

Criminal Penalty Fees Related to Sexual Exploitation Crimes



Report submitted pursuant to Chapter 121, Laws of 2013

**COMMUNITY SERVICES
DIVISION**

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Report to the Legislature

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Acknowledgments

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Executive Summary

Overview

In 2013, the Washington State Legislature passed [Chapter 121, Laws of 2013 \(ESHB 1291\)](#), which assessed additional fees on the crime of commercial sexual abuse of a minor (CSAM) and other sexual exploitation crimes. The fees, ordered on persons convicted of crimes, are in addition to other criminal penalties, including statutory fines and jail time. Local jurisdictions retain most of the fee revenue to fund preventative efforts, services for victims, and law enforcement activities to reduce the commercial sale of sex. Judges may reduce some fees by up to two-thirds if the judge finds, on the record, that an offender cannot pay. Courts may not entirely waive any of the fees. [Chapter 121, Laws of 2013](#), directs the Washington State Department of Commerce (Commerce) to:

"...prepare and submit an annual report to the legislature on the amount of revenue collected by local jurisdictions under [RCW 9.68A.105](#), [9A.88.120](#), or [9A.88.140](#) and the expenditure of that revenue [codified under [RCW 43.280.100](#)]."

The three statutes listed above assess fees on convictions related to prostitution and the commercial sexual exploitation of children. We discuss the specifics of these fees in more detail in [Table 1: Statutes Modified by Chapter 121, Laws of 2013](#).

This report, for state fiscal year 2023, is the 10th annual report prepared on the fee revenue and expenditures related to this set of crimes. The [Introduction](#) includes the complete statutory report requirements.

Key findings for fiscal year 2023

As in recent years, it does not appear that courts are ordering persons convicted of crimes to pay the amounts that statutes require for their crimes. It is beyond the scope of this report to investigate why many courts are not imposing these fees. Further research and judicial outreach could better explain why courts do not consistently assess the fees.

- Washington courts assessed \$109,885.85 in applicable fees and collected \$103,515.54 in such fee payments.
- There were 127 more arrests for sexual exploitation crimes than the previous year, representing a 20% increase, and 52 more convictions for such crimes compared to state fiscal year 2022, a 31% increase. At the offense level, there was a 52% increase in convictions for indecent exposure, a 20% increase in convictions for commercial sexual abuse of a minor, and a 13% increase in convictions for promoting prostitution in the second degree.
- Only 25% of the courts (16) that handed down convictions for sexual exploitation crimes (64) assessed any fees concerning those convictions.
- Washington courts assessed 56% of the total amount of penalty fees possible for convictions of sexual exploitation crimes. Excluding King County, Washington courts assessed only 8% of the total amount of penalty fees possible for convictions of sexual exploitation crimes.
- Courts in King County again assessed and collected most of the fees – 93% and 79%, respectively.

- Due to pandemic-related delays in court proceedings in the past year, some individuals arrested in the 2023 fiscal year likely have not yet begun court proceedings, which may skew the analysis.

Introduction

Background on revenue collection

The three statutes listed under [RCW 43.280.100](#) ([RCW 9.68A.105](#), [9A.88.120](#), or [9A.88.140](#)) assess fees on convictions related to prostitution and the commercial sexual exploitation of children. The fees are in addition to other penalties, including statutory fines and jail time. Courts assess the fees on persons convicted of crimes who have entered into a statutory or non-statutory diversion agreement¹ because of arrests for one of the applicable crimes. Table 1 lists the statutes, the additional penalty, and the crimes to which the penalty applies.

Statutes 9.68A.105, 9A.88.120, and 9A.88.140 describe how jurisdictions must use the revenue from the fees collected:

- Cities and counties must spend at least 50%, and up to 98%, of the revenue on prevention and rehabilitation services for victims. Prevention includes education programs for persons convicted of crimes, such as accountability programs,² which provide curriculum on the sexual exploitation of people, legal ramifications, and confronting and healing from sexual addiction. Rehabilitative services for victims include mental health and substance abuse counseling, parenting skills, housing relief, education, vocational training, drop-in centers, and employment counseling.
- Jurisdictions may use between 0% and 48% for local efforts to reduce the commercial sale of sex, including, but not limited to, increasing enforcement of commercial sex laws.
- Quarterly, jurisdictions must remit 2% of the revenue to Commerce, with a report detailing the fees assessed, the revenue received, and how it was spent.

Judges may reduce some of the fees if the court finds, on the record, that the offender cannot pay the fee. In those cases, judges may only reduce the fee by up to two-thirds.

Courts may not reduce the fees attached to vehicle impoundment. Impounding agencies collect these fees if a law enforcement officer impounds a vehicle used in the commission of a commercial sexual abuse of a minor (CSAM) crime or prostitution-related crime or if other conditions are met. The owner must pay the fee before redeeming the vehicle. Subsequently, if the defendant is found not guilty of the crime, the defendant is entitled to a refund of the fee.

It is important to note that an arrest in one year can lead to a case requiring more than a year to prosecute and resolve. This can result in the total fees a court could collect in a fiscal year exceeding the maximum possible fees.

¹ RCW 9A.88.120 defines statutory or non-statutory agreement as an agreement under RCW 13.40.080 or any written agreement between a person accused of an offense and a court, county, or city prosecutor, whereby the person agrees to fulfill certain conditions in lieu of prosecution.

² Programs like this are sometimes called "john schools", but this term is not survivor informed, as not all buyers are men. Some accountability programs may still have titles including "johns" or "men", but it is important to note that not all buyers are men, just as not all victims of sexual exploitation are women.

