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By: **Senator Forehand**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Trafficking of Persons and Involuntary Servitude**

3 FOR the purpose of prohibiting a person from knowingly recruiting, enticing,  
4 harboring, transporting, providing, or obtaining or attempting to recruit, entice,  
5 harbor, transport, provide, or obtain another person for a commercial sex act, a  
6 sexually explicit performance, labor, or services by certain means; prohibiting a  
7 person from knowingly recruiting, enticing, harboring, transporting, providing,  
8 or obtaining or attempting to recruit, entice, harbor, transport, provide, or  
9 obtain a minor for a commercial sex act or a sexually explicit performance;  
10 prohibiting a person from knowingly subjugating or attempting to subjugate  
11 another person for a commercial sex act, a sexually explicit performance, labor,  
12 or services by certain means; prohibiting a person from benefitting financially  
13 or receiving anything of value from participation in certain ventures;  
14 establishing a statute of limitations for a certain civil action; providing for the  
15 delayed commencement of a certain statute of limitations under certain  
16 circumstances; establishing that the defense of expiration of a certain statute of  
17 limitations may not be asserted under certain circumstances; establishing  
18 certain penalties; establishing that a business entity that knowingly aids or  
19 participates in a certain violation is subject to certain penalties; providing that a  
20 person may not commit certain offenses while also committing certain other  
21 offenses relating to homicide, kidnapping, or sexual offenses; establishing that  
22 certain facts may not be a defense in a prosecution for certain violations;  
23 establishing a certain affirmative defense to certain prosecutions; requiring the  
24 court to consider certain factors in making a sentencing determination for  
25 certain violations; providing that a person convicted of a certain offense is  
26 required to pay restitution to the victim; providing that certain provisions  
27 govern restitution ordered and establishing certain additional types of  
28 restitution that a defendant can be ordered to pay; requiring that the proceeds  
29 from certain property shall be used to pay restitution to a victim; providing for  
30 the enforceability of an order of restitution; authorizing a court to order the  
31 forfeiture of certain assets; authorizing a person who has suffered an injury or a  
32 violation of a specific right as a result of a certain violation to bring a civil  
33 action; authorizing the court to make a certain award; authorizing the Secretary  
34 of State Police to make certain grants to certain entities for the enforcement of  
35 certain violations or to develop, expand, or strengthen certain victims' services;

1 requiring the Secretary of State Police to develop and implement certain public  
2 awareness programs; establishing the Task Force for the Prevention of  
3 Trafficking of Persons and Involuntary Servitude; providing for the membership  
4 and duties of the Task Force; providing for staffing for the Task Force;  
5 establishing that a member of the Task Force may not receive certain  
6 compensation but is entitled to a certain reimbursement; requiring the Task  
7 Force to submit a certain report on or before a certain date; providing for certain  
8 supplemental victims' services; requiring the names of certain victims to be kept  
9 confidential; requiring certain persons to keep a victim informed of certain  
10 rights and the progress of certain proceedings; requiring certain efforts to be  
11 made to ensure the safety of certain victims and their families; requiring the  
12 State's Attorney to provide certain relocation services under certain  
13 circumstances; requiring the Department of Human Resources to establish  
14 certain support services programs for victims of trafficking of persons;  
15 establishing certain requirements for the programs; authorizing the  
16 Department of Human Resources to enter into certain contracts; requiring that  
17 certain victims be provided with a certain caseworker for certain purposes;  
18 establishing that communication between a victim and a caseworker is  
19 confidential; providing that money for certain support services programs will be  
20 as provided in the State budget and will supplement certain other money;  
21 authorizing certain programs to include certain services; establishing certain  
22 requirements for a shelter provided to a victim; prohibiting a person from  
23 maliciously publishing, disseminating, or disclosing the location of certain  
24 shelters; requiring the Department of State Police, with the cooperation of  
25 certain other agencies and organizations, to collect, analyze, and disseminate  
26 certain information; requiring local law enforcement agencies to provide the  
27 Department of State Police with certain information; requiring the Department  
28 of State Police to adopt certain procedures; requiring the Department of State  
29 Police to periodically publish certain data; requiring the Police Training  
30 Commission to provide certain entrance level and in-service level training;  
31 defining certain terms; providing for the termination of certain provisions of this  
32 Act; and generally relating to trafficking of persons and involuntary servitude.

33 BY adding to  
34 Article - Courts and Judicial Proceedings  
35 Section 5-118  
36 Annotated Code of Maryland  
37 (2002 Replacement Volume and 2005 Supplement)

38 BY adding to  
39 Article - Criminal Law  
40 Section 3-1001 through 3-1015, inclusive, to be under the new subtitle "Subtitle  
41 10. Trafficking of Persons and Involuntary Servitude"  
42 Annotated Code of Maryland  
43 (2002 Volume and 2005 Supplement)

44 BY adding to

1 Article - Criminal Procedure  
2 Section 11-928 through 11-934, inclusive, to be under the new part "Part IV.  
3 Help for Victims of Trafficking of Persons"  
4 Annotated Code of Maryland  
5 (2001 Volume and 2005 Supplement)

6 BY repealing and reenacting, without amendments,  
7 Article - Criminal Procedure  
8 Section 11-1002  
9 Annotated Code of Maryland  
10 (2001 Volume and 2005 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article - Public Safety  
13 Section 2-307, 2-308, and 3-207  
14 Annotated Code of Maryland  
15 (2003 Volume and 2005 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Courts and Judicial Proceedings**

19 5-118.

