

F

VIRGINIA

2023 Report Card

TIER III

GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 6.5 points.
- Child sex trafficking prevention education is mandated for high school students, and instruction on prevention and recognition of child sexual exploitation is authorized for students in any grade level.
- Tasks the Child-Protective Services Unit with providing training to child welfare workers and supervisors on identification and response to child sex trafficking.
- One of only a few states to establish a specialized child welfare response to child sex and labor trafficking cases where a caregiver is not the perpetrator.
- Mandates victim restitution for child sex trafficking and CSEC offenses.

SAFE HARBOR STATUS:

Despite the passage of "Safe Harbor" legislation during the 2023 session that creates a program in a single county to pilot non-criminalization responses to child sex trafficking victims, state law still permits minors to be arrested and prosecuted for prostitution offense, thus allowing commercially sexually exploited children to be criminalized for their own victimization.

Issue		Grade	Score	Summary
	1. Criminal Provisions	F	$\frac{10}{17.5}$	Policy goals accomplished related to buyer and trafficker accountability under state CSEC laws, decoy defenses, and business entity liability under the trafficking law. Gaps remain related to buyer accountability under the trafficking law, mistake of age defenses, and financial penalties.
	2. Identification of and Response to Victims	F	$\frac{9}{27.5}$	Policy goals accomplished related to child abuse definitions and non-caregiver trafficking cases. Gaps remain related to third party control, foreign national victims, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, and juvenile court jurisdiction.
	3. Continuum of Care	F	$\frac{5}{15}$	Gaps remain in all areas, including community-based services, MDT responses, services through child welfare and the juvenile justice system, extended foster care services, and appropriations.
	4. Access to Justice for Trafficking Survivors	D	$\frac{10}{15}$	Policy goals accomplished related to restitution and civil remedies. Gaps remain related to civil orders of protection, crime victims' compensation, vacatur, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response	F	$\frac{4}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness supports, and privileged communications.
	6. Prevention and Training	F	$\frac{7}{15}$	Policy goals accomplished related to training for child welfare and prevention education in schools. Gaps remain related to training for juvenile justice agencies, law enforcement, prosecutors, and school personnel.
EXTRA CREDIT	 Youth		1	Protection related to civil remedies is extended to sex trafficked youth.
	 Child Labor Trafficking		2	Protections related to child abuse definitions and non-caregiver trafficking cases are extended to child labor trafficking victims.

OVERALL GRADE
TIER III

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