Table 1: Statutes modified by Chapter 121, Laws of 2013

Statute	Additional penalty amount	Crimes to which penalty applies	Amount by which penalty can be reduced		
9.68A.105	\$5,000	9.68A.100 – Commercial Sexual Abuse of a Minor (CSAM) 9.68A.101 – Promoting CSAM 9.68A.102 – Promoting travel for CSAM	The court may not reduce, waive, or suspend the payment of all or part of the fee assessed unless it finds, on the record, that the adult offender cannot pay, in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.		
9A.88.120	\$50	9A.88.010 – Indecent exposure			
	\$50	9A.88.030 – Prostitution			
	1st offense	\$1,500		9A.88.090 – Permitting prostitution 9A.88.110 – Patronizing a prostitute	
	2nd offense	\$2,500			
	3rd and subsequent offense	\$5,000			
	9A.88.120	1st offense		\$3,000	9A.88.070 – Promoting prostitution in the first degree 9A.88.080 – Promoting prostitution in the second degree
		2nd offense		\$6,000	
3rd and subsequent offense		\$10,000			
9A.88.140	\$500	9A.88.140 – Vehicle impoundment fine for: 9A.88.110 – Patronizing a prostitute 9A.88.070 – Promoting prostitution in the first degree 9A.88.080 – Promoting prostitution in the second degree 9A.88.085 – Promoting travel for prostitution	May not be waived or reduced.		
	\$2,500	9A.88.140 – Vehicle impoundment fine for: 9.68A.100 – CSAM 9.68A.101 – Promoting CSAM 9.68A.102 – Promoting travel for CSAM			

Fee assessments and crime rates

In state fiscal year 2023, 64 courts in Washington handed down convictions for crimes that bear the relevant additional penalty fees. Of these, 16 courts – just 25% of the total – assessed these additional penalty fees concerning convictions for applicable crimes. This discrepancy indicates that many courts in Washington are not assessing the fees or only assessing a fraction of what they should. In addition, only 23 courts received revenue in this fiscal year, some of which were for crimes committed in previous years.

- The King County Superior Court assessed and collected the highest fees of all Washington courts in state fiscal year 2023, assessing \$79,141 and collecting \$37,678.46. The Bellevue Municipal Court assessed the next highest fee, totaling \$8,500. The Pierce County Superior Court collected the next highest fee, totaling \$19,822.51.
- The Kitsap County Superior Court had six convictions for relevant crimes, one of which was for promoting prostitution in the second degree and two of which were for the commercial sexual abuse of a minor. These offenses carry fees of \$3,000 and \$5,000, respectively. Given all relevant convictions for the Kitsap County Superior Court, the maximum possible fees would total \$13,150, assuming the convicted were first-time offenders. However, the court did not assess any relevant fees in the state fiscal year 2023.
- The Lewis County Superior Court had six convictions for relevant crimes, three of which were for the commercial sexual abuse of a minor. Given all qualifying convictions for the Lewis County Superior Court, the maximum possible fees would total \$15,150, assuming the convicted were first-time offenders. However, the court did not assess any relevant fees in the state fiscal year 2023.
- The Spokane County Superior Court had seven convictions for relevant crimes, four for promoting prostitution in the second degree. Given all relevant convictions for the Spokane County Superior Court, the maximum possible fees would total \$12,150, assuming the convicted were first-time offenders. However, the court did not assess any relevant fees in the state fiscal year 2023.

Statewide, courts assessed 56% of the total possible fee amount – \$109,885.85 out of a potential \$195,300. As in previous years, courts in King County both assessed and collected most of the fees. Excluding King County, other Washington courts assessed just 8% of the total possible fee amount – \$7,795.35 out of a potential \$91,800. It is beyond the scope of this report to investigate why many courts are not imposing these fees.

[Table 2](#) lists the number of arrests and convictions for the relevant crimes, the maximum possible fees that courts could assess based on conviction data, the actual fees assessed and the fees collected for each county in Washington. [Appendix B](#) contains a complete list of all courts that imposed convictions for the applicable crimes or assessed or collected relevant fees. It is important to note that an arrest made in one year can lead to a case that takes more than a year to prosecute and resolve, explaining why the fees a court assessed in a fiscal year may exceed the maximum possible fees. It also explains why some of the fees collected by a court may be greater than fees that the court assessed.

Table 2: Arrests, convictions and fees by county for applicable charges – state fiscal year 2023

County	Arrests	Convictions	Max possible fees*	Fees assessed	Fees collected
Adams	14	0	\$0.00	\$0.00	\$0.00
Asotin	3	3	\$150.00	\$0.00	\$0.00
Benton	31	4	\$4,550.00	\$0.00	\$78.69
Chelan	8	2	\$100.00	\$0.00	\$832.15
Clallam	8	3	\$150.00	\$0.00	\$0.00
Clark	35	4	\$200.00	\$116.50	\$100.00
Columbia	0	0	\$0.00	\$0.00	\$0.00
Cowlitz	29	14	\$5,650.00	\$0.00	\$0.00
Douglas	0	0	\$0.00	\$0.00	\$0.00
Ferry	0	0	\$0.00	\$0.00	\$0.00
Franklin	10	0	\$0.00	\$0.00	\$0.00
Garfield	0	0	\$0.00	\$0.00	\$0.00
Grant	3	1	\$5,000.00	\$0.00	\$0.00
Grays Harbor	16	4	\$200.00	\$500.00	\$126.72
Island	2	2	\$100.00	\$0.00	\$0.00
Jefferson	0	0	\$0.00	\$0.00	\$0.00
King	202	66	\$103,500.00	\$102,090.50	\$81,489.87
Kitsap	27	11	\$13,400.00	\$16.50	\$516.50
Kittitas	3	2	\$100.00	\$0.00	\$0.00
Klickitat	3	2	\$100.00	\$0.00	\$0.00
Lewis	18	8	\$15,250.00	\$0.00	\$1.50
Lincoln	0	0	\$0.00	\$0.00	\$0.00
Mason	5	2	\$100.00	\$500.00	\$0.00
Okanogan	2	3	\$5,100.00	\$0.00	\$0.00
Pacific	0	0	\$0.00	\$0.00	\$0.00
Pend Oreille	4	0	\$0.00	\$0.00	\$0.00
Pierce	52	16	\$18,600.00	\$6,000.00	\$19,874.27
San Juan	2	1	\$50.00	\$15.00	\$0.00
Skagit	21	6	\$300.00	\$0.00	\$13.01
Skamania	0	1	\$50.00	\$0.00	\$0.00
Snohomish	83	23	\$1,150.00	\$33.50	\$0.00
Spokane	67	11	\$12,350.00	\$0.00	\$401.55
Stevens	6	0	\$0.00	\$0.00	\$0.00