20 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CIVIL ACTION UNDER §  
21 3-1012 OF THE CRIMINAL LAW ARTICLE SHALL BE FILED WITHIN 10 YEARS FROM THE  
22 DATE IT ACCRUES.

23 (B) (1) IF THE VICTIM WAS A MINOR AT THE TIME THAT THE VIOLATION  
24 GIVING RISE TO THE CIVIL ACTION OCCURS, THE TIME LIMITATIONS PRESCRIBED IN  
25 SUBSECTION (A) OF THIS SECTION SHALL COMMENCE WHEN THE VICTIM ATTAINS  
26 THE AGE OF MAJORITY.

27 (2) (I) IN THIS PARAGRAPH, "DISABILITY" INCLUDES INSANITY,  
28 IMPRISONMENT, INCOMPETENCE, OR OTHER INCAPACITY.

29 (II) IF THE VICTIM WAS UNDER A DISABILITY AT THE TIME THAT  
30 THE VIOLATION GIVING RISE TO THE CIVIL ACTION OCCURS SO THAT IT IS  
31 IMPOSSIBLE OR IMPRACTICAL FOR THE VICTIM TO BRING AN ACTION, THE TIME  
32 LIMITATION PRESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL COMMENCE  
33 WHEN THE DISABILITY IS REMOVED.

34 (3) IF THE VICTIM WAS UNAWARE OF THE CAUSE OF ACTION AS A  
35 RESULT OF PSYCHOLOGICAL TRAUMA, CULTURAL AND LINGUISTIC ISOLATION, OR  
36 THE INABILITY TO ACCESS SERVICES RESULTING FROM THE ACTIONS GIVING RISE  
37 TO THE VIOLATION, THE TIME LIMITATION PRESCRIBED IN SUBSECTION (A) OF THIS

1 SECTION SHALL COMMENCE WHEN THE VICTIM BECOMES AWARE OR REASONABLY  
2 SHOULD HAVE BECOME AWARE OF THE CAUSE OF ACTION.

3 (C) A DEFENDANT MAY NOT ASSERT THE DEFENSE OF THE EXPIRATION OF  
4 THE STATUTE OF LIMITATIONS IF THE FACT THAT THE TIME LIMITATION  
5 PRESCRIBED IN SUBSECTION (A) OF THIS SECTION HAS EXPIRED BEFORE A CIVIL  
6 ACTION IS FILED IS A RESULT OF THREATS MADE BY THE DEFENDANT TO THE  
7 VICTIM.

8 **Article - Criminal Law**

9 SUBTITLE 10. TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE.

10 3-1001.

11 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
12 INDICATED.

13 (B) "EXTORTION" MEANS AN OFFENSE UNDER §§ 3-701, 3-704, AND 3-705 OF  
14 THE CRIMINAL LAW ARTICLE.

15 (C) "COMMERCIAL SEX ACT" MEANS A SEX ACT FOR WHICH A THING OF VALUE  
16 IS GIVEN OR PROMISED TO ANY PERSON, OR RECEIVED DIRECTLY OR INDIRECTLY BY  
17 ANOTHER, IN EXCHANGE FOR ENGAGING IN THE SEX ACT.

18 (D) "DEBT BONDAGE" MEANS THE STATUS OR CONDITION OF A DEBTOR  
19 ARISING FROM A PLEDGE BY THE DEBTOR OF HIS OR HER PERSONAL SERVICES OR  
20 THOSE OF A PERSON UNDER HIS OR HER CONTROL AS SECURITY FOR A DEBT, IF THE  
21 VALUE OF THOSE SERVICES AS REASONABLY ASSESSED IS NOT APPLIED TOWARD  
22 THE LIQUIDATION OF THE DEBT OR THE LENGTH AND NATURE OF THOSE SERVICES  
23 ARE NOT RESPECTIVELY LIMITED AND DEFINED.

24 (E) "FINANCIAL HARM" INCLUDES CREDIT EXTORTION, CRIMINAL VIOLATION  
25 OF THE USURY LAWS AS DEFINED IN § 12-102 OF THE COMMERCIAL LAW ARTICLE, OR  
26 EMPLOYMENT CONTRACTS THAT VIOLATE RELEVANT STATUTES OF FRAUDS.

27 (F) "LABOR" MEANS WORK OF ECONOMIC OR FINANCIAL VALUE.

