Virginia Trafficking Related Code Sections

Updated: July 2026

Chargeable Offenses

§ 18.2-347. Keeping, residing in, or frequenting a bawdy place; "bawdy place" defined; penalty.

It is unlawful for any person to keep any bawdy place, or to reside in or at or visit for immoral purposes any such bawdy place. Each day such bawdy place is kept, resided in, or visited shall constitute a separate offense. In a prosecution under this section, the general reputation of the bawdy place may be proved. A violation of this section is a Class 1 misdemeanor.

As used in this Code, "bawdy place" means any place within or outside any building or structure that is used or is to be used for lewdness, assignation, or prostitution.

§ 18.2-355. Taking, detaining, etc., person for prostitution, etc., or consenting thereto; human trafficking.

Any person who:

(1) For purposes of prostitution or unlawful sexual intercourse, takes any person into, or persuades, encourages or causes any person to enter, a bawdy place, or takes or causes such person to be taken to any place against his or her will for such purposes; or

(2) Takes or detains a person against his or her will with the intent to compel such person, by force, threats, persuasions, menace or duress, to marry him or her or to marry any other person, or to be defiled; or

(3) Being parent, guardian, legal custodian or one standing in loco parentis of a person, consents to such person being taken or detained by any person for the purpose of prostitution or unlawful sexual intercourse; or

(4) For purposes of prostitution, takes any minor into, or persuades, encourages, or causes any minor to enter, a bawdy place, or takes or causes such person to be taken to any place for such purposes; is guilty of pandering.

A violation of subdivision (1), (2), or (3) is punishable as a Class 4 felony. A violation of subdivision (4) is punishable as a Class 3 felony.

§ 18.2-356. Receiving money for procuring person; penalties.

Any person who receives any money or other valuable thing for or on account of (i) procuring for or placing in a house of prostitution or elsewhere any person for the purpose of causing such person to engage in unlawful sexual intercourse, anal intercourse, cunnilingus, fellatio, or anilingus or any act in violation of § 18.2-361, or touching of the unclothed genitals or anus of another person with the intent to sexually arouse or gratify, (ii) causing any person to engage in concubinage, prostitution, or the manufacture of any

obscene material or child pornography; or (iii) causing any person to engage in forced labor or services or providing or obtaining labor or services by any act in violation of subsection B of § 18.2-47 is guilty of a Class 4 felony. Any person who violates clause (i) or (ii) with a person under the age of 18 is guilty of a Class 3 felony.

§ 18.2-356.1. Purchasing or selling of minors; exceptions; penalties.

A. Any person who offers money or other valuable thing to another for the purpose of purchasing or otherwise obtaining custody or control of a minor and thereafter does any substantial act in furtherance thereof is guilty of a Class 5 felony.

B. Any parent, legal guardian, or other person having custody or control of a minor who receives any money or other valuable thing for or on account of selling or otherwise transferring custody or control of such minor, or offers to sell or otherwise transfer custody or control of such minor, is guilty of a Class 5 felony.

C. The provisions of this section shall not apply to any person (i) entering into a surrogacy contract pursuant to the provisions of Chapter 9 (§ 20-156 et seq.) of Title 20, (ii) seeking to adopt a child or place his child for adoption pursuant to the provisions of Chapter 12 (§ 63.2-1200 et seq.) of Title 63.2, or (iii) who is a person with a legitimate interest as defined in § 20-124.1 in such minor.

D. A violation of this section shall constitute a separate and distinct offense. If the acts or activities violating this section also violate another provision of law, a prosecution under this section shall not prohibit or bar any prosecution or proceeding under such other provision or the imposition of any penalties provided for thereby.

§ 18.2-361.1. Victims of sex trafficking; affirmative defense; immunity for minors.

A. For the purpose of this section:

"Qualifying offense" means a charge for a violation of § 18.2-346 or 18.2-347.

"Victim of sex trafficking" means any person charged with a qualifying offense in the Commonwealth who committed such offense as a direct result of being solicited, invited, recruited, encouraged, forced, intimidated, or deceived by another to engage in acts of prostitution or unlawful sexual intercourse for money or its equivalent, as described in § 18.2-346, regardless of whether any other person has been charged or convicted of an offense related to the sex trafficking of such person.

B. It is an affirmative defense to prosecution of a qualifying offense if at the time of the offense leading to such charge, such person was a victim of sex trafficking and (i) was coerced to engage in the offense through the use of force or intimidation or (ii) such offense was committed at the direction of another person other than the individual with whom the person engaged in the acts of prostitution or unlawful sexual intercourse for such money or its equivalent.

C. No minor shall be subject to arrest or prosecution for a qualifying offense if at the time of the offense leading to such arrest or charge, such minor was a victim of sex trafficking. Such minor shall be referred to the local department of social services for a human trafficking or other assessment pursuant to § 63.2-1506.1. A law-enforcement officer or the local department of social services may take custody of the minor pursuant to § 63.2-1517. No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the minor arrested was immune from prosecution under this subsection.

§ 18.2-357. Receiving money from earnings of male or female prostitute; penalties.

Any person who shall knowingly receive any money or other valuable thing from the earnings of any male or female engaged in prostitution, except for a consideration deemed good and valuable in law, shall be guilty of pandering, punishable as a Class 4 felony. Any person who violates this section by receiving money or other valuable thing from a person under the age of 18 is guilty of a Class 3 felony.

§ 18.2-357.1. Commercial Sex Trafficking; Penalties.

D. Any person who, with the intent to receive money or other valuable thing or to assist another in receiving money or other valuable thing from the earnings of a person from prostitution or unlawful sexual intercourse in violation of § 18.2-346, solicits, invites, recruits, encourages, or otherwise causes or attempts to cause a person to violate § 18.2-346 is guilty of a Class 5 felony.

E. Any person who violates subsection A through the use of force, intimidation, or deception is guilty of a Class 4 felony.

F. Any adult who violates subsection A with a person under 18 years of age is guilty of a Class 3 felony.

G. Each violation of this section constitutes a separate and distinct felony.

§ 18.2-47. Abduction and kidnapping defined; forced labor; punishment.

A. Any person who, by force, intimidation or deception, and without legal justification or excuse, seizes, takes, transports, detains or secretes another person with the intent to deprive such other person of his personal liberty or to withhold or conceal him from any person, authority or institution lawfully entitled to his charge, shall be deemed guilty of "abduction."

