

SENATE BILL 964

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8lr3227
CF HB 1494

By: **Senator Lee**

Introduced and read first time: February 5, 2018

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Social Services – ~~Safe Harbor Child Youth Victims of Human Trafficking Victim~~**
3 **~~Service Pilot Program~~ – Workgroup Revisions and Reports**

4 FOR the purpose of ~~establishing the Safe Harbor Child Trafficking Victim Service Pilot~~
5 ~~Program; providing for the purpose of the pilot program; requiring the local~~
6 ~~departments of social services in Baltimore and Washington counties to implement~~
7 ~~the pilot program; requiring certain local departments of social services to refer~~
8 ~~certain children to the Regional Child Trafficking Advocate within a certain period~~
9 ~~of time; requiring the Secretary of State, after consultation with certain entities, to~~
10 ~~appoint certain Advocates; providing for the duties of an Advocate; requiring an~~
11 ~~Advocate to submit a certain report to certain entities on or before a certain date and~~
12 ~~at certain intervals thereafter; providing for the contents of a certain report;~~
13 ~~providing that an Advocate located in a certain county has certain duties; requiring~~
14 ~~the Department of Human Services to provide certain funding to carry out the pilot~~
15 ~~program; requiring the local departments of social services for certain counties to~~
16 ~~apply for certain grants for a certain purpose; defining a certain term; and generally~~
17 ~~relating to the Safe Harbor Child Trafficking Victim Service Pilot Program~~ requiring
18 certain government agencies and organizations to submit an independent report to
19 the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking
20 and the University of Maryland School of Social Work Child Sex Trafficking
21 Initiative on or before a certain date; requiring a certain report to include certain
22 information; requiring the University of Maryland School of Social Work Child Sex
23 Trafficking Initiative to submit a certain report to the Governor and the General
24 Assembly on or before a certain date; altering the membership of the Workgroup to
25 Study Safe Harbor Policy for Youth Victims of Human Trafficking; requiring the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Workgroup to establish a certain subcommittee to consider certain recommendations; requiring a certain subcommittee of a certain Workgroup to include certain members; and generally relating to social services for youth victims of human trafficking.

BY repealing and reenacting, with amendments,

Chapter 91 of the Acts of the General Assembly of 2015, as amended by Chapter 80 of the Acts of the General Assembly of 2016 and Chapter 164 of the Acts of the General Assembly of 2017

Section 1

~~BY adding to~~

~~Article — Human Services~~

~~Section 4-305~~

~~Annotated Code of Maryland~~

~~(2007 Volume and 2017 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That ~~the Laws of Maryland read as follows:~~

(a) On or before October 1, 2018, the Department of Human Services, the Governor's Office of Crime Control and Prevention, the Department of Juvenile Services, each local law enforcement agency, each local department of social services, and each Children's Advocacy Center shall submit an independent report to the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking and the University of Maryland School of Social Work Child Sex Trafficking Initiative.

(b) The report required under subsection (a) of this section shall include:

(1) a description of any protocols and procedures used by the agency or organization when working with survivors of human trafficking;

(2) any referral source within the agency's or organization's jurisdiction with either:

(i) specific services for human trafficking survivors in the jurisdiction; or

(ii) other services available to child human trafficking survivors in the jurisdiction;

(3) the number of human trafficking cases handled by the agency or organization in 2016 and 2017, and as available, 2018, and the gender, age, race, and ethnicity of each individual; and

(4) any identified gaps in available services or needs related to victims of child human trafficking.

1 (c) On or before January 1, 2019, the University of Maryland School of Social
2 Work Child Sex Trafficking Initiative shall submit a report that includes a summary of the
3 information reported to the Initiative under subsection (a) of this section to the Governor
4 and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
6 as follows:

7 **Chapter 91 of the Acts of 2015, as amended by Chapter 80 of the Acts of 2016 and**
8 **Chapter 164 of the Acts of 2017**

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That:

11 (a) There is a Workgroup to Study Safe Harbor Policy for Youth Victims of Human
12 Trafficking.