28 (G) "PERSON" INCLUDES AN ASSOCIATION, A GOVERNMENT BODY, A  
29 MUNICIPAL CORPORATION, OR ANY OTHER LEGAL ENTITY.

30 (H) "MAINTAIN" MEANS TO SECURE CONTINUED PERFORMANCE, LABOR, OR  
31 SERVICES REGARDLESS OF ANY INITIAL AGREEMENT ON THE PART OF THE  
32 TRAFFICKED PERSON TO PERFORM COMMERCIAL SEX ACTS OR SEXUALLY EXPLICIT  
33 PERFORMANCES.

34 (I) "OBTAIN" MEANS TO SECURE PERFORMANCE OF A COMMERCIAL SEX ACT,  
35 A SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES.

1 (J) "SERVICES" MEANS AN ONGOING RELATIONSHIP BETWEEN TWO OR MORE  
2 PERSONS IN WHICH ONE PERSON PERFORMS ACTIVITIES AT THE DIRECTION OF  
3 ANOTHER.

4 (K) "SEX ACT" MEANS TOUCHING, OR BEING TOUCHED, DIRECTLY OR  
5 INDIRECTLY ON THE GENITAL, ANAL, OR OTHER INTIMATE AREA FOR SEXUAL  
6 AROUSAL OR GRATIFICATION.

7 (L) "SEXUALLY EXPLICIT PERFORMANCE" MEANS A PUBLIC OR PRIVATE ACT  
8 OR SHOW, WHETHER LIVE, PHOTOGRAPHED, RECORDED, OR VIDEOTAPED, INTENDED  
9 TO AROUSE OR SATISFY THE SEXUAL DESIRES OF OR APPEAL TO THE PRURIENT  
10 INTERESTS OF PATRONS OR VIEWERS.

11 3-1002.

12 (A) A PERSON MAY NOT KNOWINGLY RECRUIT, ENTICE, HARBOR, TRANSPORT,  
13 PROVIDE, OR OBTAIN, OR ATTEMPT TO RECRUIT, ENTICE, HARBOR, TRANSPORT,  
14 PROVIDE, OR OBTAIN, ANOTHER PERSON FOR THE PURPOSE OF ENGAGING THAT  
15 PERSON IN A COMMERCIAL SEX ACT, A SEXUALLY EXPLICIT PERFORMANCE, LABOR,  
16 OR SERVICES BY:

17 (1) CAUSING OR THREATENING TO CAUSE HARM TO ANY PERSON;

18 (2) PHYSICALLY RESTRAINING OR THREATENING TO PHYSICALLY  
19 RESTRAIN ANY PERSON;

20 (3) ABUSING OR THREATENING TO ABUSE LEGAL PROCESSES;

21 (4) KNOWINGLY DESTROYING, CONCEALING, REMOVING,  
22 CONFISCATING, OR POSSESSING ANY ACTUAL OR PURPORTED PASSPORT OR OTHER  
23 IMMIGRATION DOCUMENT OR ANY OTHER ACTUAL OR PURPORTED GOVERNMENT  
24 IDENTIFICATION DOCUMENT OF ANOTHER PERSON;

25 (5) EXTORTION;

26 (6) DECEPTION;

27 (7) FRAUD;

28 (8) DEBT BONDAGE;

29 (9) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO ANY  
30 PERSON;

31 (10) FACILITATING OR CONTROLLING A PERSON'S ACCESS TO ADDICTIVE  
32 CONTROLLED SUBSTANCES; OR

33 (11) USING ANY SCHEME, PLAN, OR PATTERN INTENDED TO CAUSE ANY  
34 PERSON TO BELIEVE THAT, IF THE PERSON DID NOT PERFORM THE COMMERCIAL  
35 SEX ACT, SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES, THE PERSON  
36 WOULD SUFFER SERIOUS HARM OR PHYSICAL RESTRAINT.

1 (B) A PERSON MAY NOT KNOWINGLY BENEFIT FINANCIALLY, OR RECEIVE  
2 ANYTHING OF VALUE, FROM PARTICIPATING IN A VENTURE THAT HAS ENGAGED IN A  
3 VIOLATION OF SUBSECTION (A) OF THIS SECTION.

4 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON  
5 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS OR A FINE  
6 NOT EXCEEDING \$15,000 OR BOTH.

7 3-1003.

8 (A) A PERSON MAY NOT KNOWINGLY RECRUIT, ENTICE, HARBOR, TRANSPORT,  
9 PROVIDE, OR OBTAIN, OR ATTEMPT TO RECRUIT, ENTICE, HARBOR, TRANSPORT,  
10 PROVIDE, OR OBTAIN A MINOR FOR THE PURPOSE OF A COMMERCIAL SEX ACT OR A  
11 SEXUALLY EXPLICIT PERFORMANCE.

12 (B) A PERSON MAY NOT KNOWINGLY BENEFIT FINANCIALLY, OR RECEIVE  
13 ANYTHING OF VALUE, FROM PARTICIPATING IN A VENTURE THAT HAS ENGAGED IN A  
14 VIOLATION OF SUBSECTION (A) OF THIS SECTION.