B. Any person who, by force, intimidation or deception, and without legal justification or excuse, obtains the labor or services of another person, or seizes, takes, transports, detains or secretes another person or threatens to do so, with the intent to subject him to forced labor or services, shall be deemed guilty of "abduction." For purposes of this subsection, the term "intimidation" shall include destroying, concealing, confiscating, withholding, or threatening to withhold a passport, immigration document, or other governmental identification, threatening to report another as being illegally present in the United States, or threatening to separate another from or to harm a family member.

C. The provisions of this section shall not apply to any law-enforcement officer in the performance of his duty. The terms "abduction" and "kidnapping" shall be synonymous in this Code. Abduction for which no punishment is otherwise prescribed shall be punished as a Class 5 felony.

D. If an offense under subsection A is committed by the parent of the person abducted and punishable as contempt of court in any proceeding then pending, the offense shall be a Class 1 misdemeanor in addition to being punishable as contempt of court. However, such offense, if committed by the parent of the person abducted and punishable as contempt of court in any proceeding then pending and the person abducted is removed from the Commonwealth by the abducting parent, shall be a Class 6 felony in addition to being punishable as contempt of court.

§ 18.2-48. Abduction with intent to extort money or for immoral purpose.

Abduction (i) of any person with the intent to extort money or pecuniary benefit, (ii) of any person with intent to defile such person, (iii) of any child under sixteen years of age for the purpose of concubinage or prostitution, (iv) of any person for the purpose of prostitution, or (v) of any minor for the purpose of

manufacturing child pornography shall be punishable as a Class 2 felony. If the sentence imposed for a violation of (ii), (iii), (iv), or (v) includes a term of confinement less than life imprisonment, the judge shall impose, in addition to any active sentence, a suspended sentence of no less than 40 years. This suspended sentence shall be suspended for the remainder of the defendant's life subject to revocation by the court.

§ 18.2-346. Prostitution; commercial sexual conduct; commercial exploitation of a minor; penalties.

A. Any person who, for money or its equivalent, (i) commits adultery, fornication, or any act in violation of § 18.2-361, performs cunnilingus, fellatio, or anilingus upon or by another person, or engages in anal intercourse or (ii) offers to commit adultery, fornication, or any act in violation of § 18.2-361, perform cunnilingus, fellatio, or anilingus upon or by another person, or engage in anal intercourse and thereafter does any substantial act in furtherance thereof is guilty of prostitution, which is punishable as a Class 1 misdemeanor.

B. Any person who offers money or its equivalent to another for the purpose of engaging in sexual acts as enumerated in subsection A and thereafter does any substantial act in furtherance thereof is guilty of solicitation of prostitution, which is punishable as a Class 1 misdemeanor. However, any person who solicits prostitution from a minor (i) 16 years of age or older is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 felony.

§ 18.2-348. Aiding prostitution or illicit sexual intercourse, etc.

It is unlawful for any person or any officer, employee, or agent of any firm, association, or corporation, with knowledge of, or good reason to believe, the immoral purpose of such visit, to take or transport or assist in taking or transporting, or offer to take or transport on foot or in any way, any person to a place, whether within or without any building or structure, used or to be used for the purpose of lewdness, assignation, or prostitution within the Commonwealth, or to procure or assist in procuring for the purpose of illicit sexual intercourse, anal intercourse, cunnilingus, fellatio, or anilingus or any act violative of § 18.2-361, or to give any information or direction to any person with intent to enable such person to commit an act of prostitution.

§ 18.2-349. Using Vehicles to Promote Prostitution of Unlawful Sexual Intercourse; Penalty.

It is unlawful for any owner or chauffeur of any vehicle, with knowledge or reason to believe the same is to be used for such purpose, to use the same or to allow the same to be used for the purpose of prostitution or unlawful sexual intercourse or to aid or promote such prostitution or unlawful sexual intercourse by the use of any such vehicle. A violation of this section is a Class 1 misdemeanor. However, any adult who violates this section by using a vehicle or allowing a vehicle to be used for or to aid or promote prostitution or unlawful sexual intercourse with a person under the age of 18 is guilty of a Class 6 felony.

§ 18.2-59.1. Sexual extortion; penalty.

A. Any person who maliciously threatens in writing, including an electronically transmitted communication producing a visual or electronic message, (i) to disseminate, sell, or publish a videographic or still image, created by any means whatsoever, or (ii) to not delete, remove, or take back a previously disseminated, sold, or published videographic or still image, created by any means whatsoever, (a) that depicts the complaining witness or such complaining witness's family or

household member, as defined in § 16.1-228, as totally nude or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast or (b) in which the genitals, pubic area, buttocks, or female breast of such complaining witness or such complaining witness's family or household member is not exposed but such videographic or still image is obscene, as defined in § 18.2-372, with the intent to cause the complaining witness to engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, and thereby engages in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of a Class 5 felony. However, any adult who violates this section with a person under the age of 18 is guilty of a felony punishable by confinement in a state correctional facility for a term of not less than one nor more than 20 years and by a fine of not more than $100,000.

B. Any person who maliciously threatens eviction, loss of housing, property damage, or any financial loss with the intent to cause the complaining witness to engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, and thereby engages in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of a Class 5 felony. However, any adult who violates this section with a person under the age of 15 is guilty of a felony punishable by confinement in a state correctional facility for a term of not less than one nor more than 20 years and by a fine of not more than $100,000.

C. Any person who maliciously threatens a complaining witness in violation of subsection A or B, but such complaining witness does not thereby engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of attempted sexual extortion and shall be punished as prescribed in § 18.2-26.

D. A prosecution pursuant to this section may be in the county, city, or town in which the communication was either made or received.

§ 18.2-386.1. Unlawful creation of image of another; penalty.

***Use hyperlink above to access the entire code section.**

A. It is unlawful for any person to knowingly and intentionally create any videographic or still image by any means whatsoever of any nonconsenting person if (i) that person is (a) totally nude; (b) clad in undergarments; (c) in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast; or (d) not exposed to show the genitals, pubic area, buttocks, or female breast but such videographic or still image is obscene, as defined in § 18.2-372, when such nonconsenting person is in a restroom, dressing room, locker room, hotel room, motel room, tanning bed, tanning booth, bedroom, or other location; or (ii) the videographic or still image is created by placing the lens or image-gathering component of the recording device in a position directly beneath or between a person's legs for the purpose of capturing an image of the person's intimate parts or undergarments covering those intimate parts when the intimate parts or undergarments would not otherwise be visible to the general public; and when the circumstances set forth in clause (i) or (ii) are otherwise such that the person being recorded would have a reasonable expectation of privacy.