13 (b) The purpose of the Workgroup is to study:

14 (1) legal protections for youth victims of human trafficking; and

15 (2) the provision of services for youth victims of human trafficking.

16 (c) The Workgroup consists of the following members:

17 (1) one member of the Senate of Maryland, appointed by the President of
18 the Senate;

19 (2) one member of the House of Delegates, appointed by the Speaker of the
20 House;

21 (3) the Secretary of Human Resources, or the Secretary's designee;

22 (4) the Secretary of Juvenile Services, or the Secretary's designee;

23 (5) the Secretary of Health and Mental Hygiene, or the Secretary's
24 designee;

25 (6) the State Superintendent of Schools, or the Superintendent's designee;

26 (7) the Secretary of State Police, or the Secretary's designee;

27 (8) the Secretary of State, or the Secretary's designee;

28 (9) one representative from the Office of the Public Defender, Juvenile
29 Division, appointed by the Public Defender; [and]

1 **(10) ONE REPRESENTATIVE FROM A CHILD ADVOCACY CENTER,**
 2 **APPOINTED BY THE PRESIDENT OF THE BOARD OF DIRECTORS OF THE MARYLAND**
 3 **CHILDREN’S ALLIANCE; AND**

4 **[(10)] (11) the following members, appointed by the Governor:**

5 (i) one representative of the Maryland Coalition Against Sexual
 6 Assault;

7 (ii) one representative of the Governor’s Office for Children;

8 (iii) one representative of the Governor’s Office of Crime Control and
 9 Prevention;

10 (iv) one representative of the Maryland State’s Attorneys’
 11 Association;

12 (v) one representative of a local law enforcement agency;

13 (vi) one representative of the National Center for Missing and
 14 Exploited Children;

15 (vii) one representative of Turnaround, Inc.;

16 (viii) one educator who works in a student service capacity and who is
 17 nominated by the Maryland State Education Association;

18 (ix) two representatives of the Maryland Human Trafficking Task
 19 Force;

20 (x) two representatives of national organizations that support
 21 victims of human trafficking; and

22 (xi) two survivors of human trafficking.

23 (d) The Governor shall designate the chair of the Workgroup.

24 (e) The Governor’s Office of Crime Control and Prevention shall provide staff for
 25 the Workgroup.

26 (f) A member of the Workgroup:

27 (1) may not receive compensation as a member of the Workgroup; but

28 (2) is entitled to reimbursement for expenses under the Standard State
 29 Travel Regulations, as provided in the State budget.

1 **(G) (1) THE WORKGROUP SHALL ESTABLISH A SUBCOMMITTEE TO**
2 **CONSIDER RECOMMENDATIONS ON THE PROVISION OF STATEWIDE SERVICES FOR**
3 **YOUTH VICTIMS OF HUMAN TRAFFICKING, INCLUDING:**

4 **(I) COMPILING EXISTING INFORMATION ON AND IDENTIFYING**
5 **THE NEEDS OF YOUTH VICTIMS OF HUMAN TRAFFICKING, INCLUDING IDENTIFYING**
6 **THE PUBLIC AND PRIVATE SECTOR PROGRAMS AND RESOURCES AVAILABLE TO**
7 **MEET THESE NEEDS;**

8 **(II) IDENTIFYING GAPS IN PUBLIC AND PRIVATE SECTOR**
9 **PROGRAMS AND RESOURCES AVAILABLE TO MEET THE NEEDS OF YOUTH VICTIMS OF**
10 **HUMAN TRAFFICKING; AND**

11 **(III) METHODS OF COLLECTING DATA TO IDENTIFY YOUTH**
12 **VICTIMS OF HUMAN TRAFFICKING IN THE STATE.**

13 **(2) THE SUBCOMMITTEE ESTABLISHED UNDER THIS SUBSECTION**
14 **SHALL INCLUDE TWO MEMBERS OF THE MARYLAND HUMAN TRAFFICKING TASK**
15 **FORCE.**