15 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON  
16 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE  
17 NOT EXCEEDING \$25,000 OR BOTH.

18 3-1004.

19 (A) A PERSON MAY NOT KNOWINGLY SUBJUGATE OR ATTEMPT TO  
20 SUBJUGATE ANOTHER PERSON FOR THE PURPOSE OF A COMMERCIAL SEX ACT, A  
21 SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES BY:

22 (1) CAUSING OR THREATENING TO CAUSE HARM TO ANY PERSON;

23 (2) PHYSICALLY RESTRAINING OR THREATENING TO PHYSICALLY  
24 RESTRAIN ANY PERSON;

25 (3) ABUSING OR THREATENING TO ABUSE LEGAL PROCESSES;

26 (4) KNOWINGLY DESTROYING, CONCEALING, REMOVING,  
27 CONFISCATING, OR POSSESSING ANY ACTUAL OR PURPORTED PASSPORT OR OTHER  
28 IMMIGRATION DOCUMENT OR ANY OTHER ACTUAL OR PURPORTED GOVERNMENT  
29 IDENTIFICATION DOCUMENT OF ANOTHER PERSON;

30 (5) EXTORTION;

31 (6) DECEPTION;

32 (7) FRAUD;

33 (8) DEBT BONDAGE;

34 (9) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO ANY  
35 PERSON;

1 (10) FACILITATING OR CONTROLLING A PERSON'S ACCESS TO ADDICTIVE  
2 CONTROLLED SUBSTANCES; OR

3 (11) USING ANY SCHEME, PLAN, OR PATTERN INTENDED TO CAUSE ANY  
4 PERSON TO BELIEVE THAT, IF THE PERSON DID NOT PERFORM THE COMMERCIAL  
5 SEX ACT, SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES, THE PERSON  
6 WOULD SUFFER SERIOUS HARM OR PHYSICAL RESTRAINT.

7 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON  
8 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE  
9 NOT EXCEEDING \$25,000 OR BOTH.

10 3-1005.

11 A BUSINESS ENTITY THAT KNOWINGLY AIDS OR PARTICIPATES IN A VIOLATION  
12 OF THIS SUBTITLE IS SUBJECT TO:

13 (1) THE SUSPENSION OR REVOCATION OF ANY BUSINESS LICENSE,  
14 PERMIT, OR APPROVAL TO OPERATE GRANTED TO THE ENTITY BY THE STATE;

15 (2) DISSOLUTION OR REORGANIZATION;

16 (3) THE SURRENDER OF THE ENTITY'S CHARTER IF IT IS A  
17 CORPORATION ORGANIZED UNDER STATE LAW; OR

18 (4) THE REVOCATION OF THE ENTITY'S CERTIFICATE TO CONDUCT  
19 BUSINESS IF IT IS A CORPORATION NOT ORGANIZED UNDER STATE LAW.

20 3-1006.

21 (A) A PERSON MAY NOT VIOLATE § 3-1002, § 3-1003, OR § 3-1004 OF THIS  
22 SUBTITLE WHILE ALSO VIOLATING TITLE 2, SUBTITLE 2 OF THIS ARTICLE OR § 3-303,  
23 § 3-304, § 3-305, § 3-306, § 3-309, § 3-310, § 3-311, § 3-312, § 3-502, OR § 3-503 OF THIS  
24 TITLE.

25 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON  
26 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 YEARS OR A FINE  
27 NOT EXCEEDING \$35,000 OR BOTH.

28 3-1007.

29 IT IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SUBTITLE THAT:

30 (1) THE VICTIM HAS A SEXUAL HISTORY OR A HISTORY OF COMMITTING  
31 COMMERCIAL SEX ACTS;

32 (2) THE VICTIM HAS A CONNECTION BY BLOOD OR MARRIAGE TO A  
33 DEFENDANT OR TO ANOTHER INVOLVED IN THE VIOLATION;

1 (3) THE DEFENDANT HAD THE CONSENT OF THE VICTIM OR ANOTHER  
2 PERSON ON BEHALF OF THE VICTIM TO ENGAGE IN A COMMERCIAL SEX ACT OR  
3 SEXUALLY EXPLICIT PERFORMANCE;

4 (4) THE VICTIM WAS OVER THE AGE OF CONSENT OR OF LEGAL AGE FOR  
5 MARRIAGE; OR

6 (5) THE DEFENDANT WAS MISTAKEN AS TO THE AGE OF THE VICTIM,  
7 EVEN IF THE MISTAKE IS REASONABLE.

8 3-1008.

9 (A) IT IS AN AFFIRMATIVE DEFENSE TO THE PROSECUTION OF A VICTIM OF A  
10 VIOLATION OF THIS SUBTITLE FOR ANY CRIME COMMITTED DURING THE TIME OF  
11 THE VIOLATION THAT THE VICTIM WAS UNDER DURESS OR COERCED INTO  
12 COMMITTING THE OFFENSE.