§ 40.1-28.8 et. seq. Virginia Minimum Wage Act.

§ 18.2-46.1. Definition of Criminal Street Gang & Predicate Crimes.

"Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.

"Predicate criminal act" means (i) an act of violence; (ii) any violation of § 18.2-31, 18.2- 42, 18.2- 46.3, 18.2-51,18.2-51.1, 18.2-51.2, 18.2-51.3, 18.2-51.6, 18.2-52, 18.2-52.1, 18.2- 53, 18.2-53.1, 18.2-55, 18.2-56.1, 18.2-57,18.2-57.2, 18.2-59, 18.2-83, 18.2-89, 18.2-90, 18.2- 95, 18.2-108.1, 18.2-121, 18.2-127, 18.2-128, 18.2-137, 18.2-138, 18.2-146, 18.2-147, 18.2- 248.01, 18.2-248.03, 18.2-255, 18.2-255.2, 18.2-279, 18.2-282.1, 18.2-286.1, 18.2-287.4, 18.2- 289, 18.2-300, 18.2-308.1, 18.2-308.2, 18.2-308.2:01, 18.2-308.4, 18.2-355, 18.2-356, 18.2-357, or18.2-357.1; (iii) a felony violation of § 18.2-60.3; (iv) a felony violation of § 18.2-248 or of 18.2-248.1 or a conspiracy to commit a felony violation of § 18.2-248 or 18.2-248.1; (v) any violation of a local ordinance adopted pursuant to § 15.2-1812.2; or (vi) any substantially similar offense under the laws of another state or territory of the United States, the District of Columbia, or the United States.

§ 18.2-513. Virginia Racketeer Influenced and Corrupt Organization Act Definitions.

"Criminal street gang" means the same as that term is defined in § 18.2-46.1.

"Enterprise" includes any of the following: sole proprietorship, partnership, corporation, business trust, criminal street gang, or other group of three or more individuals associated for the purpose of criminal activity.

"Proceeds" means the same as that term is defined in § 18.2-246.2.

"Racketeering activity" means to commit, attempt to commit, or conspire to commit or to solicit, coerce, or intimidate another person to commit two or more of the following offenses: Article 2.1 (§ 18.2-46.1 et seq.) of Chapter 4, § 18.2-460; a felony offense of § 3.2-4212, 3.2-4219, 10.1-1455, 18.2-31, 18.2-32, 18.2-32.1, 18.2-33, or 18.2-35, Article 2.2 (§ 18.2-46.4 et seq.) of Chapter 4,§ 18.2-47, 18.2-48, 18.2-48.1, 18.2-49, 18.2-51, 18.2-51.2, 18.2-52, 18.2-53, 18.2-55, 18.2-58, 18.2-59, 18.2-77, 18.2-79, 18.2-80, 18.2-89, 18.2-90, 18.2-91, 18.2-92, 18.2-93, or 18.2-95, Article 4(§ 18.2-111 et seq.) of Chapter 5, Article 1 (§ 18.2-168 et seq.) of Chapter 6, § 18.2-178 or 18.2-186, Article 6 (§ 18.2-191 et seq.) of Chapter 6, Article 9 (§ 18.2-246.1 et seq.) of Chapter 6, § 18.2-246.13, Article 1 (§ 18.2-247 et seq.) of Chapter 7, § 18.2-279, 18.2-286.1, 18.2-289, 18.2-300, 18.2-308.2, 18.2-308.2:1, 18.2-328, 18.2-346, 18.2-346.01, 18.2-348, 18.2-348.1, 18.2-349, 18.2-355, 18.2-356, 18.2-357, 18.2-357.1, 18.2-368, 18.2-369, or 18.2-374.1, Article 8 (§ 18.2-433.1 et seq.) of Chapter 9, Article 1 (§ 18.2-434 et seq.) of Chapter 10, Article 2 (§ 18.2-438 et seq.) of Chapter 10, Article 3 (§ 18.2-446 et seq.) of Chapter 10, Article 1.1 (§ 18.2-498.1 et seq.) of Chapter 12, § 3.2-6571, 18.2-516, 32.1-314, 58.1-1008.2, 58.1-1017, or 58.1-1017.1; or any substantially similar offenses under the laws of any other state, the District of Columbia, or the United States or its territories.

§ 18.2-513. Racketeering Offenses:

A. It shall be unlawful for an enterprise, or for any person who occupies a position of organizer, supervisor, or manager of an enterprise, to receive any proceeds known to have been derived directly from racketeering activity and to use or invest an aggregate of $10,000 or more of such proceeds in the acquisition of any title to, or any right, interest, or equity in, real property, or in the establishment or operation of any enterprise.

B. It shall be unlawful for any enterprise, or for any person who occupies a position of organizer, supervisor, or manager of an enterprise, to directly acquire or maintain any interest in or control of any enterprise or real property through racketeering activity.

C. It shall be unlawful for any person employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through racketeering activity.

D. It shall be unlawful for any person to conspire to violate any of the provisions of subsection A, B, or C.

E. Each violation of this section is a separate and distinct felony punishable in accordance with § 18.2-515.

State Response Code Sections

§ 9.1-116.4. Virginia Prevention of Sex Trafficking Fund; Purpose; Guidelines.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Prevention of Sex Trafficking Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys accruing to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of promoting prevention and awareness of sex trafficking. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department[1].

B. The Fund shall be administered by the Department, and the Department shall adopt guidelines to make funds available to agencies of the state and local governments for the purpose of promoting awareness of and preventative training and education related to sex trafficking.

§ 9.1-116.5. Human Trafficking Response Coordinator; Duties; Report.

A. There is established within the Department a Human Trafficking Response Coordinator (the Coordinator). The Coordinator shall:

1. Create a statewide plan for local and state agencies to identify and respond to victims of human trafficking;
2. Coordinate the development of standards and guidelines for treatment programs for victims of human trafficking;
3. Maintain a list of programs that provide treatment or specialized services to victims of human trafficking and make such list available to law-enforcement agencies, attorneys for the Commonwealth, crime victim and witness assistance programs, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;
4. Oversee the development of a curriculum to be completed by persons convicted of solicitation of prostitution under § 18.2-346.01; and
5. Promote strategies for the education, training, and awareness of human trafficking and for the reduction of demand for commercial sex.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sex trafficking within the Commonwealth. The Department shall ensure that such report is available to the public.