16 **[(g)] (H)** The Workgroup shall:

17 (1) compile existing information on and identify the needs of youth victims
18 of human trafficking and identify the public and private sector programs and resources
19 currently available to meet those needs;

20 (2) identify gaps in public and private sector programs and resources
21 currently available to meet the needs of youth victims of human trafficking;

22 (3) collect and compile data on the number of youth victims of human
23 trafficking in the State, including the number of youth victims in each jurisdiction of the
24 State;

25 (4) evaluate current State safe harbor policies and legal protections for
26 youth victims of human trafficking; and

27 (5) make recommendations regarding:

28 (i) legislation and policy initiatives to address the provision of
29 services and legal protections for youth victims of human trafficking in the State;

30 (ii) the collection of data to identify youth victims of human
31 trafficking in the State;

1 (iii) funding requirements and budgetary priorities to address the
 2 needs of youth victims of human trafficking in the State; and

3 (iv) any other relevant issues or considerations identified by the
 4 Workgroup.

5 ~~[(h)]~~ **(I)** (1) On or before December 1, 2015, the Workgroup shall report its
 6 findings and recommendations to the Governor and, in accordance with § 2-1246 of the
 7 State Government Article, the General Assembly.

8 (2) On or before December 1, 2016, the Workgroup shall submit a
 9 supplemental report on its findings and recommendations to the Governor and, in
 10 accordance with § 2-1246 of the State Government Article, the General Assembly.

11 (3) On or before December 1, 2017, the Workgroup shall submit a
 12 supplemental report on its findings and recommendations to the Governor, and in
 13 accordance with § 2-1246 of the State Government Article, the General Assembly.

14 (4) On or before December 1, 2018, the Workgroup shall submit a
 15 supplemental report on its findings and recommendations to the Governor and, in
 16 accordance with § 2-1246 of the State Government Article, the General Assembly.

17 ~~Article Human Services~~

18 ~~4-305.~~

19 ~~(A) IN THIS SECTION, "ADVOCATE" MEANS THE COMMUNITY-BASED~~
 20 ~~AGENCY APPOINTED AS THE REGIONAL CHILD TRAFFICKING ADVOCATE IN~~
 21 ~~BALTIMORE COUNTY OR WASHINGTON COUNTY.~~

22 ~~(B) THERE IS A SAFE HARBOR CHILD TRAFFICKING VICTIM SERVICE~~
 23 ~~PILOT PROGRAM.~~

24 ~~(C) THE PURPOSE OF THE PILOT PROGRAM IS TO ADDRESS THE~~
 25 ~~SPECIALIZED NEEDS OF CHILDREN WHO ARE VICTIMS OF SEX TRAFFICKING BY~~
 26 ~~LINKING VICTIMS TO NECESSARY SUPPORT SERVICES THROUGH A~~
 27 ~~COMMUNITY-BASED AGENCY APPOINTED AS THE REGIONAL CHILD TRAFFICKING~~
 28 ~~ADVOCATE.~~

29 ~~(D) (1) THE LOCAL DEPARTMENTS OF SOCIAL SERVICES IN BALTIMORE~~
 30 ~~COUNTY AND WASHINGTON COUNTY SHALL IMPLEMENT THE PILOT PROGRAM.~~

31 ~~(2) THE LOCAL DEPARTMENTS OF SOCIAL SERVICES IN BALTIMORE~~
 32 ~~COUNTY AND WASHINGTON COUNTY SHALL REFER A CHILD IDENTIFIED AS A~~

~~1 VICTIM OF SEX TRAFFICKING TO THE ADVOCATE IN THE PILOT PROGRAM WITHIN 24
2 HOURS OF IDENTIFICATION.~~

~~3 (E) THE SECRETARY OF STATE, AFTER CONSULTATION WITH THE LOCAL
4 DEPARTMENT OF SOCIAL SERVICES AND THE WORK GROUP TO STUDY SAFE
5 HARBOR POLICY FOR YOUTH VICTIMS OF HUMAN TRAFFICKING, SHALL APPOINT
6 THE ADVOCATE IN EACH COUNTY.~~