13 (B) A VICTIM OF A VIOLATION OF THIS SUBTITLE IS NOT CRIMINALLY LIABLE  
14 FOR A COMMERCIAL SEX ACT OR SEXUALLY EXPLICIT PERFORMANCE COMMITTED  
15 AS A DIRECT RESULT OF A VIOLATION OF THIS SECTION.

16 3-1009.

17 IN ADDITION TO ANY OTHER FACTORS THAT THE COURT CONSIDERS IN  
18 CONNECTION WITH THE DETERMINATION OF AN APPROPRIATE SENTENCE THE  
19 COURT SHALL CONSIDER:

20 (1) WHETHER THE VICTIM SUFFERED BODILY INJURY AS A RESULT OF  
21 THE VIOLATION;

22 (2) THE LENGTH OF TIME THAT THE VIOLATION CONTINUED; AND

23 (3) THE NUMBER OF VICTIMS INVOLVED IN THE VIOLATION.

24 3-1010.

25 (A) (1) NOTWITHSTANDING ANY OTHER LAW, A PERSON CONVICTED OF A  
26 VIOLATION OF THIS SUBTITLE SHALL BE ORDERED TO PAY RESTITUTION TO THE  
27 VICTIM.

28 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, RESTITUTION  
29 ORDERED FOR A VIOLATION OF THIS SUBTITLE SHALL BE GOVERNED BY TITLE 11,  
30 SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE.

31 (B) IN ADDITION TO THE TYPES OF RESTITUTION THAT MAY BE ORDERED  
32 UNDER TITLE 11, SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE, A COURT MAY  
33 ENTER A JUDGMENT OF RESTITUTION FOR A VIOLATION OF THIS SUBTITLE THAT  
34 ORDERS A DEFENDANT TO PAY TO THE VICTIM:

35 (1) REASONABLE COSTS OF NECESSARY TRANSPORTATION, TEMPORARY  
36 HOUSING, OR CHILD CARE;

1 (2) ATTORNEY'S FEES;

2 (3) VICTIM'S ADVOCATES FEES;

3 (4) THE GREATER OF:

4 (I) THE GROSS INCOME RECEIVED OR VALUE INCURRED BY THE  
5 DEFENDANT FROM THE COMMERCIAL SEX ACT, SEXUALLY EXPLICIT PERFORMANCE,  
6 LABOR, OR SERVICES OF THE VICTIM; OR

7 (II) THE VALUE OF THE VICTIM'S LABOR AS GUARANTEED UNDER  
8 THE MINIMUM WAGE AND OVERTIME PROVISIONS OF THE FAIR LABOR STANDARDS  
9 ACT AND STATE LABOR LAWS;

10 (5) REASONABLE COMPENSATION FOR EMOTIONAL DISTRESS, PAIN,  
11 AND SUFFERING; AND

12 (6) REASONABLE EXPENSES INCURRED BY AN ADULT VICTIM IN  
13 RELOCATING AWAY FROM THE DEFENDANT IF THE RELOCATION IS VERIFIED BY  
14 LAW ENFORCEMENT TO BE NECESSARY FOR THE PERSONAL SAFETY OF THE VICTIM  
15 OR BY A MENTAL HEALTH TREATMENT PROVIDER TO BE NECESSARY FOR THE  
16 EMOTIONAL WELL-BEING OF THE VICTIM, INCLUDING:

17 (I) DEPOSITS FOR UTILITIES;

18 (II) DEPOSITS FOR RENTAL HOUSING;

19 (III) TEMPORARY LODGING AND FOOD EXPENSES; AND

20 (IV) PURCHASE OF CLOTHING AND PERSONAL ITEMS.

21 (C) (1) NOTWITHSTANDING ANY OTHER LAW, RESTITUTION ORDERED  
22 UNDER THIS SECTION SHALL BE PAID PROMPTLY TO THE VICTIM ON CONVICTION OF  
23 THE DEFENDANT.

24 (2) NOTWITHSTANDING ANY OTHER LAW, THE PROCEEDS FROM ANY  
25 PROPERTY FORFEITED UNDER THIS SUBTITLE SHALL ACCRUE TO THE VICTIM FOR  
26 REPAYMENT OF RESTITUTION ORDERED.

27 (D) AN ORDER OF RESTITUTION UNDER THIS SECTION IS ENFORCEABLE EVEN  
28 IF THE VICTIM LEAVES THE JURISDICTION.

29 3-1011.

30 IN ADDITION TO ANY OTHER SENTENCE AUTHORIZED BY LAW, THE COURT MAY  
31 DIRECT THAT A PERSON CONVICTED OF A VIOLATION UNDER THIS SUBTITLE  
32 FORFEIT TO THE STATE ANY ASSETS THAT WERE:

33 (1) ACCRUED AS A DIRECT OR INDIRECT RESULT OF THE VIOLATION; OR

1 (2) DIRECTLY OR INDIRECTLY INVOLVED IN THE COMMISSION OF THE  
2 VIOLATION.

