

Testimony of the Human Trafficking Prevention Project

BILL NO: House Bill 336
TITLE: Criminal Procedure – District Court Commissioners and False Statements
COMMITTEE: Judiciary
HEARING DATE: February 3, 2026
POSITION: **INFORMATION**

The Human Trafficking Prevention Project (“HTPP”) 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. The HTPP respectfully provide this **INFORMATION** to the Judiciary Committee on House Bill 366.

House Bill 336 would restrict District Court Commissioners issuing arrest warrants to those cases filed by the police. In the current system, any individual, not just a police officer, can apply for criminal charges to be filed against someone by filling out and providing an application to a District Court Commissioner. The District Court Commissioner, who typically is not a lawyer, may then issue a summons ***or an arrest warrant***. At present, all that is required as per *Md. Code Ann., Cts. & Jud. Proc. § 2-607* to issue an arrest warrant is that the Commissioner find probable cause to believe the defendant committed the offenses charged **and** that

- the accused has previously failed to respond to a served summons or citation, or
- their whereabouts are unknown and the warrant therefore necessary to subject them to the jurisdiction of the court, or
- the accused be in custody for another offense, ***or***
- there is probable cause to believe that the defendant poses a danger to another person or the community.

Because the District Court Commissioner lacks the ability to investigate the accuracy or honesty of the allegations put before them, they essentially have only what is claimed in the document itself to make a decision that can lead to the deprivation of an individual’s liberty and all the negative repercussions that come along with it, including loss of employment, housing, the involvement of child welfare services, and the emotional and often physical harm that comes with arrest and incarceration.

At the Human Trafficking Prevention Project, while our clients do indeed utilize this system in order to bring charges against the perpetrators of violence against them without having to engage with law enforcement, they are just as often, if not more often, victims of the blatant abuse of this system ***by the perpetrators of their abuse***, who can and do file false charges against them as a method of coercive

control. This then ushers in a cycle of criminalization that is incredibly destructive, and often results in fewer options for our clients to escape their abusers, [given the impact that criminal records have on an individual's ability to obtain safe housing and gainful employment](#). Furthermore, the impact of complex trauma often “plays” very poorly in the context of criminal trials, [resulting in poorer outcomes for traumatized victim-defendants](#).

The HTPP recognizes how victims can suffer abuses on *both sides* of the system, and we strongly reject the narrative that reforms of the criminal legal system are *always* bad for victims; in fact, most reforms are needed and necessary because of how often criminal defendants have been victimized themselves. Therefore, we would welcome an opportunity to examine how to amend the current law so that it provides the opportunity for individuals to request help from the system while protecting *all* victims of abuse from its misuse.

[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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