~~7 (F) THE ADVOCATE APPOINTED UNDER SUBSECTION (E) OF THIS SECTION
8 SHALL:~~

~~9 (1) RECEIVE REFERRALS OF CHILDREN IDENTIFIED AS VICTIMS OF
10 SEX TRAFFICKING AND COMPLETE VICTIM ASSESSMENTS, SAFETY PLANNING, AND
11 CRISIS INTERVENTION;~~

~~12 (2) PROVIDE CASE MANAGEMENT SERVICES BY:~~

~~13 (I) DEVELOPING AN INITIAL COMPREHENSIVE SERVICE PLAN,
14 INCLUDING APPROPRIATE SERVICE REFERRALS;~~

~~15 (II) VERIFYING A CHILD'S ELIGIBILITY FOR NECESSARY
16 SERVICES AND COORDINATING THE APPLICATION FOR AND PROVISION OF
17 SERVICES;~~

~~18 (III) ENSURING THE CHILD'S ONGOING SAFETY AND ABILITY TO
19 PARTICIPATE IN SERVICES; AND~~

~~20 (IV) PROVIDING PERSONAL SUPPORT TO CHILDREN UNDER THE
21 CASE MANAGEMENT OF THE ADVOCATE;~~

~~22 (3) ADVOCATE ON BEHALF OF THE CHILD IN COMMUNICATIONS WITH
23 VARIOUS SERVICE PROVIDERS OR REGULATORY AGENCIES, INCLUDING CHILD
24 WELFARE, JUDICIAL, JUVENILE JUSTICE, LEGAL, EDUCATION, OR FEDERAL
25 IMMIGRATION AGENCIES;~~

~~26 (4) WORK TO ESTABLISH OUTREACH SERVICES TO SEX TRAFFICKED
27 CHILDREN IN THE COMMUNITY, INCLUDING OUTREACH TO MARGINALIZED
28 POPULATIONS, INCLUDING MALES, TRANSGENDER CHILDREN, AND FOREIGN
29 NATIONALS;~~

~~30 (5) PROVIDE TRAINING TO REGIONAL STAKEHOLDERS AND HUMAN
31 SERVICES PROFESSIONALS REGARDING EDUCATION ON SIGNS THAT A CHILD MAY BE
32 A VICTIM OF SEX TRAFFICKING AND SERVICES AVAILABLE TO CHILD VICTIMS; AND~~

1 ~~(6) PARTICIPATE IN LOCAL HUMAN TRAFFICKING AND SEX~~
2 ~~TRAFFICKING TASK FORCES, COALITIONS, OR MULTIDISCIPLINARY TEAMS.~~

3 ~~(G) (1) ON OR BEFORE OCTOBER 1, 2018, AND EVERY 90 DAYS~~
4 ~~THEREAFTER, AN ADVOCATE SHALL SUBMIT A REPORT TO THE WORK GROUP TO~~
5 ~~STUDY SAFE HARBOR POLICY FOR YOUTH VICTIMS OF HUMAN TRAFFICKING AND~~
6 ~~THE UNIVERSITY OF MARYLAND SCHOOL OF SOCIAL WORK CHILD SEX~~
7 ~~TRAFFICKING INITIATIVE.~~

8 ~~(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS~~
9 ~~SUBSECTION SHALL INCLUDE:~~

10 ~~(I) THE NUMBER OF CHILDREN UNDER THE CASE~~
11 ~~MANAGEMENT OF THE ADVOCATE AND THE GENDER, AGE, RACE, AND ETHNICITY OF~~
12 ~~EACH CHILD;~~

13 ~~(H) THE TYPES OF AND NUMBER OF CONTACTS FOR SERVICES~~
14 ~~PROVIDED TO EACH CHILD UNDER CASE MANAGEMENT, INCLUDING CONTACTS IN~~
15 ~~THE AREAS OF:~~