[1] "Department" as used in the *Code of Virginia* refers to the Virginia Department of Criminal Justice Services (DCJS).

§ 63.2-100. Definitions (Department of Social Services).

***Use hyperlink above to access the entire code section.**

"Abused or neglected child" means any child less than 18 years of age:

4. Whose parents or other person responsible for his care, or an intimate partner of such parent or person, commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law;
7. Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the Trafficking Victims Protection Act of 2000, 22 U.S.C § 7102 et seq., and in the Justice for Victims of Trafficking Act of 2015, 42 U.S.C. § 5101 et seq.

§ 63.2-1506.1. Human Trafficking Assessments by Local Departments.

A. If a report or complaint is based upon information and allegations that a child is a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7102 et seq.) and in the federal Justice for Victims of Trafficking Act of 2015 (P.L. 114-22), the local department shall conduct a human trafficking assessment, unless at any time during the human trafficking assessment the local department determines that an investigation or family assessment is required pursuant to § 63.2-1505 or 63.2-1506. If at any time during the human trafficking assessment it is determined that a forensic interview of the child is needed, such interview may be performed by a children's advocacy center within the jurisdiction; however, if an interview with a children's advocacy center within the jurisdiction cannot be completed within 14 days, the forensic interview may be conducted by a children's advocacy center located in a another jurisdiction or another trained child forensic interviewer.

B. A human trafficking assessment requires the collection of information necessary to determine:
   1. The immediate safety needs of the child;
   2. The protective and rehabilitative services needs of the child and the child's family that will deter abuse and neglect; and
   3. Risk of future harm to the child.

C. When a local department responds to the report or complaint by conducting a human trafficking assessment, the local department may:
   1. Consult with the family to arrange for necessary protective and rehabilitative services to be provided to the child and the child's family;
   2. Petition the court for services deemed necessary; or
   3. Commence an immediate investigation or family assessment, if at any time during the human trafficking assessment the local department determines that an investigation or family assessment is required pursuant to § 63.2-1505 or 63.2-1506.

D. In the event that the parents or guardians of the child reside in a jurisdiction other than that in which the report or complaint was received, the local department that received the report or complaint and the local department where the child resides with his parents or guardians shall work jointly to complete the human trafficking assessment.

E. Reports or complaints for which a human trafficking assessment is completed shall not be entered into the central registry contained in § 63.2-1515.

F. The local department or departments shall notify the Child Protective Services Unit within the Department in writing whenever such a human trafficking assessment is conducted.

G. When conducting a human trafficking assessment pursuant to this section, the local department may interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel.

§ 63.2-1506. Family Assessments by Local Departments.

A. A family assessment requires the collection of information necessary to determine:
   1. The immediate safety needs of the child;
   2. The protective and rehabilitative services needs of the child and family that will deter abuse or neglect;
   3. Risk of future harm to the child;
   4. Whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth; and
   5. Alternative plans for the child's safety if protective and rehabilitative services are indicated and the family is unable or unwilling to participate in services.

B. When a local department has been designated as a child-protective services differential response system participant by the Department pursuant to § 63.2-1504 and responds to the report or complaint by conducting a family assessment, the local department shall:
   1. Conduct an immediate family assessment and, if the report or complaint was based upon one of the factors specified in subsection B of § 63.2-1509, the local department may file a petition pursuant to § 16.1-241.3;
   2. Obtain and consider the results of a search of the child abuse and neglect registry for any individual who is the subject of a family assessment. The local board shall determine whether the individual has resided in another state within at least the preceding five years, and, if he has resided in another state, the local board shall request a search of the child abuse and neglect registry or equivalent registry maintained by such state. The local board also may obtain and consider, in accordance with regulations of the Board, statewide criminal history record information from the Central Criminal Records Exchange for any individual who is the subject of a family assessment;
   3. Immediately contact the subject of the report and the family of the child alleged to have been abused or neglected and give each a written and an oral explanation of the family assessment procedure. The family assessment shall be in writing and shall be completed in accordance with Board regulation;
   4. Complete the family assessment within 60 days and transmit a report to such effect to the Department and to the person who is the subject of the family assessment;
   5. Consult with the family to arrange for necessary protective and rehabilitative services to be provided to the child and his family. Families have the option of declining the services offered as a result of the family assessment. If the family declines the services, the case shall be closed unless the local department determines that sufficient cause exists to redetermine the case as one that needs to be investigated. In no instance shall a case be redetermined as an investigation solely because the family declines services;

6. Petition the court for services deemed necessary;
7. Make no disposition of founded or unfounded for reports in which a family assessment is completed. Reports in which a family assessment is completed shall not be entered into the central registry contained in § 63.2-1515;
8. Commence an immediate investigation, if at any time during the completion of the family assessment, the local department determines that an investigation is required; and
9. Upon request, disclose to the child's parent or guardian the location of the child, provided that (i) the family assessment has not been completed and a report has not been transmitted pursuant to subdivision 4; (ii) the parent or guardian requesting disclosure of the child's location has not been the subject of a founded report of child abuse or neglect; (iii) the parent or guardian requesting disclosure of the child's location has legal custody of the child and provides to the local department any records or other information necessary to verify such custody; (iv) the local department is not aware of any court order, and has confirmed with the child's other parent or guardian or other person responsible for the care of the child that no court order has been issued, that prohibits or limits contact by the parent or guardian requesting disclosure of the child's location with the child, the child's other parent or guardian or other person responsible for the care of the child, or any member of the household in which the child is located; and (v) disclosure of the child's location to the parent or guardian will not compromise the safety of the child, the child's other parent or guardian, or any other person responsible for the care of the child.