County	Arrests	Convictions	Max possible fees*	Fees assessed	Fees collected
Thurston	42	4	\$200.00	\$50.00	\$50.00
Wahkiakum	0	0	\$0.00	\$0.00	\$0.00
Walla Walla	4	1	\$50.00	\$0.00	\$0.00
Whatcom	14	4	\$3,150.00	\$0.00	\$0.00
Whitman	0	1	\$50.00	\$0.00	\$0.00
Yakima	35	15	\$5,700.00	\$563.85	\$31.28
TOTAL	749	214	\$195,300.00	\$109,885.85	\$103,515.54

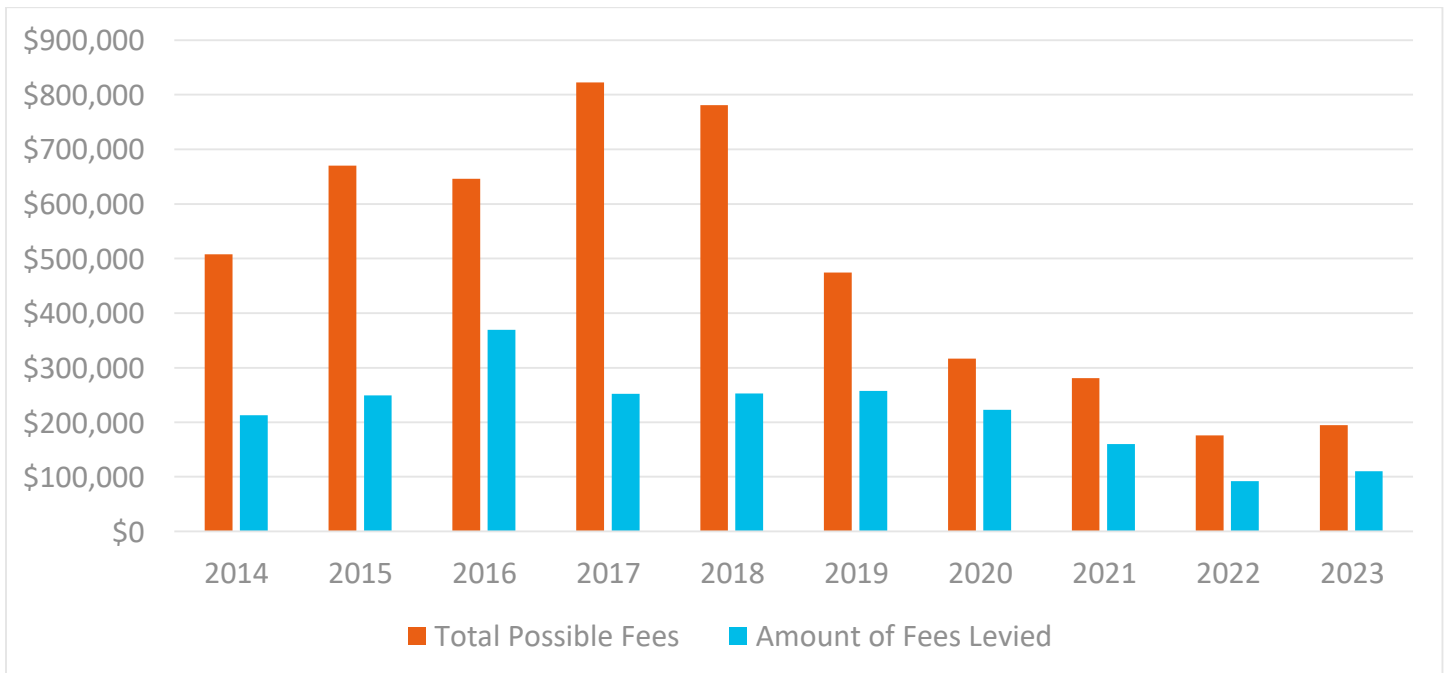
* Data from the Administrative Office of the Courts does not differentiate whether a particular case is a first, second, third or subsequent offense. Second, third and subsequent offenses have greater criminal penalty fee amounts. The calculations for maximum possible fees assume that each case is a first offense for simplicity, but if any of these offenses is a second, third, or subsequent offense, the potential fee revenue would be even greater.

Sources: The Administrative Office of the Courts, Washington State Patrol, King County Superior Court, King County District Court and Seattle Municipal Court.

The total amount of potential fees is determined using the number of convictions for each crime category and the fees described in statute.

Figure 1 illustrates the total amount of potential fees compared to the actual amount the courts assessed over the ten years that the fees have been in effect.

