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SENATE BILL NO. 1292

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules

on February 3, 2023)

(Patron Prior to Substitute—Senator Deeds)

A BILL to require the Department of Criminal Justice Services to administer a two-year pilot program to provide a safe harbor for sex trafficked youth.

Be it enacted by the General Assembly of Virginia:

1. § 1. As used in this act, unless the context requires a different meaning:

"Department" means the Department of Criminal Justice Services.

"Pilot agency" means the lead agency in the locality chosen by the Department to conduct the pilot program required by § 2 of this act.

§ 2. A. The Department, in consultation with the Virginia State Crime Commission, shall administer a two-year Demand Reduction and Safe Harbor for Domestic Minor Sex Trafficked Youth pilot program beginning July 1, 2023, and ending July 1, 2025. Such program shall consist of the following elements:

1. The program shall focus on (i) implementing proactive reverse sting operations that target buyers of sex services, with priority given to cases involving sex trafficked youth; (ii) utilizing a multidisciplinary response team to coordinate assessment, treatment, and residential care for victims of sex trafficking; and (iii) designing an alternative to an arrest protocol that includes a 48-72 hour holding mechanism for youth either in partnership with a local department of social services, a local department of child protective services, or a local hospital or through court services. The stated goal of the pilot program shall be to reduce the arrest of sex trafficking victims, reduce demand for commercial sex exploitation by focusing on buyers, and establish high-quality restorative residential care, education, alternative employment opportunities, and life skills for victims;

2. The Department shall be responsible for coordinating compliance with all federal laws. At the end of the pilot program, the Department shall report the outcomes of the pilot program to the Governor, the Attorney General, and the Virginia State Crime Commission; and

3. The pilot agency shall report by July 1, 2024, to the Department all state and local laws, ordinances, and regulations initially identified for elimination, amendment, or streamlining. The pilot agency shall identify any law, ordinance, or regulation proposed for elimination or modification that requires a change in state or local law. If the pilot agency is unable to reach this goal, it shall provide a separate report to the Department stating the reasons for not meeting the goal.

B. The Department, in consultation with the Virginia State Crime Commission, shall report annually to the Governor, the General Assembly, and the Attorney General no later than October 1, 2024, and October 1, 2025, on the progress of the pilot program established pursuant to this act.

C. The location of the pilot program shall remain confidential until conclusion of the program. Any reference to location shall be anonymized in published documents.