C. When a local department has been designated as a child-protective services differential response agency by the Department, the local department may investigate any report of child abuse or neglect, but the following valid reports of child abuse or neglect shall be investigated: (i) sexual abuse, (ii) child fatality, (iii) abuse or neglect resulting in serious injury as defined in § 18.2-371.1, (iv) cases involving a child's being left alone in the same dwelling with a person to whom the child is not related by blood or marriage and who has been convicted of an offense against a minor for which registration is required as a Tier III offender pursuant to § 9.1-902, (v) child has been taken into the custody of the local department, or (vi) cases involving a caretaker at a state-licensed child day center, religiously exempt child day center, licensed, registered or approved family day home, private or public school, hospital or any institution. If a report or complaint is based upon one of the factors specified in subsection B of § 63.2-1509, the local department shall (a) conduct a family assessment, unless an investigation is required pursuant to this subsection or other provision of law or is necessary to protect the safety of the child, and (b) develop a plan of safe care in accordance with federal law, regardless of whether the local department makes a finding of abuse or neglect.

D. Any individual who is the subject of a family assessment conducted under this section shall notify the local department prior to changing his place of residence and provide the local department with the address of his new residence.

§ 63.2-1517. Authority to Take Child into Custody.

A. A physician or child-protective services worker of a local department or law-enforcement official investigating a report or complaint of abuse and neglect may take a child into custody for up to 72 hours without prior approval of parents or guardians provided:

1. The circumstances of the child are such that continuing in his place of residence or in the care or custody of the parent, guardian, custodian or other person responsible for the child's care, presents

an imminent danger to the child's life or health to the extent that severe or irremediable injury would be likely to result or if evidence of abuse is perishable or subject to deterioration before a hearing can be held;

2. A court order is not immediately obtainable;
3. The court has set up procedures for placing such children;
4. Following taking the child into custody, the parents or guardians are notified as soon as practicable. Every effort shall be made to provide such notice in person;
5. A report is made to the local department; and
6. The court is notified and the person or agency taking custody of such child obtains, as soon as possible, but in no event later than 72 hours, an emergency removal order pursuant to § 16.1-251; however, if a preliminary removal order is issued after a hearing held in accordance with § 16.1-252 within 72 hours of the removal of the child, an emergency removal order shall not be necessary. Any person or agency petitioning for an emergency removal order after four hours have elapsed following taking custody of the child shall state the reasons therefor pursuant to § 16.1- 251.

B. If the 72-hour period for holding a child in custody and for obtaining a preliminary or emergency removal order expires on a Saturday, Sunday, or legal holiday or day on which the court is lawfully closed, the 72 hours shall be extended to the next day that is not a Saturday, Sunday, or legal holiday or day on which the court is lawfully closed.

C. A child-protective services worker of a local department responding to a complaint or report of abuse and neglect for purposes of sex trafficking or severe forms of trafficking may take a child into custody and the local department may maintain custody of the child for up to 72 hours without prior approval of a parent or guardian, provided that the alleged victim child or children have been identified as a victim or victims of sex trafficking or a victim or victims of severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7101 et seq.) and in the federal Justice for Victims of Trafficking Act of 2015 (P.L. 114-22). After taking the child into custody, the local department shall notify the parent or guardian of such child as soon as practicable. Every effort shall be made to provide such notice in person. The local department shall also notify the Child-Protective Services Unit within the Department whenever a child is taken into custody.

D. When a child is taken into custody by a child-protective services worker of a local department pursuant to subsection C, that child shall be returned as soon as practicable to the custody of his parent or guardian. However, the local department shall not be required to return the child to his parent or guardian if the circumstances are such that continuing in his place of residence or in the care or custody of such parent or guardian, or custodian or other person responsible for the child's care, presents an imminent danger to the child's life or health to the extent that severe or irremediable injury would be likely to result or if the evidence of abuse is perishable or subject to deterioration before a hearing can be held. If the local department cannot return the child to the custody of his parents or guardians within 72 hours, the local department shall obtain an emergency removal order pursuant to § 16.1-251.

§ 63.2-1508. Valid Report or Complaint.

A. A valid report or complaint means the local department has evaluated the information and allegations of the report or complaint and determined that the local department shall conduct an investigation, family assessment, or human trafficking assessment because the following elements are present:

1. The alleged victim child or children are under 18 years of age at the time of the complaint or report;
2. The alleged abuser is the alleged victim child's parent or other caretaker or, for purposes of abuse or neglect described in subdivision 4 of the definition of "abused or neglected child" in § 63.2-100, an intimate partner of such parent or caretaker;
3. The local department receiving the complaint or report has jurisdiction; and
4. The circumstances described allege suspected child abuse or neglect.

B. A valid report or complaint regarding a child who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000 (22 U.S.C § 7102 et seq.) and in the federal Justice for Victims of Trafficking Act of 2015 (P.L. 114-22) may be established regardless of who the alleged abuser is or whether the alleged abuser has been identified.

C. Nothing in this section shall relieve any person specified in § 63.2-1509 from making a report required by that section, regardless of the identity of the person suspected to have caused such abuse or neglect.

D. If the local department receiving the complaint or report does not have jurisdiction, and the local department that has jurisdiction to investigate such complaint or report is located in the Commonwealth, the local department that received the report or complaint shall forward the complaint or report to the appropriate local department.

§ 63.2-1509. Requirement that Certain Injuries to Children be Reported by Physicians, Nurses, Teachers, etc.; Penalty for Failure to Report.

§ 9.1-902. Offenses Requiring Registration.

***Explains who is considered a mandated reporter.**

§ 17.1-275.13. Additional Fee for Offenses Related to Sex Trafficking.

In addition to the fees provided for by §§ 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-275.10, and 17.1-275.12, any person convicted of a misdemeanor violation of § 18.2-346.01 or of § 18.2-348 or 18.2-349 shall be ordered to pay a $100 fee, and any person convicted of a violation of clause (ii), (iii), or (iv) of § 18.2-48, or of § 18.2-368, or any felony violation of the laws pertaining to commercial sex trafficking or prostitution offenses pursuant to Article 3 (§ 18.2-346 et seq.) of Chapter 8, with the exception of § 18.2-361, shall be ordered to pay a $500 fee. All fees collected pursuant to this section shall be deposited into the Virginia Prevention of Sex Trafficking Fund to be used in accordance with § 9.1-116.4.

§ 15.2-1627.6. Coordination of multidisciplinary response to human trafficking.