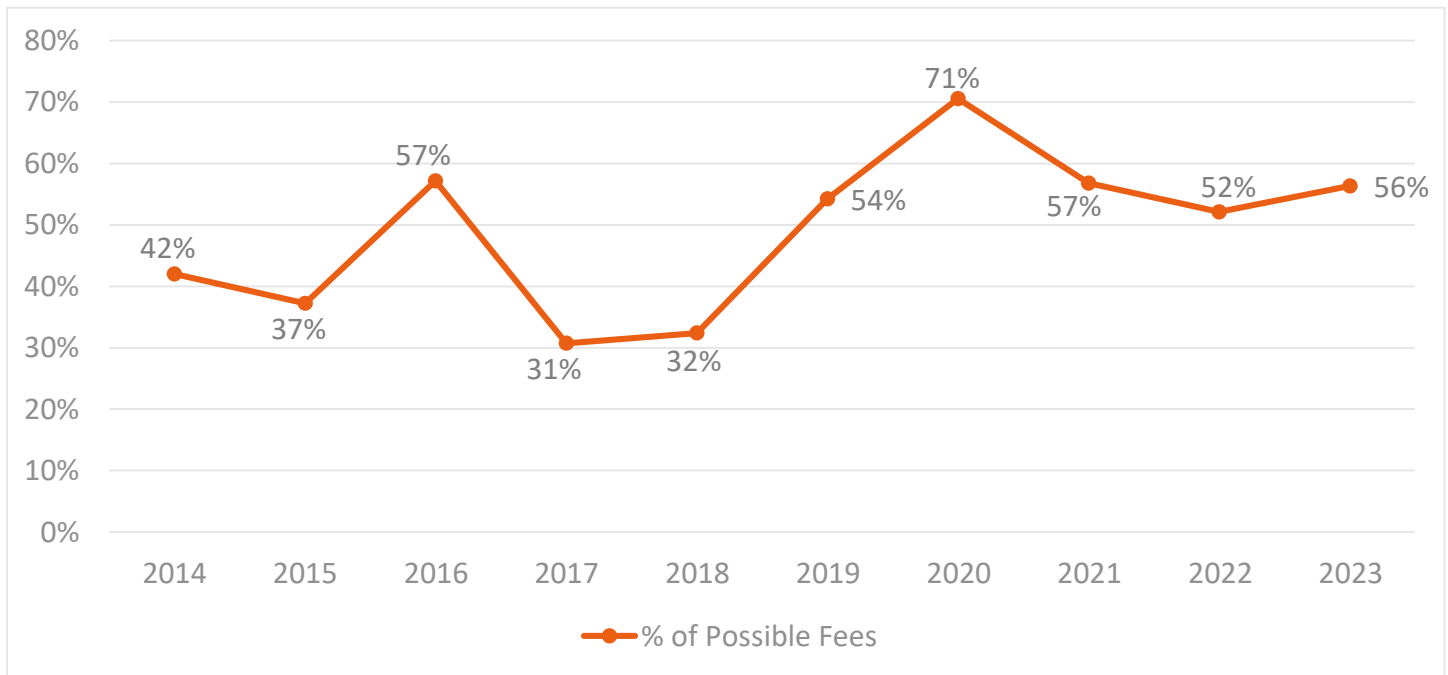
Figure 1: Amounts assessed compared to potential fees – 2014 through 2023



Sources: The Administrative Office of the Courts, Washington State Patrol, King County Superior Court, King County District Court and Seattle Municipal Court.

Figure 2 illustrates the percentage of total potential fees Washington courts assessed in state fiscal years 2014 through 2023.

Figure 2: Percentage of potential fees assessed statewide – 2014 through 2023



Sources: the Administrative Office of the Courts, Washington State Patrol, King County Superior Court, King County District Court and Seattle Municipal Court.

Background on fees and payments

Many individuals convicted of crimes do not pay fees all at once but instead enter into a payment plan with the court. As they pay off the fees, court clerks code them into the Judicial Information System (JIS) and Odyssey system used by most courts in Washington. Therefore, revenue from fees can be greater during a given year than assessed fees as offenders gradually pay off their penalties.

The Administrative Office of the Courts (AOC) establishes new codes in JIS and Odyssey. It informs courts about which codes to use. AOC codes data in these systems to the fund account rather than the statute applicable to the crime. As a result, separating the funds collected by the offense committed is impossible.

Once court clerks receive the revenue and allocate it to a code, the city or county treasurer is responsible for establishing an account for the monies. Some cities contract with their county to act as treasurer for the jurisdiction. Then, the jurisdiction must decide which department, office, or official is responsible for determining how to spend the funds, allocating the amounts according to the legislative guidelines, and ensuring that the quarterly reports are sent to Commerce.

The Washington State Patrol maintains data by county on the number of arrests and convictions for all crimes in Washington. Some cities, notably Seattle, have municipal codes for misdemeanor offenses that effectively replace the applicable state statute in the city's data system. Therefore, the researchers for this report obtained data on arrests, cases, and convictions for crimes committed within Seattle from the Seattle Municipal Court.

Because the applicable crimes include both misdemeanors and felonies, the impacted courts include municipal and district courts (courts of limited jurisdiction, or CLJs) and superior courts, which hear cases involving serious felonies.

Certain courts, including the Seattle Municipal Court, King County District, and Superior courts, do not use JIS or Odyssey. Additionally, some municipal courts contract with their county district courts to collect fees on their behalf. For instance, the King County District Court contracts with Auburn, Beaux Arts, Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, Redmond, Sammamish, Shoreline, Skykomish, and Woodinville. The information on fees collected and assessed by those cities is merged with the King County District Court data.

Crime rates

In the state fiscal year 2023, law enforcement officers made 20% more arrests for sexual exploitation crimes than the state fiscal year 2022. The number of convictions between state fiscal year 2022 (166) and state fiscal year 2023 (218) also increased by 31%. There were 57 more convictions for indecent exposure in state fiscal year 2023 than in state fiscal year 2022, a 52% increase that represented the single greatest percentage increase in convictions for any of the crimes specified under RCW 9.68A.105, RCW 9A.88.120, and RCW 9A.88.140.

[Table 3](#) lists the number of arrests, cases, and convictions for these crimes. The table also includes the crime of trafficking, which carries an additional \$10,000 penalty fee. However, the fee for trafficking is not subject to the same dispersal requirements as the crimes specified under RCW 9.68A.105, RCW 9A.88.120, and RCW 9A.88.140.