3 3-1012.

4 (A) A PERSON WHO HAS SUFFERED AN INJURY OR A VIOLATION OF A SPECIFIC  
5 RIGHT AS A RESULT OF A VIOLATION OF THIS SUBTITLE MAY BRING A CIVIL ACTION  
6 IN A COURT OF COMPETENT JURISDICTION.

7 (B) THE COURT MAY AWARD:

8 (1) ACTUAL DAMAGES;

9 (2) COMPENSATORY DAMAGES;

10 (3) PUNITIVE DAMAGES;

11 (4) INJUNCTIVE RELIEF; OR

12 (5) ANY OTHER APPROPRIATE RELIEF.

13 (C) A COURT MAY AWARD COURT COSTS AND REASONABLE ATTORNEY'S FEES  
14 TO A PREVAILING PLAINTIFF UNDER THIS SECTION.

15 3-1013.

16 THE SECRETARY OF STATE POLICE MAY MAKE GRANTS TO THE FOLLOWING  
17 ENTITIES FOR THE PURPOSE OF AIDING ENFORCEMENT OF VIOLATIONS OF THIS  
18 SUBTITLE OR DEVELOPING, EXPANDING, OR STRENGTHENING SERVICES FOR  
19 VICTIMS OF VIOLATIONS OF THIS SUBTITLE:

20 (1) LOCAL LAW ENFORCEMENT AGENCIES;

21 (2) NATIVE AMERICAN TRIBES; AND

22 (3) NONPROFIT, NONGOVERNMENTAL VICTIMS' SERVICES  
23 ORGANIZATIONS.

24 3-1014.

25 (A) THE SECRETARY OF STATE POLICE SHALL DEVELOP AND IMPLEMENT  
26 PUBLIC AWARENESS PROGRAMS DESIGNED TO:

27 (1) EDUCATE THE GENERAL PUBLIC OF THE DANGERS ASSOCIATED  
28 WITH VIOLATIONS OF THIS SUBTITLE; AND

29 (2) TARGET AND EDUCATE POTENTIAL VICTIMS OF VIOLATIONS OF THIS  
30 SUBTITLE.

31 (B) A PUBLIC AWARENESS PROGRAM DEVELOPED UNDER THIS SECTION  
32 SHALL INCLUDE AS APPROPRIATE:

1 (1) INFORMATION ABOUT THE RISKS OF BECOMING A VICTIM,  
2 INCLUDING THE RISK OF MALTREATMENT, RAPE, AND EXPOSURE TO SEXUALLY  
3 TRANSMITTED DISEASES;

4 (2) INFORMATION ABOUT THE GENERAL CHARACTERISTICS OF  
5 POTENTIAL VICTIMS;

6 (3) INFORMATION ABOUT COMMON RECRUITING TECHNIQUES, DEBT  
7 BONDAGE, AND OTHER COERCIVE TACTICS;

8 (4) INFORMATION ABOUT AVAILABLE VICTIMS' SERVICES;

9 (5) INFORMATION ABOUT THE RISK OF ENGAGING IN ACTIVITIES  
10 RELATING TO A VIOLATION OF THIS SECTION AND THE POSSIBLE PUNISHMENTS;  
11 AND

12 (6) METHODS FOR REPORTING SUSPECTED RECRUITMENT ACTIVITIES,  
13 INCLUDING PROVIDING A TELEPHONE HOTLINE.

14 (C) IN DEVELOPING A PUBLIC AWARENESS PROGRAM UNDER THIS SECTION,  
15 THE SECRETARY OF STATE POLICE MAY COLLABORATE WITH ANY OTHER  
16 APPROPRIATE GOVERNMENTAL AGENCIES OR NONGOVERNMENTAL  
17 ORGANIZATIONS.

18 (D) MATERIALS PREPARED FOR A PROGRAM UNDER THIS SECTION MAY  
19 INCLUDE:

20 (1) PAMPHLETS, BROCHURES, POSTERS, AND ADVERTISEMENTS IN  
21 MASS MEDIA; AND

22 (2) SUBJECT TO THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION,  
23 INFORMATION ON THE IMPACT OF VIOLATIONS OF THIS SUBTITLE ON INDIVIDUAL  
24 VICTIMS.

25 (E) ANY INFORMATION INCLUDED IN MATERIALS FOR A PROGRAM UNDER  
26 THIS SECTION IN ACCORDANCE WITH SUBSECTION (D)(2) OF THIS SECTION SHALL  
27 PRESERVE THE PRIVACY OF THE VICTIM AND THE VICTIM'S FAMILY.

28 (F) A PUBLIC AWARENESS PROGRAM DEVELOPED UNDER THIS SECTION  
29 SHALL BE EVALUATED PERIODICALLY TO DETERMINE ITS EFFECTIVENESS.