A. The attorney for the Commonwealth in each political subdivision in the Commonwealth shall coordinate the establishment of a multidisciplinary response to human trafficking as set forth in Article 3 (§ 18.2-346 et seq.) of Chapter 8 of Title 18.2 and hold a meeting, at least annually, to (i)

discuss implementation of protocols and policies for human trafficking response teams consistent with those established by the Department of Criminal Justice Services pursuant to subdivision 37 d of § 9.1-102; (ii) establish and review guidelines for the community's response to the various forms of human trafficking, including sex trafficking and labor trafficking; and (iii) review protocols for the trauma-informed, victim-centered collection, preservation, and secure storage of evidence from physical evidence recovery kit examinations consistent with § 19.2-165.1.

B. The following persons or their designees shall be invited to participate in the annual meeting: the attorney for the Commonwealth; a representative of the Virginia Indigent Defense Commission in jurisdictions served by a public defender office; the sheriff; the director of the local sexual assault crisis center providing services in the jurisdiction, if any; the chief of each police department and the chief of each campus police department of any institution of higher education in the jurisdiction, if any; a forensic nurse examiner or other health care provider who performs physical evidence recovery kit examinations in the jurisdiction, if any; a health professional knowledgeable in the treatment of trauma-informed, victim-centered services; a social worker knowledgeable in the needs of immigrant communities; the state Sex Trafficking Response Coordinator or his designee; a representative from at least one national or local organization that supports victims of human trafficking; at least one survivor of human trafficking; the director of the victim/witness program in the jurisdiction, if any; a division superintendent or his designee from at least one of the local school divisions; and a labor union representative knowledgeable about labor trafficking. In addition, the attorney for the Commonwealth may invite other individuals, or their designees, to participate in the annual meeting, including (i) local health department district directors; (ii) the administrator of each licensed hospital within the jurisdiction; (iii) the director of each health safety net clinic within the jurisdiction, including those clinics created by 42 C.F.R. § 491.1 and the free and charitable clinics; (iv) local administrators in charitable clinics or local hospitals, as well as other health care providers or local nonprofit organizations working with victims of trafficking; and (v) as determined by the attorney for the Commonwealth, any other local health care providers.

C. Attorneys for the Commonwealth are authorized to conduct the human trafficking response team annual meetings using other methods to encourage attendance, including electronic communication means as provided in § 2.2-3708.3.

§ 16.1-228. Child in need of services; definition.

"Child in need of services" means (i) a child whose behavior, conduct, or condition presents or results in a serious threat to the well-being and physical safety of the child; (ii) a child who remains away from or deserts or abandons his family or lawful custodian during one occasion and is demonstratively at risk of coercion, exploitation, abuse, or manipulation or has been lured from his parent or lawful custodian by means of trickery or misrepresentation or under false pretenses; or (iii) a child under the age of 14 whose behavior, conduct, or condition presents or results in a serious threat to the well-being and physical safety of another person; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be a child in need of services, nor shall any child who habitually remains away from or habitually deserts or abandons his family as a result of what the court or the local child protective services unit determines to be incidents of physical, emotional, or sexual abuse in the home be considered a child in need of services for that reason alone.

However, to find that a child falls within these provisions, (a) the conduct complained of must present a clear and substantial danger to the child's life or health or to the life or health of another person; (b) the child or his family is in need of treatment, rehabilitation, or services not presently being received; and (c) the intervention of the court is essential to provide the treatment, rehabilitation, or services needed by the child or his family.

Victim Services and Support Focused Code Sections

§ 8.01-42.4. Civil action for trafficking in persons.

A. Any person injured by reason of (i) a violation of clause (iii), (iv), or (v) of § 18.2-48; (ii) a violation of § 18.2-348, 18.2-348.1, 18.2-349, 18.2-355, 18.2-356, 18.2-357, 18.2-357.1, or 18.2-368; or (iii) a felony violation of § 18.2-346.01 may sue therefor and recover compensatory damages, punitive damages, and reasonable attorney fees and costs.

B. No action shall be commenced under this section more than seven years after the later of the date on which such person (i) was no longer subject to the conduct prohibited by clause (iii), (iv), or (v) of § 18.2-48 or § 18.2-348, 18.2-348.1, 18.2-349, 18.2-355, 18.2-356, 18.2-357, 18.2-357.1, or 18.2-368 or under a felony violation of § 18.2-346.01 or (ii) attained 18 years of age.

C. The provisions of this section shall apply whether or not an individual has been charged with or convicted of any of the alleged violations listed in subsection A.

§ 16.1-269.1. Trial in circuit court; preliminary hearing; direct indictment; remand.

***Use hyperlink above to access the entire code section.**

A. Except as provided in subsections B and C, if a juvenile 14 years of age or older at the time of an alleged offense is charged with an offense which would be a felony if committed by an adult, the court shall, on motion of the attorney for the Commonwealth and prior to a hearing on the merits, hold a transfer hearing and may retain jurisdiction or transfer such juvenile for proper criminal proceedings to the appropriate circuit court having criminal jurisdiction of such offenses if committed by an adult. Any transfer to the appropriate circuit court shall be subject to the following conditions:

   k. Any evidence that the juvenile was a victim of felonious criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2 by the alleged victim prior to or during the commission of the alleged offense and that such alleged offense was a direct result of the juvenile being a victim of such felonious criminal sexual assault or trafficking. This subdivision shall be construed to prioritize the successful treatment and rehabilitation of juvenile victims of human trafficking and sex crimes who commit acts of violence against their abusers. It is the intent of the General Assembly that these juveniles be viewed as victims and provided treatment and services in the juvenile system.

B. The juvenile court shall conduct a preliminary hearing whenever a juvenile 16 years of age or older is charged with murder in violation of § 18.2-31, 18.2-32 or 18.2-40, or aggravated malicious wounding in violation of § 18.2-51.2. If the juvenile is 14 years of age or older, but less than 16 years of age, then the court may proceed, on motion of the attorney for the Commonwealth, as provided in subsection A. Upon motion of the juvenile, the court may conduct a hearing to allow the juvenile to present any evidence described in subdivision A 4 k. If the court finds by a preponderance of the evidence that sufficient evidence exists to believe that the juvenile was a victim of felonious criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2 by the alleged victim prior to or during the commission of the alleged offense and that such alleged offense was a direct result of the juvenile being a victim of such felonious criminal sexual assault or trafficking, then the court shall proceed as provided in subsection A.

§ 16.1-269.2. Admissibility of statement; investigation and report; bail.

A. Statements made by the juvenile at the transfer hearing provided for under § 16.1-269.1 shall not be admissible against him over objection in any criminal proceedings following the transfer, except for purposes of impeachment.