Table 3: Statewide arrests and convictions by crime – state fiscal year 2023

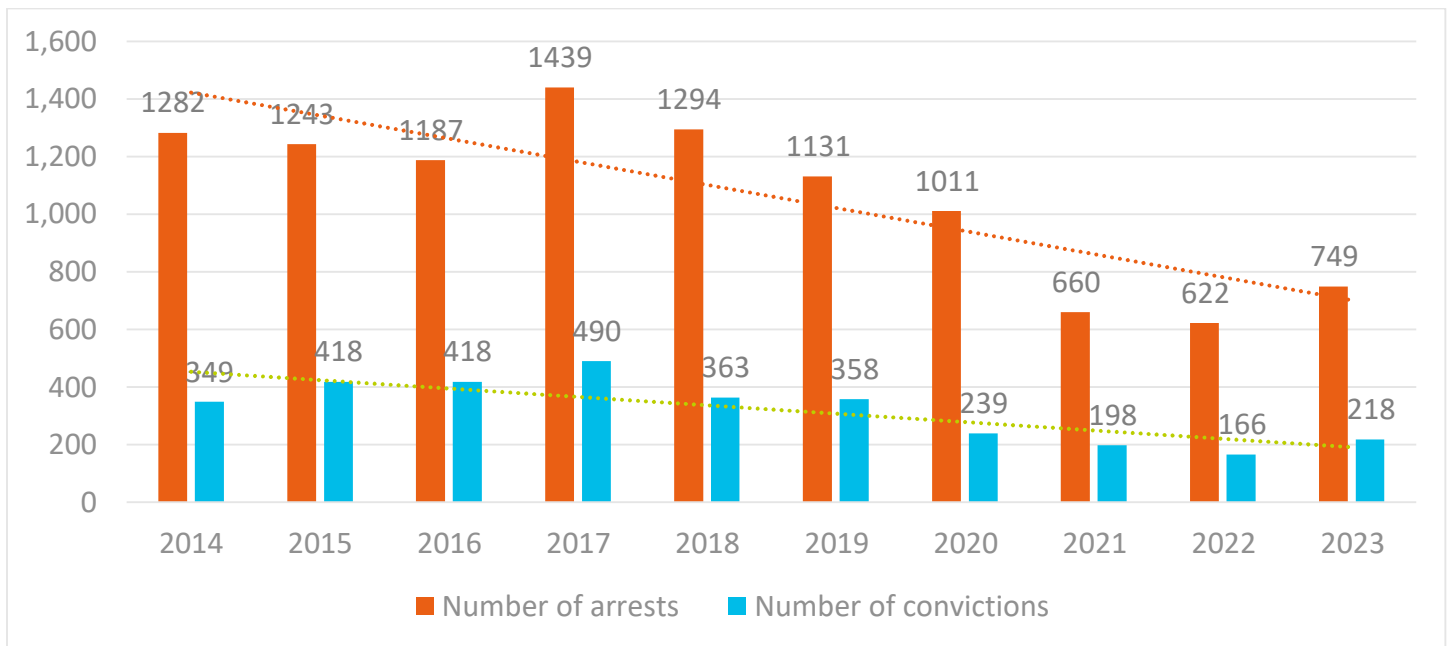
Statute	Charge	Arrests	Convictions
9.68A.100	Commercial Sexual Abuse of a Minor (CSAM)	56	12
9.68A.101	Promoting CSAM	14	1
9.68A.102	Promoting Travel for CSAM	1	0
9.68A.103	Permitting CSAM	0	0
9A.40.100	Trafficking	29	2
9A.88.010	Indecent Exposure	571	166
9A.88.030	Prostitution	12	0
9A.88.070	Promoting Prostitution in the First Degree	12	4
9A.88.080	Promoting Prostitution in the Second Degree	18	27
9A.88.085	Promoting Travel for Prostitution (Vehicle Impoundment)	0	0
9A.88.090	Permitting Prostitution	0	0
9A.88.110	Patronizing a Prostitute	36	6
TOTAL		749	218

Source: The Washington State Patrol provided data on statewide arrests and convictions

The relatively high number of arrests for trafficking – 29 – compared to only two convictions under this charge suggests that many of these cases are instead prosecuted for the lesser charge of promoting prostitution. In addition, if an investigation reveals that the victim(s) was underage, the prosecutor may press a felony charge of CSAM instead of a trafficking charge. Finally, an arrest in one year can lead to a case that takes more than a year to prosecute and resolve. This explains why some charges have fewer arrests than convictions in the state fiscal year 2023.

Over the past nine years, there has been a steady decrease, on average, in the numbers of both arrests and convictions for these crimes since Commerce first started tracking this data in 2014. However, this year marks the first year since 2017 when arrests and convictions increased from the previous year's levels.

Figure 3: Statewide arrests and convictions totals – 2014 through 2023



Source: The Washington State Patrol provided data on statewide arrests and convictions

Legal financial obligations

The criminal penalty fees that are the focus of this report are a subset of all the costs, fees, fines, or restitutions that Washington courts may impose on people convicted of a criminal offense. These court-mandated payments are collectively called legal financial obligations (LFOs), which have been the subject of several studies in Washington in recent years.

In January 2022, the Washington Supreme Court's Minority and Justice Commission released a report titled "The Price of Justice,"³ which assessed local and statewide policies and practices concerning LFO assessment and collection, among other topics. While it is outside the scope of this report to make a detailed investigation of why Washington courts are not assessing the maximum possible amount of criminal penalty fees related to certain crimes of sexual exploitation, several findings from "The Price of Justice" may provide a starting point for answering this question.

One such finding is among judges surveyed as part of the report, "a majority indicated that between 80%-100% of the defendants that appear before them are indigent." Another is that among judges surveyed, 44% indicated that they do not believe that LFOs are essential to the criminal justice process. Defense attorneys surveyed also reported that "courts' LFO practices varied widely from judge to judge and from jurisdiction to jurisdiction," including differences in which LFOs judges understood to be mandatory.

Finally, "The Price of Justice" also noted declines for CLJs in cases where courts imposed LFOs, the average amount of LFOs imposed and the total amount of LFOs imposed. Between 2014 and 2018, CLJ cases in which LFOs were imposed dropped by 23%, the average amount of LFOs assessed per case in CLJs dropped by 12%, and the total amount of LFOs imposed per year in CLJs statewide dropped by 3%.

³ Washington State Supreme Court Minority and Justice Commission, "The Price of Justice," (2022), [MJC_LFO_Price_of_Justice_Report_Final.pdf \(wa.gov\)](#)

According to the Minority and Justice Commission, another possible factor contributing to the wide variation in the percentage of possible fees that Washington courts assess is the changing statutory landscape governing the assessment of LFOs. These changes include [requiring courts](#) to account for a person's willingness to pay before assessing discretionary LFOs, and [Chapter 449, Laws of 2023](#), which eliminated the crime victim penalty assessment for juveniles or, upon motion, for adults found to be indigent. However, it is important to note that the fees detailed in this report are mandatory and distinct from the crime victim penalty assessment.

