

Virginia State Crime Commission

Human Trafficking

2006

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Several bills were introduced in the House of Delegates during the 2006 General Assembly session to create a new article in the Virginia Code, criminalizing human trafficking: House Bill 418 (Bulova), House Bill 965 (Ebbin), House Bill 1100 (Griffith), and House Bill 1152 (Lingamfelter). These bills were continued in the House Courts of Justice Committee because there was a concern that many of these new crimes were already covered by existing statutes.

In general, human trafficking is a form of modern-day slavery that involves the exploitation of persons for commercial sex or forced labor. It frequently involves exploiting women and children, targeting both illegal and legal immigrants. Traffickers routinely use force, fraud or coercion to control their victims. In 2000, the federal "Victims of Trafficking and Violence Protection Act of 2000" was passed to address human trafficking. The purpose of the act was to increase the number of trafficking prosecutions, expand the number of crimes, and enhance penalties. The House bills introduced in 2006 were all modeled, to varying degrees, on the federal act.

The Commission determined, with one exception, that all of the proposed new crimes in the bills were already covered by existing crimes in Virginia. The lone exception was the act of coercing somebody into performing services by withholding their immigration papers or passport (an implied, but not direct, threat). The Commission decided that a separate "Human Trafficking" article is not needed, but instead recommended to insert into Virginia's extortion statute the act of coercion through withholding a person's immigration or identification papers.