16 ~~1. MENTAL HEALTH;~~

17 ~~2. MEDICAL CARE;~~

18 ~~3. COUNSELING SERVICES; AND~~

19 ~~4. LEGAL SERVICES, INCLUDING VICTIM RIGHTS,~~
20 ~~FAMILY LAW, AND IMMIGRATION;~~

21 ~~(III) A DESCRIPTION OF THE ONGOING NEEDS OF EACH CHILD~~
22 ~~THAT ARE NOT BEING MET BY A SERVICE PROVIDER OR SOCIAL SERVICE AGENCY,~~
23 ~~INCLUDING SPECIALIZED CARE BEDS, HOUSING, OR TRANSPORTATION, AND THE~~
24 ~~REASON, IF AVAILABLE, THE NEEDS REMAIN UNMET;~~

25 ~~(IV) INFORMATION ON HOUSING SERVICES PROVIDED,~~
26 ~~INCLUDING THE LENGTH OF TIME FROM EMERGENCY PLACEMENT TO LONG TERM~~
27 ~~PLACEMENT;~~

28 ~~(V) INFORMATION ON CASE OUTCOMES, INCLUDING OUTCOMES~~
29 ~~FOR CHILD PROTECTIVE SERVICES CASES, CRIMINAL CASES AGAINST ALLEGED~~
30 ~~TRAFFICKERS, OR LEGAL CASES WITH A CHILD AS A PARTY; AND~~

1 ~~(VI) THE SOURCE OF EACH CHILD'S REFERRAL TO THE~~
2 ~~ADVOCATE AND WHETHER THE CHILD WAS IDENTIFIED BEFORE THE REFERRAL AS~~
3 ~~BEING SEXUALLY EXPLOITED.~~

4 ~~(3) THE INFORMATION IN THE REPORT REQUIRED UNDER~~
5 ~~PARAGRAPH (1) OF THIS SUBSECTION MAY NOT INCLUDE ANY PERSONALLY~~
6 ~~IDENTIFYING INFORMATION ABOUT A CHILD RECEIVING SERVICES FROM THE~~
7 ~~ADVOCATE.~~

8 ~~(H) (1) IN BALTIMORE COUNTY, THE ADVOCATE SHALL PROVIDE~~
9 ~~SERVICES DIRECTLY TO THE CHILD REFERRED FOR THE ADVOCATE'S SERVICES.~~

10 ~~(2) (I) IN WASHINGTON COUNTY, THE ADVOCATE SHALL:~~

11 ~~1. PROVIDE SERVICES DIRECTLY TO THE CHILD~~
12 ~~REFERRED FOR THE ADVOCATE'S SERVICES; AND~~

13 ~~2. COORDINATE WITH LOCAL AGENCIES TO ENSURE~~
14 ~~CHILDREN IDENTIFIED AS VICTIMS OF SEX TRAFFICKING HAVE ACCESS TO~~
15 ~~NECESSARY SERVICES.~~

16 ~~(II) LOCAL AGENCIES MAY INCLUDE:~~

17 ~~1. THE LOCAL DEPARTMENT OF SOCIAL SERVICES;~~

18 ~~2. THE LOCAL CHILD ADVOCACY CENTER;~~

19 ~~3. LAW ENFORCEMENT AGENCIES;~~

20 ~~4. THE STATE'S ATTORNEY'S OFFICE; AND~~

21 ~~5. THE DEPARTMENT OF JUVENILE SERVICES.~~

22 ~~(I) (1) THE DEPARTMENT SHALL PROVIDE FUNDING OF \$200,000 EACH~~
23 ~~FISCAL YEAR TO CARRY OUT THE PILOT PROGRAM.~~

24 ~~(2) THE LOCAL DEPARTMENTS OF SOCIAL SERVICES IN BALTIMORE~~
25 ~~COUNTY AND WASHINGTON COUNTY SHALL APPLY FOR GRANTS TO SUPPLEMENT~~
26 ~~DEPARTMENT FUNDING FOR THE PILOT PROGRAM.~~

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
28 June 1, 2018.