

Kids Are Not For Sale in Virginia



HB 1964, Chief Bill Patron: Delegate Timothy Hugo
SB 1188, Chief Bill Patron: Senator Mark Obenshain

Virginia Human Trafficking Policy Facts

- Virginia is the only state in the nation without a standalone human trafficking law in place.
- Without a standalone law, Virginia prosecutors must rely on substitute laws or makeshift strategies that fail to reach the offenses trafficking laws are intended to criminalize, thereby preventing victims from being properly identified or failing to prevent their victimization in the first place.
- In the absence of laws that adequately address sex trafficking, Virginia prosecutors and law enforcement lack tools to effectively deter this crime, thereby leading to reliance on prosecutions under the federal law.

HB 1964/SB 1188

HB 1964 and SB 1188 establish a standalone sex trafficking statute to address key gaps in Virginia's response to sex trafficking. This legislation is a vital tool for Virginia prosecutors, law enforcement, and advocacy groups to fight against sex trafficking in Virginia, ensuring better protection of our children.

This legislation:

- Clearly defines and establishes the offense of sex trafficking, a Class 2 felony, which includes the sex trafficking of a minor.
- Establishes penalties for a sex trafficking offense, including mandatory minimum sentences when the victim is a minor.
- Eliminates the requirement to prove force, fraud, or coercion when the victim is a minor.
- Assists law enforcement and prosecutors in properly identifying human trafficking victims.
- Sends traffickers, buyers and facilitators the message that they are not welcome in our state.
- Closes a loophole in Virginia's existing laws by criminalizing the recruitment of minors and adults for commercial sex—conduct which is currently not criminalized in Virginia except under gang statutes.

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