

## Department of Planning and Budget 2023 Fiscal Impact Statement

**1. Bill Number:** SB1292ES1

**House of Origin**    ☐ Introduced    ☒ Substitute    ☒ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Deeds

**3. Committee:** Senate Committee on Rules

**4. Title:** Safe Harbor for Youth

**5. Summary:** The proposed bill provides that the Department of Criminal Justice Services (DCJS), in consultation with the Virginia 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) utilizing a multidisciplinary response team to coordinate assessment and treatment for victims of sex trafficking; (iii) and 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 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 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 and treatment 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 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. 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. Developing such an alternative to arrest protocol by DCJS is not expected to have a fiscal impact on the agency.

According to DCJS, the agency estimates \$483,414 In FY 2024 and \$380,914 in FY 2025 for reverse sting operation, outpatient services for victims, and one program specialist position and associated personnel costs.

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.

- 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