Finally, the non-unified structure of Washington courts means that judicial education concerning LFOs happens at the court level. While the Administrative Office of the Courts provides resources like the LFO calculator and an LFO bench card that judicial officers can reference to guide LFO assessment, the state does not provide any statewide LFO educational programs.

How jurisdictions reported spending the funds

In the state fiscal year 2023, 64 courts in Washington handed down convictions for crimes that bear the additional penalty fee. Sixteen courts (25%) assessed these additional penalty fees. Of the 23 courts that collected revenue, 14 assessed and collected revenue towards payment of the fees in the state fiscal year 2023. The eight remaining courts collected revenue but did not assess fees, which indicates the revenue was from persons convicted of crimes paying off fees assessed in past years.

Eleven courts reported \$100 or less collected during the state fiscal year 2023; therefore, they were not surveyed. Researchers surveyed the twelve jurisdictions that collected greater amounts through email and phone contacts to determine how cities and counties used the funds. In most cases, it was necessary to speak with another department (for instance, the city or county treasurer, the police department, or the prosecutor's office) to learn whether the funds had been allocated and, if so, how they had been spent.

As in previous years, jurisdictions were provided with a chart (Appendix A) showing the relevant statutes and the statutory dispersal formula for the funds.

Reports by jurisdiction

Auburn Municipal Court

The City of Auburn has not yet spent the funds it collected in the state fiscal year 2023.

Bellevue Municipal Court

The Bellevue Police Department spent \$441.35 of applicable fee revenue in the state fiscal year 2023 to provide food and other basic needs for a victim in a juvenile trafficking case until detectives could connect that person with housing and an appropriate non-profit resource center.

Chelan County District Court

Chelan County has not yet spent the funds it collected in the state fiscal year 2023.

Des Moines Municipal Court

The City of Des Moines has not yet spent the funds it collected in the state fiscal year 2023.

Kent Municipal Court

The City of Kent has not yet spent the funds it collected in the state fiscal year 2023.

Kitsap County District Court

Kitsap County has not yet spent the funds it collected in the state fiscal year 2023.

Pierce County District Court

Pierce County has not yet spent the funds it collected in the state fiscal year 2023.

SeaTac Municipal Court

The City of SeaTac has not yet spent the funds it collected in the state fiscal year 2023.

Seattle Municipal Court

The City of Seattle has not yet spent the funds it collected in the state fiscal year 2023.

Spokane County District Court

Spokane County reports that due to a coding error, the revenues collected for the offenses detailed in this report have been erroneously remitted to the state for the past several years.

Appendix A: Distribution of criminal penalty fees

Figure 4: Dispersal of penalty fines and revenues from seized property under RCW

Trafficking, Prostitution, and Commercial Sexual Exploitation Crimes: Dispersal of Penalty Fines and Revenue from Seized Property under Washington State Statutes



Statute	Additional Penalty Amount	Statute Providing Additional Penalty	How Fines Must Be Used
9A.40.100 – Trafficking	\$10,000 (not deposited into PPIA)	9A.40.100	<p>Local Prevention Efforts and Victims' Services: 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.</p> <p>Local Law Enforcement: 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.</p> <p>Prostitution Prevention and Intervention Account (PPIA): Two percent of the revenue shall be remitted quarterly to the Dept. of Commerce, together with a report detailing the fines assessed, the revenue received, and how that revenue was spent. (Does not apply to 9A.40.100, Trafficking.)</p>
9.68A.100 – Commercial sexual abuse of a minor (CSAM)	\$5,000	9.68A.105	
9.68A.101 – Promoting CSAM			
9.68A.102 – Promoting travel for CSAM			
9.68A.106 – Internet advertisement related to CSAM	\$5,000 (all deposited to PPIA)	9.68A.106	
9A.88.010 – Indecent exposure	\$50	9A.88.120	
9A.88.030 – Prostitution	\$50		
9A.88.090 – Permitting prostitution	\$1,500 for 1 st offense \$2,500 for 2 nd offense \$5,000 for 3 rd or greater offense		
9A.88.110 – Patronizing a prostitute	\$3,000 for 1 st offense \$6,000 for 2 nd offense \$10,000 for 3 rd or greater offense		
9A.88.070 – Promoting prostitution in the 1 st degree			
9A.88.080 – Promoting prostitution in the 2 nd degree			
9A.88.140 – Vehicle impoundment fine: 9A.88.110 – Patronizing a prostitute 9A.88.070 – Promoting Prostitution in the 1 st degree 9A.88.080 – Promoting Prostitution in the 2 nd degree 9A.88.085 – Promoting travel for prostitution	\$500	9A.88.140	
9A.88.140 – Vehicle impoundment fine: 9.68A.100 – CSAM 9.68A.101 – Promoting CSAM 9.68A.102 – Promoting travel for CSAM	\$2,500		
Statute	How Proceeds Must Be Used (effective June 12, 2014)		
Proceeds from seized property: 9.68A.120 – Child pornography 9.68A.100 – CSAM 9.68A.101 – Promoting CSAM 9A.88.070 – Promoting prostitution in the 1 st degree	<p>Dispersal of Proceeds from Seized Property: 90% shall be used by the seizing law enforcement agency for the expenses of the investigation and seizure. Remaining funds shall be used to enforce the provisions of 9A.88 RCW or 9.68A RCW.</p> <p>Prostitution Prevention and Intervention Account: By January 31st of each year, each seizing agency shall remit to the state treasurer 10% of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the Prostitution Prevention and Intervention Account, managed by the Dept. of Commerce.</p>		

Appendix B: Courts with convictions for applicable charges

Table 4: Convictions, fees assessed and fees collected by court - fiscal year 2023

