iv) The vehicle's insurer or a vendor working on behalf of the vehicle's insurer;

(v) A third-party insurer that has a duty to repair or replace the vehicle, has obtained consent from the registered owner or the owner's agent to move the vehicle, and has documented that consent in the insurer's claim file, or a vendor working on behalf of a third-party insurer that has received such consent; provided, however, that at all times the registered owner must be granted access to and may reclaim possession of the vehicle. For the purposes of this subsection, "owner's agent" means the legal owner of the vehicle, a driver in possession of the vehicle with the registered owner's permission, or an adult member of the registered owner's family;

(vi) A person who is determined and verified by the operator to have the permission of the registered owner of the vehicle or other item of personal property registered or titled with the department; or

(vii) A person who has purchased a vehicle or item of personal property registered or titled with the department from the registered owner who produces proof of ownership or written authorization and signs a receipt therefor.

(b) In addition, a vehicle impounded because the operator is in violation of RCW 46.20.342(1)(c) shall not be released until a person eligible to redeem it under (a) of this subsection satisfies the requirements of (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency. If the department's records show that the operator has been convicted of a violation of RCW 46.20.342 or a similar local ordinance within the past five years, the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. A vehicle impounded because the operator is arrested for a violation of RCW 46.20.342 may be released only pursuant to a written order from the agency that ordered the vehicle impounded or from the court having jurisdiction. An agency shall issue a written order to release pursuant to a provision of an applicable state agency rule or local ordinance authorizing release on the basis of the following:

(i) Economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record; or

(ii) The owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this subsection or RCW 46.55.113(3).

In order to avoid discriminatory application, other than for the reasons for release set forth in (b)(i) and (ii) of this subsection, an agency shall, under a provision of an applicable state agency rule or local ordinance, deny release in all other circumstances without discretion.

If a vehicle is impounded because the operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. However, if the department's records show that the operator has been convicted of a violation of RCW 46.20.342(1) (a) or (b) or a similar local ordinance within the past five years, the vehicle may be held at the written direction of the agency ordering the vehicle impounded for up to sixty days, and for up to ninety days if the operator has two or more such prior offenses. If a vehicle is impounded because the operator is arrested for a violation of RCW 46.20.342, the vehicle may not be released until a person eligible to redeem it under (a) of this subsection satisfies the requirements of (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency.

(c) If the vehicle is directed to be held for a suspended license impound, a person who desires to redeem the vehicle at the end of the period of impound shall within five days of the impound at the request of the tow truck operator pay a security deposit to the tow truck operator of not more than one-half of the applicable impound storage rate for each day of the proposed suspended license impound. The tow truck operator shall credit this amount against the final bill for removal, towing, and storage upon redemption. The tow truck operator may accept other sufficient security in lieu of the security deposit. If the person desiring to redeem the vehicle does not pay the security deposit or provide other security acceptable to the tow truck operator, the tow truck operator may process and sell at auction the vehicle as an abandoned vehicle within the normal time limits set out in RCW 46.55.130(1). The security deposit required by this section may be paid and must be accepted at any time up to twenty-four hours before the beginning of the auction to sell the vehicle as abandoned. The registered owner is not eligible to purchase the vehicle at the auction, and the tow truck operator shall sell the vehicle to the highest bidder who is not the registered owner.

(d) Notwithstanding (c) of this subsection, a rental car business may immediately redeem a rental vehicle it owns by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound.

(e) Notwithstanding (c) of this subsection, a motor vehicle dealer or lender with a perfected security interest in the vehicle may redeem or lawfully repossess a vehicle immediately by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound. A motor vehicle dealer or lender with a perfected security interest in the vehicle may not knowingly and intentionally engage in collusion with a registered owner to repossess and then return or

resell a vehicle to the registered owner in an attempt to avoid a suspended license impound. However, this provision does not preclude a vehicle dealer or a lender with a perfected security interest in the vehicle from repossessing the vehicle and then selling, leasing, or otherwise disposing of it in accordance with chapter 62A.9A RCW, including providing redemption rights to the debtor under RCW 62A.9A-623. If the debtor is the registered owner of the vehicle, the debtor's right to redeem the vehicle under chapter 62A.9A RCW is conditioned upon the debtor obtaining and providing proof from the impounding authority or court having jurisdiction that any fines, penalties, and forfeitures owed by the registered owner, as a result of the suspended license impound, have been paid, and proof of the payment must be tendered to the vehicle dealer or lender at the time the debtor tenders all other obligations required to redeem the vehicle. Vehicle dealers or lenders are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.

