

Department of Legislative Services  
 Maryland General Assembly  
 2018 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 1494  
 Judiciary

(Delegate Morales, *et al.*)

Social Services – Safe Harbor Child Trafficking Victim Service Pilot Program

This bill establishes a Safe Harbor Child Trafficking Victim Service Pilot Program, which must be implemented in the local departments of social services in Baltimore and Washington counties. The pilot program’s purpose is to address the specialized needs of children who are victims of sex trafficking by linking victims to necessary support services through a community-based agency appointed as the Regional Child Trafficking Advocate (advocate). The Department of Human Services (DHS) must provide funding of \$200,000 each fiscal year for the pilot program. **The bill takes effect July 1, 2018.**

Fiscal Summary

**State Effect:** General fund expenditures increase by \$200,000 annually to reflect the required funding. Special and/or federal fund revenues may increase, as discussed below; special and/or federal fund expenditures increase correspondingly with any potential additional revenues.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
SF/FF Rev.	-	-	-	-	-
GF Expenditure	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
SF/FF Exp.	-	-	-	-	-
Net Effect	(\$200,000)	(\$200,000)	(\$200,000)	(\$200,000)	(\$200,000)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** None.

**Small Business Effect:** None.

## **Analysis**

**Bill Summary:** The Secretary of State, after consultation with the local department of social services and the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking (workgroup), must appoint the advocate in each county.

The local departments of social services in Baltimore and Washington counties must refer a child identified as a victim of sex trafficking to the appointed advocate in the pilot program within 24 hours of identification. Among other duties, the advocate must (1) receive referrals of children identified as victims of sex trafficking and complete victim assessments, safety planning, and crisis intervention; (2) provide case management services, as specified; (3) advocate on behalf of the child; (4) work to establish outreach services to sex-trafficked children in the community; (5) provide training to regional stakeholders and human services professionals; and (6) participate in local human trafficking and sex trafficking task forces, coalitions, or multidisciplinary teams.

By October 1, 2018, and every 90 days thereafter, an advocate must submit a report to the workgroup and the University of Maryland School of Social Work Child Sex Trafficking Initiative. The report must include specified information, including (1) the number of children under the case management of the advocate and the gender, age, race, and ethnicity of each child; (2) a description of the ongoing needs of each child that are not being met by a service provider or social service agency; (3) information on housing services provided, including the length of time from emergency placement to long-term placement; and (4) information on case outcomes, as specified. The information may not include any personally identifying information about a child receiving services from the advocate.

In Baltimore County, the advocate must provide services directly to the child referred for the advocate's services. In Washington County, the advocate must provide services directly to the child referred for the advocate's services and coordinate with local agencies, as specified, to ensure children identified as victims of sex trafficking have access to necessary services.

Local departments of social services in Baltimore and Washington counties must apply for grants to supplement DHS funding for the pilot program.

**Current Law:** Statutory provisions set forth a process by which individuals are required to report suspected child abuse and neglect, including "sex trafficking." "Sex trafficking" is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act.

### *Child Abuse and Neglect Investigations*

After receiving a report of suspected abuse or neglect of a child who lives in Maryland that is alleged to have occurred in the State, the local department of social services and/or the appropriate law enforcement agency must promptly investigate the report to protect the health, safety, and welfare of the child or children. Within 24 hours after receiving a report of suspected physical or sexual child abuse, and within five days after receiving a report of suspected child neglect or mental injury, the local department or law enforcement agency must (1) see the child; (2) attempt to have an on-site interview with the child's caretaker; (3) decide on the safety of the child and of other children in the household; and (4) decide on the safety of the other children in the care or custody of the alleged abuser. The determinations and assessments that are required during an abuse or neglect investigation are specified in statute.

The local State's Attorney must assist in a child abuse or neglect investigation if requested to do so by a local department of social services. The local departments, appropriate law enforcement agencies, the State's Attorneys in the counties and Baltimore City, and the local health officers must enter into a written agreement pertaining to standard operating procedures for investigations of suspected abuse or neglect. A joint investigation procedure must be implemented for conducting investigations of sexual abuse, which must include techniques for expediting validation of sexual abuse complaints and other techniques to decrease trauma to the child. Statutory provisions specify timeframes by which investigations and reports must be completed.

### *Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking*

Chapter 91 of 2015 established the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking. The workgroup, chaired by the Secretary of State, was tasked with various responsibilities relating to human trafficking, including making recommendations regarding legislation to address the provision of services and legal protections for youth victims of human trafficking in the State.

**State Revenues:** Special and/or federal fund revenues may increase to the extent that the local departments of social services apply for and are awarded grants to supplement funding for the pilot program.

**State Expenditures:** General fund expenditures for DHS increase by \$200,000 annually beginning in fiscal 2019 to support the pilot program. Special and federal fund expenditures increase correspondingly with any potential grant revenues, as discussed above.

Although the Secretary of State advises it requires an additional part-time contractual staff person, because the Secretary of State's role is limited to appointing an advocate in two counties and receiving required reports (in conjunction with responsibilities as chair of the workgroup), the Department of Legislative Services (DLS) disagrees and estimates that such responsibilities can be done with existing resources.

**Additional Comments:** DLS notes that although the bill requires periodic reports to be submitted to the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking, the workgroup is scheduled to terminate on June 30, 2019.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 964 (Senator Lee) - Finance.

**Information Source(s):** Secretary of State; Department of Legislative Services

**Fiscal Note History:** First Reader - February 27, 2018  
nb/jc

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Analysis by: Jennifer K. Botts

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510