Court	County	Convictions	Fees assessed	Fees collected
Aberdeen Municipal Court	Grays Harbor	1	\$500.00	\$93.00
Airway Heights Municipal Court	Spokane	1	\$0.00	\$0.00
Anacortes Municipal Court	Skagit	1	\$0.00	\$0.00
Asotin County Superior Court	Asotin	3	\$0.00	\$0.00
Auburn Municipal Court	King	0	\$1,533.00	\$500.00
Battle Ground Municipal Court	Clark	0	\$50.00	\$50.00
Bellevue Municipal Court	King	0	\$8,500.00	\$8,500.00
Bellingham Municipal Court	Whatcom	2	\$0.00	\$0.00
Benton County District Court	Benton	1	\$0.00	\$78.69
Benton County Superior Court	Benton	3	\$0.00	\$0.00
Bonney Lake Municipal Court	Pierce	1	\$0.00	\$0.00
Bothell Municipal Court	King	1	\$0.00	\$0.00
Bremerton Municipal Court	Kitsap	3	\$0.00	\$0.00
Centralia Municipal Court	Lewis	2	\$0.00	\$1.50
Chelan County District Court	Chelan	1	\$0.00	\$832.15
Clallam County District Court	Clallam	3	\$0.00	\$0.00
Clark County District Court	Clark	4	\$66.50	\$50.00
Cowlitz County District Court	Cowlitz	11	\$0.00	\$0.00
Cowlitz County Superior Court	Cowlitz	3	\$0.00	\$0.00
Des Moines Municipal Court	King	1	\$1,500.00	\$3,050.00

Court	County	Convictions	Fees assessed	Fees collected
East Klickitat District Court	Klickitat	1	\$0.00	\$0.00
Everett Municipal Court	Snohomish	9	\$16.50	\$0.00
Evergreen District Court	Snohomish	2	\$0.00	\$0.00
Federal Way Municipal Court	King	1	\$0.00	\$0.00
Fife Municipal Court	Pierce	0	\$0.00	\$51.76
Grant County Superior Court	Grant	1	\$0.00	\$0.00
Grays Harbor County District Court No 1	Grays Harbor	0	\$0.00	\$33.72
Grays Harbor County Superior Court	Grays Harbor	3	\$0.00	\$0.00
Island County Superior Court	Island	2	\$0.00	\$0.00
Kent Municipal Court	King	6	\$500.00	\$17,475.52
King County District Court	King	13	\$5,516.50	\$5,513.01
King County Superior Court	King	35	\$79,141.00	\$37,678.46
Kirkland Municipal Court	King	1	\$0.00	\$0.00
Kitsap County District Court	Kitsap	2	\$16.50	\$516.50
Kitsap County Superior Court	Kitsap	6	\$0.00	\$0.00
Kittitas County Superior Court	Kittitas	1	\$0.00	\$0.00
Lewis County Superior Court	Lewis	6	\$0.00	\$0.00
Lower Kittitas County District Court	Kittitas	1	\$0.00	\$0.00
Marysville Municipal Court	Snohomish	3	\$0.00	\$0.00
Mason County District Court	Mason	1	\$500.00	\$0.00
Mason County Superior Court	Mason	1	\$0.00	\$0.00
Mercer Island Municipal Court	King	1	\$0.00	\$0.00
Monroe Municipal Court	Snohomish	2	\$17.00	\$0.00
Mount Vernon Municipal Court	Skagit	2	\$0.00	\$0.00
Okanogan County District Court	Okanogan	2	\$0.00	\$0.00

Court	County	Convictions	Fees assessed	Fees collected
Okanogan County Superior Court	Okanogan	1	\$0.00	\$0.00
Olympia Municipal Court	Thurston	4	\$50.00	\$50.00
Pierce County District Court	Pierce	1	\$0.00	\$0.00
Pierce County Superior Court	Pierce	9	\$6,000.00	\$19,822.51
Puyallup Municipal Court	Pierce	1	\$0.00	\$0.00
Renton Municipal Court	King	6	\$50.00	\$0.00
San Juan County District Court	San Juan	1	\$15.00	\$0.00
SeaTac Municipal Court	King	1	\$5,350.00	\$7,602.88
Seattle Municipal Court	King	4	\$200.00	\$1,170.00
Skagit County District Court	Skagit	0	\$0.00	\$13.01
Skagit County Superior Court	Skagit	3	\$0.00	\$0.00
Skamania County District Court	Skamania	1	\$0.00	\$0.00
Snohomish County South District Court	Snohomish	1	\$0.00	\$0.00
Snohomish County Superior Court	Snohomish	6	\$0.00	\$0.00
Spokane County District Court	Spokane	3	\$0.00	\$401.55
Spokane County Superior Court	Spokane	7	\$0.00	\$0.00
Sunnyside Municipal Court	Yakima	1	\$0.00	\$16.50
Tacoma Municipal Court	Pierce	4	\$0.00	\$0.00
Walla Walla County Superior Court	Walla Walla	1	\$0.00	\$0.00
Wenatchee County Superior Court	Wenatchee	1	\$0.00	\$0.00
West Klickitat County District Court	Klickitat	1	\$0.00	\$0.00
Whatcom County Superior Court	Whatcom	2	\$0.00	\$0.00
Whitman County District Court	Whitman	1	\$0.00	\$0.00
Yakima County District Court	Yakima	0	\$51.85	\$0.00

Court	County	Convictions	Fees assessed	Fees collected
Yakima County Superior Court	Yakima	2	\$0.00	\$0.00
Yakima Municipal Court	Yakima	12	\$512.00	\$14.78
TOTAL	71 courts	218	\$109,885.85	\$103,515.54

Appendix C: King County's approach

Most arrests and convictions for the crime of patronizing a prostitute (RCW 9A.88.110) and commercial sexual abuse of a minor (RCW 9.68A.100) occur in King County. Several law enforcement agencies in King County, including the City of Seattle, Kent, Bellevue, Des Moines, and Renton police departments, have policies to actively pursue those who buy sexual encounters from adults or children.

In 2014, King County launched a new approach to reduce the demand for prostitution by working to change the attitudes and behaviors of people arrested for patronization. Several law enforcement and prosecuting agencies within King County have altered their emphasis to both pursue the buyers of commercial sex and the people who facilitate sex trafficking. They based their approach on the reality that the past practice of arresting and prosecuting people in prostitution did not make the community any safer. Rather, punishing prostituted people resulted in the cycle of prostitution-related crime and sex trafficking persisting. Presently, law enforcement and prosecuting agencies are instead focusing on punishing those who seek out and facilitate illegal interactions – the sex buyers, promoters, and traffickers.