(f) The vehicle or other item of personal property registered or titled with the department shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such vehicle, with credit being given for the amount of any security deposit paid under (c) of this subsection. ((~~In addition, if a vehicle is impounded because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345 and was being operated by the registered owner when it was impounded under local ordinance or agency rule, it must not be released to any person until the registered owner establishes with the agency that ordered the vehicle impounded or the court having jurisdiction that any penalties, fines, or forfeitures owed by him or her have been satisfied. Registered tow truck operators are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.~~)) Commercially reasonable tender shall include, without limitation, cash, major bank credit cards issued by financial institutions, or personal checks drawn on Washington state branches of financial institutions if accompanied by two pieces of valid identification, one of which may be required by the operator to have a photograph. If the towing firm cannot determine through the customer's bank or a check verification service that the presented check would be paid by the bank or guaranteed by the service, the towing firm may refuse to accept the check. Any person who stops payment on a personal check or credit card, or does not make restitution within ten days from the date a check becomes insufficient due to lack of funds, to a towing firm that has provided a service pursuant to this section or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

(g) If a vehicle is impounded because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345 and was being operated by the registered owner when it was impounded under local ordinance or agency rule, it must not be released to any person until the registered owner establishes with the agency that ordered the vehicle impounded or the court having jurisdiction that any penalties, fines, or forfeitures owed by him or her have been satisfied. Registered tow truck operators are not liable for

damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.

(h) Except as provided in RCW 9A.88.140(4), if a vehicle is impounded because the operator was arrested for a violation of the crimes included in RCW 9A.88.140, it must not be released to any person until that person provides the towing company with the written receipt issued under RCW 9A.88.140(4)(b).

(2)(a) The registered tow truck operator shall give to each person who seeks to redeem an impounded vehicle, or item of personal property registered or titled with the department, written notice of the right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, the name of the person or agency authorizing the impound, and a copy of the towing and storage invoice. The registered tow truck operator shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(b) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district or municipal court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. The district court has jurisdiction to determine the issues involving all impoundments including those authorized by the state or its agents. The municipal court has jurisdiction to determine the issues involving impoundments authorized by agents of the municipality. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the appropriate court within ten days of the date the opportunity was provided for in (a) of this subsection and more than five days before the date of the auction. At the time of the filing of the hearing request, the petitioner shall pay to the court clerk a filing fee in the same amount required for the filing of a suit in district court. If the hearing request is not received by the court within the ten-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The court, within five days after the request for a hearing, shall notify the registered tow truck operator, the person requesting the hearing if not the owner, the registered and legal owners of the vehicle or other item of personal property registered or titled with the department, and the person or agency authorizing the impound in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper. The court may consider a written report made under oath by the officer who authorized the impoundment in lieu of the officer's personal appearance at the hearing.

(c) At the conclusion of the hearing, the court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the posted rates, and who is responsible for payment of the fees. The court may not adjust fees or charges that are in compliance with the posted or contracted rates.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs shall be assessed against the

person or persons requesting the hearing, unless the operator did not have a signed and valid impoundment authorization from a private property owner or an authorized agent.

(e) If the impoundment is determined to be in violation of this chapter, then the registered and legal owners of the vehicle or other item of personal property registered or titled with the department shall bear no impoundment, towing, or storage fees, and any security shall be returned or discharged as appropriate, and the person or agency who authorized the impoundment shall be liable for any towing, storage, or other impoundment fees permitted under this chapter. The court shall enter judgment in favor of the registered tow truck operator against the person or agency authorizing the impound for the impoundment, towing, and storage fees paid. In addition, the court shall enter judgment in favor of the registered and legal owners of the vehicle, or other item of personal property registered or titled with the department, for the amount of the filing fee required by law for the impound hearing petition as well as reasonable damages for loss of the use of the vehicle during the time the same was impounded against the person or agency authorizing the impound. However, if an impoundment arising from an alleged violation of RCW 46.20.342 or 46.20.345 is determined to be in violation of this chapter, then the law enforcement officer directing the impoundment and the government employing the officer are not liable for damages if the officer relied in good faith and without gross negligence on the records of the department in ascertaining that the operator of the vehicle had a suspended or revoked driver's license. If any judgment entered is not paid within fifteen days of notice in writing of its entry, the court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment may be made by registered or certified mail, and proof of mailing may be made by affidavit of the party mailing the notice. Notice of the entry of the judgment shall read essentially as follows:

TO: . . . . . .

YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the . . . . . Court located at . . . . . in the sum of $. . . . . ., in an action entitled . . . . . ., Case No. . . . . YOU ARE FURTHER NOTIFIED that attorneys fees and costs will be awarded against you under RCW . . . if the judgment is not paid within 15 days of the date of this notice.

DATED this . . . . day of . . . . . ., (year) . . .

Signature . . . . . .

Typed name and address
of party mailing notice

(4) Any impounded abandoned vehicle or item of personal property registered or titled with the department that is not redeemed within fifteen days of mailing of the notice of custody and sale as required by RCW 46.55.110(3) shall be sold at public auction in accordance with all the provisions and subject to all the conditions of RCW 46.55.130. A vehicle or item of personal property registered or titled with the department may be redeemed at any time before the start of the auction upon payment of the applicable towing and storage fees.

Washington Statewide Coordinating Committee on the Commercial Sexual Exploitation of Children

2016 Final Report to the Legislature