

Date: March 27, 2024

To: Chair Smith, Vice Chair Waldstreicher and the Judicial Proceedings Committee

Reference: HB0892-Criminal Law-Benefits Trafficking

Position: Support

Dear Chair Smith and Committee Members,

On behalf of LifeBridge Health's Center for Hope we thank you for this opportunity to provide comments and urge your support for House Bill 892. Center for Hope annually provides intervention and prevention services for over 7,700 survivors and caregivers impacted by child abuse, domestic violence, community violence, and elder justice.

Benefits trafficking impacts a wide range of vulnerable individuals under the care of others – from foster care youth up through older adults. The three key factors in trafficking include force, fraud, and coercion, and the same applies to the exploitation of benefits.

In our experience in working with foster youth, some have expressed feeling that they were only in the home for additional monetary income. These youth report feeling a lack of love, care, or importance. As a result, this may lead to them running away and making them extremely high risk for trafficking. In the year 2023 Center for Hope supported 118 missing youth, 29 foster youth cases, and 16 identified cases of child trafficking. However, we know that the number of trafficking cases and missing youth cases are often much higher as these incidents are found to be under reported for many various factors.

House Bill 892 would allow those taking in children solely to exploit benefits to be held accountable. Center for Hope is prepared to support an increase in foster youth and identified trafficking case numbers as the laws expand the definition and understanding of exploitation. Center for Hope has specialized advocates educated and experienced in supporting the intricacies of exploitation and trafficking. Furthermore, services such as our specialized Child Trafficking Multi-Disciplinary Team will expand to support any youth victimized by benefit exploitation.

In exploring various therapeutic approaches in the anti-trafficking field, we have found client-centered approaches to be most effective. This means giving our youth a voice and a choice for how they receive care and healing. This approach is also most effective when taken as a proactive approach and not just as a reactive result of the victimization. The implementation of House Bill 892 takes the victim centered approach from reactive to proactive.

In the elder justice field, benefits trafficking is a new and emerging type of trafficking that targets overlooked vulnerable adults. On behalf of the over 1.37 million older adults in Maryland, we recognize the devastating impact this type of trafficking has on at-risk older adults who have fallen through the cracks of various hospital systems, are unhoused, and/or no longer have a social support system in place.

Through our experience in facilitating the Elder Justice Multidisciplinary Team and working with our partners, benefits trafficking often occurs within the operation of unlicensed personal care homes. The vulnerable older adult is recruited by a trafficker who presents themselves in part truth by having one licensed care home but multiple other homes that are unlicensed which are then operated by the

family/friends of the trafficker. This is a state issue, and by 2030 Maryland is projected to have nearly 1.7 million individuals 60 years of age and older who could become potential victims of this type of trafficking.

The state of Georgia passed a law in 2018 against benefits trafficking, Ga. Code § 16-5-102.1(5)(b), which states, "A person commits the offense of trafficking a disabled adult, elder person, or resident when such person, through deception, coercion, exploitation, or isolation, knowingly recruits, harbors, transports, provides, or obtains by any means a disabled adult, elder person, or resident for the purpose of appropriating the resources of such disabled adult, elder person, or resident for one's own or another person's benefit."

House Bill 892 would help to be a deterrent to the traffickers, and at the same time, provide critical support to essential benefit programs such as Social Security, veteran's assistance, Medicare, Medicaid, temporary assistance for needy families (TANF), supplemental nutrition assistance program (SNAP), and special supplemental nutrition program for women, infants, and children (WIC) that support families, foster youth, all the way through to older adults. Center for Hope will provide outreach, intervention, and prevention programs to enable families, foster youth, and older adult community members to live safely with dignity and respect. These programs can drive results and help combat the benefits trafficking taking place in the state of Maryland with legislation that can hold traffickers accountable on a criminal level.

For all the above stated reasons, we request a Favorable report.

For more information, please contact:

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