



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 commercial sex trafficking is a serious problem in Virginia; however, due to the dynamics of the commercial sex industry, a lack of data, and underreporting, the full scope of the problem is difficult to determine. Commercial sex trafficking intersects with numerous other problems facing Virginia. The use of the traditional criminal justice process alone to address commercial sex trafficking is not working. Combating commercial sex trafficking in Virginia requires a proactive, collaborative, and multi-disciplinary approach to:

- Identify and intervene with 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 a sex act. The commercial sex industry involves the following key components: trafficked person (victim), trafficker, and sex buyer.

How are victims brought into the commercial sex industry?

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 a victim's desire for love, hope, and a sense of belonging. These vulnerabilities make at-risk youth particularly susceptible to becoming victims of sex trafficking.

Why is it difficult to identify victims of sex trafficking?

Victims may not view themselves as victims or realize that they are being trafficked because they have formed an emotional or psychological bond with their trafficker. Additionally, victims may exhibit other indicators, such as running away from home, truancy, mental health issues, drug addiction, or behaviors (criminal or status offenses) that are not immediately linked to sex trafficking. As a result, victims of sex trafficking are difficult to identify.

Why do victims struggle to leave the commercial sex industry?

It typically takes a victim numerous attempts to successfully leave the commercial sex industry due to a multitude of challenges, such as lack of a support structure, limited basic life skills, a criminal record, lack of an education, difficulty securing employment or housing, and health issues. Resources for both adult and juvenile victims of commercial sex trafficking are limited in Virginia.

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

The internet and social media allow for the recruitment of victims and sale of sex across urban, suburban, and rural regions.

Common categories 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 impacts to victims.

Contact Us:

<http://vscc.virginia.gov>
vsccinfo@vscc.virginia.gov

Revised June 2019

Study Recommendations

Crime Commission members unanimously endorsed 11 recommendations to combat sex trafficking in Virginia. Recommendations 1, 2, 3, 5, 7, and 8 were enacted during the Regular Session of the 2019 General Assembly.

Recommendation 1: Amend the Virginia Code to (i) clarify that sex traffickers do not need to be a victim's parent or other caretaker in order to initiate 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 when responding to reports of sex trafficking (§§ 63.2-1506, 63.2-1508, and 63.2-1517). (Virginia Code § 63.2-1506.1 was enacted).

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

Recommendation 3: Amend the Virginia Code to increase penalties for aiding in prostitution and using a vehicle to promote prostitution when the victim is a minor. Additionally, amend the sex offender registration, violent felony offenses, gang offenses, racketeering offenses, multi-jurisdictional grand jury, and barrier crimes statutes to provide consistency amongst felony commercial sex trafficking offenses (§§ 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 (prostitution sex acts) (§§ 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 Virginia Department of Criminal Justice Services (DCJS) (§ 9.1-116.5).

Recommendation 6: Amend the Virginia Code to require the Criminal Injuries Compensation Fund (Virginia Victims Fund) to develop policies for the investigation and consideration of claims by sex trafficking victims for reimbursement of medical care and other expenses (§ 19.2-368.3). This recommendation was addressed by sending a letter request.

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 related to sex trafficking (§§ 9.1-116.4, 16.1-69.48:6 and 17.1-275.13).

Recommendation 8: Amend the Virginia Code to allow juvenile sex trafficking victims and witnesses to testify via two-way closed-circuit television under existing rules (§ 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 (VOCA) 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 to consult with stakeholders, examine further areas of concern, and identify potential solutions.