

## Testimony of the Human Trafficking Prevention Project

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**BILL NO:** House Bill 892  
**TITLE:** Criminal Law – Benefits Exploitation  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 27, 2024  
**POSITION:** **FAVORABLE AS AMENDED**

House Bill 892, as amended, would establish the criminal offense of benefits exploitation in Maryland. This horrific crime is a serious violation of human rights that often occurs in the context of larger human trafficking schemes, and, as a result, [The Human Trafficking Prevention Project](#) supports this bill.

While the majority of victims of human trafficking are children and younger adults, [adults with disabilities](#) and [older adults](#) are also made vulnerable to being trafficked, particularly in forced labor settings. As in all cases of human trafficking, perpetrators use force, fraud, and/or coercion to induce their victims to engage in some form of labor for the trafficker’s illegal financial gain. However, because older adults and adults with disabilities often receive some form of governmental benefits, this provides added incentive for a perpetrator to target them for victimization.

HB 892 would establish that, in addition to the trafficking of persons for labor and/or commercial sex, the exploitation of their benefits is also an illegal act in Maryland. The legislation would establish that “a person may not, through deception, coercion, exploitation, isolation, or any other means, knowingly recruit, harbor, transport, or obtain an individual for the purpose of appropriating the government benefits of an individual for personal benefit,” and that the person doing so “is guilty of a felony and [] subject to imprisonment not exceeding 25 years or a [\$15,000 fine.]”

The Human Trafficking Prevention Project supports this bill because benefits exploitation often leads to serious human rights violations, as victims may endure physical and emotional abuse, deprivation of basic needs, and other forms of horrific maltreatment. We also greatly appreciate the amendments made to the bill prior to its passage in the House in order to more accurately clarify this criminal act as a crime of fraud and exploitation, rather than human trafficking. Human trafficking is a singularly horrific crime, and, while the financial exploitation of persons, especially older adults and those with disabilities is a serious issue, it should be addressed on those terms, rather than by conflating or analogizing it with human trafficking offenses. By prioritizing clarity and targeted solutions rather than giving rise to additional fallacies and ambiguity around what actually constitutes trafficking, we can effectively combat benefits exploitation while safeguarding the integrity of established legal concepts related to human trafficking.

For these reasons, the Human Trafficking Prevention Project respectfully urges a favorable report on House Bill 892 as amended.

*The Human Trafficking Prevention Project is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief.*

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