B. Prior to a transfer hearing pursuant to subsection A of § 16.1-269.1 or a preliminary hearing pursuant to subsection C of § 16.1-269.1, a study and report to the court, in writing, relevant to the factors set out in subdivision A 4 of § 16.1-269.1, as well as an assessment of any affiliation with a criminal street gang as defined in § 18.2-46.1, shall be made by the probation services or other qualified agency designated by the court. Such report shall include any relevant information supporting an allegation that the juvenile was a victim of felonious criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2 by the alleged victim. It is the intent of the General Assembly that these juveniles be viewed as victims and provided treatment and services in the juvenile system. Upon motion of the attorney for the Commonwealth for a transfer hearing pursuant to subsection A of § 16.1-269.1, the attorney for the Commonwealth shall provide notice to the designated probation services or other qualified agency of the need for a transfer report. Counsel for the juvenile and the attorney for the Commonwealth shall have full access to the study and report and any other report or data concerning the juvenile which are available to the court. The court shall not consider the report until a finding has been made concerning probable cause. If the court so orders, the study and report may be expanded to include matters provided for in § 16.1-273, whereupon it may also serve as the report required by this subsection, but on the condition that it will not be submitted to the judge who will preside at any subsequent hearings except as provided for by law.

C. After the completion of the hearing, whether or not the juvenile court decides to retain jurisdiction over the juvenile or transfer such juvenile for criminal proceedings in the circuit court, the juvenile court shall set bail for the juvenile in accordance with Chapter 9 (§ 19.2-119 et seq.) of Title 19.2, if bail has not already been set.

§16.1-272. Power of circuit court over juvenile offender.

***Use hyperlink above to access the entire code section.**

5. If the court, at any time prior to the final order in the case or within 21 days of such order, receives evidence that the juvenile was a victim of felonious criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of

Chapter 8 of Title 18.2 by the victim prior to or during the commission of the offense for which the juvenile was convicted and that such offense was a direct result of the juvenile being a victim of such felonious criminal sexual assault or trafficking, the court may set aside the guilty verdict, render the juvenile delinquent, and impose a disposition consistent with § 16.1-278.8.

§ 18.2-67.9. Testimony by Child Victims and Witnesses Using Two-Way Closed Circuit Television or Other Securely Encrypted Two-Way Audio and Video Technology.

A. The provisions of this section shall apply to an alleged victim who was 14 years of age or younger at the time of the alleged offense and is 16 years of age or younger at the time of the trial and to a witness who is 14 years of age or younger at the time of the trial.

In any criminal proceeding, including preliminary hearings, involving an alleged offense against a child, relating to a violation of the laws pertaining to kidnapping pursuant to Article 3 (§ 18.2-47 et seq.) of Chapter 4, criminal sexual assault pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4, commercial sex trafficking or prostitution offenses pursuant to Article 3 (§ 18.2-346 et seq.) of Chapter 8, or family offenses pursuant to Article 4 (§ 18.2-362 et seq.) of Chapter 8, or involving an alleged murder of a person of any age, the attorney for the Commonwealth or the defendant may apply for an order from the court that the testimony of the alleged victim or a child witness be taken in a room outside the courtroom and be televised by two-way closed-circuit television or other securely encrypted two-way audio and video technology. The party seeking such order shall apply for the order at least 14 days before the trial date or at least seven days before such other preliminary proceeding to which the order is to apply.

B. The court may order that the testimony of the child be taken by two-way closed-circuit television or other securely encrypted two-way audio and video technology as provided in subsection A if it finds that the child is unavailable to testify in open court in the presence of the defendant, the jury, the judge, and the public, for any of the following reasons:

1. The child's persistent refusal to testify despite judicial requests to do so;
2. The child's substantial inability to communicate about the offense; or
3. The court's finding, by clear and convincing evidence, based upon expert opinion testimony, that the child will suffer at least moderate emotional trauma that is more than nervousness or excitement or some reluctance to testify as a result of testifying in the defendant's presence and not in the courtroom generally and where such trauma would impair the child's ability to communicate.

Any ruling on the child's unavailability under this subsection shall be supported by the court with findings on the record or with written findings in a court not of record.

C. In any proceeding in which two-way closed-circuit television or other securely encrypted two-way audio and video technology is used to receive testimony, the attorney for the Commonwealth and the defendant's attorney shall be present in the room with the child, and the child shall be subject to direct and cross-examination. The only other persons allowed to be present in the room with the child during his testimony shall be those persons necessary to operate the two-way closed-circuit equipment or other securely encrypted two-way audio and video technology and any other person whose presence is determined by the court to be necessary to the welfare and well-being of the child.

D. The child's testimony shall be transmitted by two-way closed-circuit television or other securely encrypted two-way audio and video technology into the courtroom for the defendant, jury, judge, and public to view. The defendant shall be provided with a means of private, contemporaneous communication with his attorney during the testimony.

E. Notwithstanding any other provision of law, none of the cost of the two-way closed-circuit television or other securely encrypted two-way audio and video technology shall be assessed against the defendant.

Chapter 19.4 Issuance of Writ of Vacatur for Victims of Human Trafficking.

§ 19.2-327.15. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Official documentation" means any documentation issued by a federal, state, or local agency, a multidisciplinary team or task force, a licensed psychologist, a licensed clinical social worker, or an otherwise qualified subject matter expert.

"Qualifying offense" means any attempted, completed, or conspired (i) felony that is not a violent felony offense listed under subsection C of § 17.1-805, (ii) misdemeanor, or (iii) specifically identified ancillary matter.

"Victim of human trafficking" means any person subjected to an act or the practice of labor trafficking or sex trafficking, regardless of whether any other person has been charged with or convicted of an offense related to the labor trafficking or sex trafficking of such person.

§ 19.2-327.16. Issuance of Writ of Vacatur for Victims of Commercial Sex Trafficking.

§ 19.2-327.17. Contents and Form of the Petition for Vacatur.

§ 19.2-327.18. Hearing on petition for vacatur.

§ 19.2-327.19. Relief under writ of vacatur.

§ 23.1-506. Eligibility for in-state tuition; exception; certain out-of-state and high school students.