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

32 **Article - Criminal Law**

33 3-1015.

34 (A) THERE IS A TASK FORCE FOR THE PREVENTION OF TRAFFICKING OF  
35 PERSONS AND INVOLUNTARY SERVITUDE.

1 (B) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

2 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE  
3 PRESIDENT OF THE SENATE;

4 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE  
5 SPEAKER OF THE HOUSE;

6 (3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE;

7 (4) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;

8 (5) THE SECRETARY OF LABOR, LICENSING, AND REGULATION, OR THE  
9 SECRETARY'S DESIGNEE;

10 (6) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE  
11 SECRETARY'S DESIGNEE;

12 (7) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S  
13 DESIGNEE;

14 (8) THE PRESIDENT OF THE MARYLAND CHIEFS OF POLICE  
15 ASSOCIATION, OR THE PRESIDENT'S DESIGNEE;

16 (9) THE PRESIDENT OF THE MARYLAND SHERIFF'S ASSOCIATION, OR  
17 THE PRESIDENT'S DESIGNEE; AND

18 (10) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

19 (I) ONE REPRESENTATIVE OF A NONGOVERNMENTAL  
20 ORGANIZATION WHO IS A SPECIALIST IN ADDRESSING THE PROBLEM OF  
21 TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE;

22 (II) TWO REPRESENTATIVES OF COMMUNITIES  
23 DISPROPORTIONATELY AFFECTED BY TRAFFICKING OF PERSONS AND INVOLUNTARY  
24 SERVITUDE;

25 (III) ONE REPRESENTATIVE OF A NONGOVERNMENTAL AGENCY  
26 DEVOTED TO CHILD AND RUNAWAY SERVICES; AND

27 (IV) ONE ACADEMIC RESEARCHER WHO IS A SPECIALIST IN THE  
28 SUBJECT OF TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE.

29 (C) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE TASK FORCE.

30 (D) THE DEPARTMENT OF STATE POLICE SHALL PROVIDE STAFF FOR THE  
31 TASK FORCE.

32 (E) A MEMBER OF THE TASK FORCE:

1 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK  
2 FORCE; BUT

3 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
4 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5 (F) THE TASK FORCE SHALL:

6 (1) DEVELOP AND RECOMMEND A STATE PLAN FOR THE PREVENTION  
7 OF TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE;

8 (2) COORDINATE THE IMPLEMENTATION OF THE PLAN;

9 (3) DEVELOP AND RECOMMEND A PLAN FOR THE COORDINATED  
10 COLLECTION AND SHARING OF TRAFFICKING DATA AMONG GOVERNMENT  
11 AGENCIES;

12 (4) DEVELOP A PLAN FOR THE SHARING OF INFORMATION AMONG  
13 GOVERNMENT AGENCIES FOR THE PURPOSE OF DETECTING CRIMINAL GROUPS  
14 ENGAGED IN TRAFFICKING OF PERSONS;

15 (5) DEVELOP AND RECOMMEND POLICIES TO PROVIDE FOR  
16 COORDINATION BETWEEN GOVERNMENTAL AGENCIES AND NONGOVERNMENTAL  
17 ORGANIZATIONS TO ENABLE THEM TO BETTER PREVENT TRAFFICKING OF PERSONS  
18 AND INVOLUNTARY SERVITUDE AND TO PROVIDE ASSISTANCE TO VICTIMS,  
19 INCLUDING UNITED STATES CITIZENS AND FOREIGN NATIONALS;

20 (6) REVIEW THE EXISTING SERVICES AND FACILITIES INTENDED TO  
21 MEET THE NEEDS OF TRAFFICKING VICTIMS AND RECOMMEND A SYSTEM THAT  
22 WOULD COORDINATE SERVICES, INCLUDING:

23 (I) HEALTH SERVICES;

24 (II) HOUSING;

25 (III) EDUCATION;

26 (IV) JOB TRAINING;

27 (V) ENGLISH AS A SECOND LANGUAGE CLASSES;

28 (VI) INTERPRETING SERVICES;

29 (VII) LEGAL AND IMMIGRATION SERVICES; AND

30 (VIII) VICTIM COMPENSATION; AND

31 (7) EVALUATE VARIOUS APPROACHES USED BY STATE AND LOCAL  
32 GOVERNMENTS TO INCREASE PUBLIC AWARENESS OF TRAFFICKING OF PERSONS  
33 AND INVOLUNTARY SERVITUDE.

1 (G) ON OR BEFORE SEPTEMBER 30, 2008, THE TASK FORCE SHALL REPORT ITS  
2 FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH  
3 § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

4 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
5 read as follows:

6 **Article - Criminal Procedure**

7 11-926. RESERVED.

8 11-927. RESERVED.

9 **PART IV. HELP FOR VICTIMS OF TRAFFICKING OF PERSONS.**

10 11-928.

