

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2131

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Delaney

3. Committee: House Committee for Courts of Justice

4. Title: Safe Harbor for Youth

5. Summary: The proposed bill provides that the Department of Criminal Justice Services (DCJS), in partnership with the State Crime Commission, must administer a two-year Demand Reduction and Safe Harbor for Domestic Minor Sex Trafficked Youth pilot program that must focus on (i) implementing proactive reverse sting operations that target buyers of sex services, with priority given to cases involving sex trafficked youth; (ii) utilization of a multidisciplinary response team to coordinate assessment, treatment, and residential care for victims of sex trafficking; (iii) establishing or building capacity of residential care and programs for trafficking victims; (iv) and design of an alternative to 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 bill provides that the goal of the program is to reduce arrest of sex trafficking victims regardless of age, reduce demand for commercial sex exploitation by focusing on buyers, and establish high-quality residential care, education, alternative employment opportunities, and life skills for victims. The location of the pilot program is to remain confidential until the conclusion of the program. Any reference to location must be anonymized in published documents.

6. Budget Amendment Necessary: Yes, Item 408

7. Fiscal Impact Estimates: Preliminary (see Item 8 below)

8. Fiscal Implications: The bill requires the implementation of proactive reverse sting operations that target buyers of sex services, with priority given to cases involving sex trafficked youth. The Department of State Police (VSP) received a total of \$1,246,785 in the second year in the Governor's introduced budget (HB1400/SB800) to respond to human trafficking in the Commonwealth. This includes eight sworn human trafficking investigative positions (\$956,131), a human trafficking victim coordinator (\$76,436), and two human trafficking analysts (\$214,218). Additionally, there are two Internet Crimes Against Children Task Forces (ICAC), with state, local, and federal law enforcement partnership that focus on,

among other things, child trafficking through the use of the internet. These task forces are supported by general fund and nongeneral fund resources. It is unknown if additional resources would be required to support these task forces as a result of this provision.

The bill also requires utilization of a multidisciplinary response team to coordinate assessment, treatment, and residential care for victims of sex trafficking. Currently, DCJS has a State Trafficking Response Coordinator position that works to establish a consistent, collaborative, multi-disciplinary response system to working with human trafficking survivors; accordingly, this effort would not require additional resources.

The bill further requires DCJS to establish or build capacity of residential care and programs for trafficking victims, and to design an alternative to 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. According to the DCJS, the proposed bill has an estimated fiscal impact as reflected in the following table:

	FY 2024	FY2025
Program Administrative Specialist II (1 FTE)	\$113,414	\$110,914
Records Database	500,000	50,000
Shelter Operations (12 person group home)	1,700,000	1,700,000
Reverse sting operation costs	500,000	75,000
Outpatient services for victims	100,000	100,000
Travel-related expenses	20,000	20,000
Total	\$2,933,414	\$2,055,914

The \$1.7 million (each year) includes shelter personnel costs, operational costs, health screenings, and transportation costs. The fiscal impact related to educational services cannot be determined at this time based on the length of stay. However, there would likely be additional costs, including educational, treatment, diversion, and other programmatic needs that currently cannot be determined at this point until the pilot program is established.

The Virginia State Crime Commission and the Department of Juvenile Justice report the proposed bill is not expected to have a material fiscal impact on agency resources. The impact on local law enforcement agencies cannot be determined at this time.

This legislation does not have a fiscal impact on the Department of Social Services (DSS) or local departments of social services (LDSS) because local departments already have the legal authority to place a 72 hour hold on a minor victim of trafficking.

9. Specific Agency or Political Subdivisions Affected: Department of Criminal Justice Services, Virginia Crime Commission, Department of Juvenile Justice, Department of Social Services, Department of State Police

10. Technical Amendment Necessary: No

11. Other Comments: None