A. Notwithstanding § 23.1-502 or any other provision of law to the contrary, the following students are eligible for in-state tuition charges regardless of domicile:

10. Any non-Virginia student who is currently present in the Commonwealth as a result of being a victim of human trafficking. For the purposes of this subdivision, a person may be a victim of human trafficking regardless of whether any person has been charged with or convicted of any offense. Eligibility under this subdivision may be proved by a certification of such status as a victim of human trafficking by a federal, state, or local agency or not-for-profit agency, one of whose primary missions is to provide services to victims of human trafficking. For the purposes of this subdivision, "victim of human trafficking" means a victim of (i) a violation of clause (iii), (iv), or (v) of § 18.2-48; (ii) a felony violation of § 18.2-346; (iii) a violation of § 18.2-348, 18.2-349, 18.2-355 through 18.2-357.1, or 18.2-368; or (iv) sex trafficking or severe forms of trafficking in persons as defined in the Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7101 et seq. Public institutions of higher education shall automatically record any student qualifying for in-state tuition pursuant to this subdivision as opting out of making any directory or educational information available to the public unless the student voluntarily and affirmatively chooses to opt in to allowing such directory or educational information to be made available.

Any non-Virginia student granted in-state tuition pursuant to this subsection shall be counted as a Virginia student for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies.

§ 55.1-1236. Early termination of rental agreements by victims of family abuse, sexual abuse or other criminal sexual assault, or stalking.

***Use hyperlink above to access the entire code section.**

A. Any tenant who is a victim of (i) family abuse as defined by § 16.1-228, (ii) sexual abuse as defined by § 18.2-67.10 or other criminal sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, (iii) stalking in violation of § 18.2-60.3, or (iv) trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2 may terminate such tenant's obligations under a rental agreement under the following circumstances:

1. The victim has obtained an order of protection pursuant to § 16.1-253.1 or 16.1-279.1 during the term of an active and current rental agreement and has given written notice of termination in accordance with subsection B during the period of the protective order or any extension thereof;

2. The victim has obtained a preliminary protective order pursuant to § 19.2-152.9 or a permanent protective order pursuant to § 19.2-152.10 during the term of an active and current rental agreement and has given written notice of termination in accordance with subsection B during the period of the protective order or any extension thereof; or

3. A court has entered an order convicting a perpetrator of, or a magistrate, law-enforcement agency, grand jury, special grand jury, or court has issued a warrant, summons, information, or indictment charging a person with, any crime of sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, sexual abuse as defined by § 18.2-67.10, family abuse as defined by § 16.1-228, stalking in violation of § 18.2-60.3, or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2 against the victim during the term of an active and current rental agreement and the victim gives written notice of termination in accordance with subsection B. A victim may exercise a right of termination under this section to terminate a rental agreement in effect when the conviction order is entered and one subsequent rental agreement based upon the same conviction.

Education, Training, and Awareness Focused Code Sections

§ 4.1-203.2. Retail licensee and employee training; human trafficking recognition and reporting.

The ABC Authority shall offer a training course to retail licensees and their employees to train such licensees and employees to recognize and report instances of suspected human trafficking. Such training course shall be an online course developed by the Department of Criminal Justice Services pursuant to § 9.1-102 and provided at no cost to retail licensees and their employees or an alternative online or in-person training course approved by the Department of Criminal Justice Services.

§ 9.1-102. Powers and duties of the Criminal Justice Board and Department.

***Use hyperlink above to access the entire code section.**

The Department of Criminal Justice Services (DCJS) shall establish training standards and publish and periodically update model policies for law-enforcement personnel on sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties.

The Department of Criminal Justice Services (DCJS) shall establish training standards and publish and periodically update model policies for law-enforcement personnel on the recognition, prevention, and reporting of human trafficking.

The compulsory minimum, entry-level, and in-service training standards for an unarmed security officer, armed security officer, courier, security canine handler, and alarm respondent shall include a training requirement on recognizing and reporting instances of suspected human trafficking.

§ 22.1-207.1. Family life education.

***Use hyperlink above to access the entire code section.**

B. The Board of Education shall develop Standards of Learning and curriculum guidelines for a comprehensive, sequential family life education curriculum in grades kindergarten through 12. Such curriculum guidelines shall include instruction as appropriate for the age of the student in family living and community relationships; the benefits, challenges, responsibilities, and value of marriage for men, women, children, and communities; the value of family relationships; abstinence education; the value of postponing sexual activity; the benefits of adoption as a positive choice in the event of an unwanted pregnancy; human sexuality; human reproduction; the prevention of human trafficking, including the human trafficking of children; dating violence, the characteristics of abusive relationships, steps to take to deter sexual assault, the availability of counseling and legal resources, and, in the event of such sexual assault, the importance of immediate medical attention and advice, as well as the requirements of the law; the etiology, prevention, and effects of sexually transmitted diseases; and mental health education and awareness.

§ 23.1-808.1. Human trafficking awareness and prevention; first-year orientation.

A. The governing board of each public institution of higher education shall develop and implement policies requiring that a human trafficking awareness and prevention training program be provided to and completed by all first-year students as a part of such institution's first-year orientation program. Such training program shall include trauma-informed training on the recognition, prevention, and reporting of human trafficking.

B. The Council shall encourage private institutions of higher education to develop and implement policies to provide such a human trafficking awareness and prevention training program as a part of their first-year orientation programs.

§ 35.1-15.1. Required human trafficking training. (Hotels)

A. As used in this section:

"Employee" means any person employed by a hotel that (i) has frequent or regular interactions with guests, such as front desk staff, hotel porters, hotel concierge, restaurant waiting and bartending staff, or room service staff; (ii) is in a management position; or (iii) has access to the guest's room, including housekeeping staff.

"Hotel" does not include a short-term rental property as defined in § 58.1-3510.4.

B. Every hotel proprietor shall require its employees to complete a training course on recognizing and reporting instances of suspected human trafficking. Such training course shall be an online course provided by the Department of Criminal Justice Services at no cost to the hotel proprietor and its employees pursuant to § 9.1-102 or an alternative online or in-person training course approved by the Department of Criminal Justice Services. The Department of Criminal Justice Services shall approve or disapprove of the use of any alternative online or in-person training course within 60 days of the submission of such training course for approval.

C. Each hotel employee shall complete the required training course described in subsection B within six months of being employed by a hotel and thereafter at least once during each consecutive period of two calendar years commencing with the date on which he last completed the required training course, for as long as he is employed by a hotel.