Sex trafficking is a crime that disproportionately targets vulnerable youth across Washington, including victims of child sexual abuse or youth in the foster care system. The crime disproportionately harms youth from marginalized racial backgrounds and sexual identities. Human traffickers and sex buyers exploit the vulnerabilities of youth by involving them in the sex trade. Across the U.S., the typical age of entry for youth coerced into the sex trade is between 13 and 15. In 2018, over 470 youth between the ages of 11 and 24 were engaged with services for youth experiencing commercial sexual exploitation in King County. A demographic analysis of a sample of those youth found that 73% were between 12 and 17.⁴ These children and young adults experience repeated rapes, abuse, and other forms of violence at the hands of sex buyers and traffickers.

All through the process, these trafficking victims face many barriers to escaping the life of prostitution. Therefore, King County's approach emphasizes the prosecution of sex buyers and traffickers and connecting prostituted people to services. Program leaders assert that a reduction in demand will decrease harm to prostituted people, reduce the self-destructive behaviors of buyers and curb sex trafficking.

Over the past several years, the Ending Exploitation Collaborative (EEC) in King County marshaled a cross-sector transformation toward diverting victims of sexual exploitation to services and holding sex buyers accountable. The EEC is a partnership of the Organization for Prostitution Survivors, the Washington State Attorney General's Office, the King County Prosecuting Attorney's Office, Seattle Against Slavery, Businesses Ending Slavery and Trafficking and the Center for Child and Youth Justice.

The EEC has changed norms and practices across sectors to confront the demand for commercial sex. For example, traffickers and sex buyers in King County are being arrested and prosecuted through pioneering approaches that have been recognized nationwide. Following conviction, sex buyers in King County must complete an innovative and successful education program called "Stopping Sexual Exploitation." This program is based on principles of social justice and personal transformation and is designed to help men understand their behavior and promote their own decisions not to buy sex. A significant portion of the fees for the buyer education program and the statutorily mandated fines assessed from buyers are directed to increase services

⁴ Debra Boyer, "Commercially Sexually Exploited Children in Seattle/King County 2019 Update," (2023), [Microsoft Word - Boyer report \(wordpress.com\)](#)

that help victims of sex trafficking and sexual exploitation, including housing, treatment and employment training.

The EEC also seeks to shift norms and practices by youth and adults through education and targeted interventions because of its belief that broader cultural and institutional norms influence the individual choice to buy sex. The EEC provides prevention education for youth in schools and adults at work. Because research indicates that 13% of calls to solicit sex originate from local businesses, and a peak time to solicit sex online is 2 p.m., employers have played an important role in educating employees and preventing illegal activity through the workplace.

Figures 5 and 6 illustrate how King County's arrests and convictions, respectively, compare to the numbers in the rest of the state.

Figure 5: Arrests for patronization and prostitution crimes – state fiscal year 2023

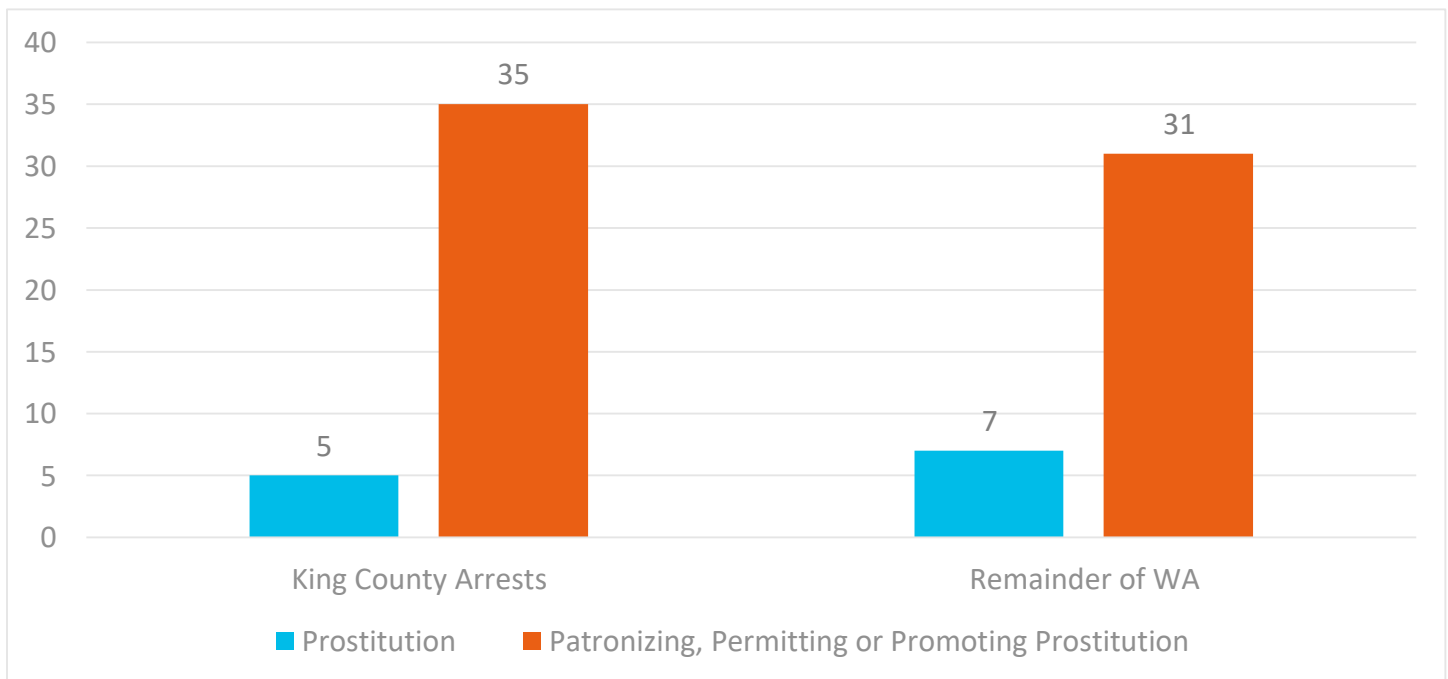


Figure 6: Patronization and prostitution convictions – state fiscal year 2023

