



SEX TRAFFICKING IN VIRGINIA

Study Highlights

January 2019

Commercial sex trafficking is occurring in Virginia. The commercial sex industry does not involve any type of consensual sexual contact.

Sex trafficking intersects with numerous other problems facing Virginia, such as:

- Child physical and sexual abuse;
- Missing or runaway youth;
- Drug addiction and the opioid crisis;
- Behavioral issues in schools;
- Juvenile delinquency and status offenses;
- Social services and foster care placement;
- Suicide;
- Mental health;
- Health care (e.g., pregnancy, STI's);
- Gangs; and,
- Domestic violence.

Study Findings

Staff found that sex trafficking is a serious problem in Virginia. However, due to a lack of data, the full extent of the problem could not be determined. Commercial sex trafficking is difficult to identify and address due to its unique characteristics and intersection with numerous other problems facing Virginia. The use of the traditional criminal justice process alone to address sex trafficking is not working. Combating sex trafficking in Virginia requires a proactive, collaborative, and multi-disciplinary approach in order to:

- Identify and provide intervention services to at-risk youth;
- Increase awareness, education, and training;
- Identify, recover, and treat victims; and,
- Reduce recruitment and demand.

What is commercial sex trafficking?

Commercial sex trafficking is the exchange of money or some other item of value in return for sexual contact. The commercial sex industry involves at least three distinct parties - the trafficker, the buyer, and the trafficked person (victim).

How does a victim become involved in commercial sex?

Victims are often induced into the commercial sex industry by traffickers who exploit their vulnerabilities. Such vulnerabilities may include dysfunctional families, past abuse, low self-esteem, and drug dependence. Traffickers prey on victims' desire for love, hope, and sense of belonging. These vulnerabilities make at-risk youth particularly susceptible to trafficking.

Why is it difficult to identify victims of sex trafficking?

Victims often do not identify themselves as victims and often do not realize they are being trafficked. This is because victims of sex trafficking may form an emotional and psychological bond with their trafficker. As a result, victims are not easily identified and the criminal justice system often treats them as criminals.

What challenges do victims face when leaving the sex industry?

It typically takes a victim numerous attempts to successfully leave the industry due to a multitude of challenges, such as lack of a support structure, limited basic life skills due to reliance on their trafficker, a criminal record, difficulty securing housing or employment, and health issues due to inadequate medical care. Resources for both adults and juveniles attempting to leave the commercial sex industry are extremely limited in Virginia.



Study Recommendations

Virginia must focus efforts on addressing the root causes of sex trafficking by identifying at-risk youth and increasing awareness, education, and training on the issue across numerous disciplines.

The internet and social media allow for the recruitment of victims and sale of sex across the United States.

Common types of commercial sex traffickers include:

- Pimps
- Gangs
- Family Members

The demand for commercial sex is high and therefore steps must be taken to:

- Deter the purchase of sex;
- Hold sex buyers accountable; and,
- Educate sex buyers on the impact to victims.

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Crime Commission members unanimously endorsed the following recommendations to combat sex trafficking in Virginia:

Recommendation 1: Amend the Virginia Code to (i) clarify that traffickers do not have to be a victim's parent or guardian in order to trigger Department of Social Services (DSS) involvement, (ii) allow DSS to take emergency custody of children who are victims of sex trafficking, (iii) require DSS to conduct a family assessment when a juvenile sex trafficking victim is identified, and (iv) clarify the jurisdiction of local DSS agencies (§§ 63.2-1506, 63.2-1508, and 63.2-1517).

Recommendation 2: Amend the Virginia Code to authorize charging commercial sex traffickers for each individual act of promoting sex trafficking (§ 18.2-357.1).

Recommendation 3: Amend the Virginia Code to increase penalties for aiding in prostitution or using a vehicle to promote prostitution where the victim is a minor. Include these enhanced offenses in other statutes relating to felony commercial sex trafficking, such as sex offender registration, violent felony offenses, gang offenses, racketeering offenses, the multi-jurisdictional grand jury, and barrier crimes (§§ 9.1-902, 17.1-805, 18.2-46.1, 18.2-348, 18.2-349, 18.2-513, 19.2-215.1, and 19.2-392.02).

Recommendation 4: Amend the Virginia Code to prohibit manual stimulation of another's genitals (§§ 18.2-346, 18.2-348, and 18.2-356).

Recommendation 5: Enact a Virginia Code section to create a statewide Sex Trafficking Response Coordinator position at the Department of Criminal Justice Services (DCJS) (§ 9.1-116.4).

Recommendation 6: Request that the Criminal Injuries Compensation Fund (Virginia Victim Fund) work with stakeholders to develop and distribute informational material regarding claims by sex trafficking victims.

Recommendation 7: Enact a Virginia Code section to create a Virginia Prevention of Sex Trafficking Fund administered by DCJS to promote training, education, and awareness of sex trafficking (§§ 9.1-116.5, 16.1-69.48:6 and 17.1-275.13).

Recommendation 8: Amend the Virginia Code to allow juvenile victims and witnesses of sex trafficking to testify via two-way closed-circuit television (§ 18.2-67.9).

Recommendation 9: Request that the DCJS Committee on Training establish compulsory minimum entry-level, in-service, and advanced training standards for law enforcement officers on the awareness and identification of sex trafficking.

Recommendation 10: Request that DCJS continue to allocate a portion of the Victims of Crime Act funding for treatment and services for victims of sex trafficking.

Recommendation 11: Request that Crime Commission staff continue work on this study for an additional year and consult with stakeholders to examine further areas of concern and identify potential solutions.