11 IN THIS PART, "TRAFFICKING OF PERSONS" MEANS A VIOLATION OF TITLE 3,  
12 SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE.

13 11-929.

14 THE VICTIMS' SERVICES REQUIRED IN THIS SECTION ARE SUPPLEMENTAL TO  
15 AND IN ADDITION NOT IN DEROGATION OF THE SERVICES PROVIDED BY OTHER  
16 PROVISIONS OF THIS TITLE.

17 11-930.

18 AT EACH STAGE OF AN INVESTIGATION AND PROSECUTION OF THE OFFENSE  
19 INVOLVING TRAFFICKING OF PERSONS:

20 (1) THE NAMES AND IDENTIFYING INFORMATION OF THE VICTIM AND  
21 THE VICTIM'S FAMILY SHALL BE KEPT CONFIDENTIAL FROM THE PUBLIC; AND

22 (2) A LAW ENFORCEMENT OFFICER, STATE'S ATTORNEY, OR OTHER  
23 OFFICIAL INVOLVED IN THE PROCEEDINGS, AS APPROPRIATE, SHALL KEEP THE  
24 VICTIM INFORMED OF THE VICTIM'S LEGAL RIGHTS AND THE PROGRESS OF  
25 RELEVANT COURT AND ADMINISTRATIVE PROCEEDINGS, INCLUDING:

26 (I) PROSECUTION OF THE CRIMINAL OFFENDERS;

27 (II) PROCEEDINGS FOR THE RETURN OF THE VICTIM TO THE  
28 VICTIM'S COUNTRY OF CITIZENSHIP; AND

29 (III) PROCEEDINGS FOR HELPING THE VICTIM SEEK LEGAL  
30 IMMIGRATION STATUS.

1 11-931.

2 (A) DURING AN INVESTIGATION AND PROSECUTION OF THE OFFENSE  
3 INVOLVING TRAFFICKING OF PERSONS EVERY REASONABLE EFFORT SHALL BE  
4 MADE TO PROVIDE PROTECTION TO THE VICTIM AND THE VICTIM'S FAMILY TO:

5 (1) PREVENT RECAPTURE BY THE PERSON WHO COMMITTED THE  
6 OFFENSE OR ASSOCIATES OF THE PERSON WHO COMMITTED THE OFFENSE; AND

7 (2) PREVENT THREATS, REPRISALS, OR INTIMIDATION FROM THE  
8 PERSON WHO COMMITTED THE OFFENSE OR ASSOCIATES OF THE PERSON WHO  
9 COMMITTED THE OFFENSE.

10 (B) (1) THE STATE'S ATTORNEY SHALL ENSURE THAT A VICTIM AND A  
11 VICTIM'S FAMILY BE PROVIDED RELOCATION SERVICES IF:

12 (I) PROTECTION CANNOT BE ADEQUATELY PROVIDED TO A VICTIM  
13 AND A VICTIM'S FAMILY; AND

14 (II) IT IS DETERMINED THAT THERE IS A LIKELIHOOD THAT AN  
15 OFFENSE INVOLVING A CRIME OF VIOLENCE WILL BE DIRECTED AT THE VICTIM OR  
16 THE VICTIM'S FAMILY.

17 (2) RELOCATION SERVICES MAY INCLUDE:

18 (I) NEW IDENTIFICATION DOCUMENTS;

19 (II) NEW RESIDENCE;

20 (III) EMPLOYMENT OR WORK PERMITS; OR

21 (IV) PROTECTION OF CONFIDENTIALITY OF IDENTITY AND  
22 LOCATION.

23 11-932.

24 (A) THE PURPOSE OF THIS SECTION IS TO PROVIDE FOR SUPPORT SERVICES  
25 PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS THAT ADDRESS THE SPECIAL  
26 NEEDS OF THE VICTIMS OF TRAFFICKING.

27 (B) (1) THE DEPARTMENT OF HUMAN RESOURCES SHALL ESTABLISH  
28 SUPPORT SERVICES PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS.

29 (2) THE PROGRAMS SHALL:

30 (I) BE DEVELOPED AND LOCATED TO FACILITATE THEIR USE BY  
31 VICTIMS RESIDING IN SURROUNDING AREAS;

32 (II) PROVIDE SPECIALIZED SUPPORT SERVICES TO ADULT AND  
33 MINOR VICTIMS OF TRAFFICKING OF PERSONS; AND

1 (III) TAKE INTO ACCOUNT THE AGE, GENDER, AND SPECIAL NEEDS  
2 OF THE VICTIMS AND THE VICTIMS' DEPENDENT CHILDREN.

3 (3) THE PROGRAMS SHALL INCLUDE:

4 (I) A CONFIDENTIAL TELEPHONE HOTLINE FOR THE VICTIM OR  
5 THE VICTIM'S FAMILY TO USE TO SEEK ASSISTANCE OR REPORT TRAFFICKING  
6 WITHOUT JEOPARDIZING THE SAFETY OF THE VICTIM OR THE VICTIM'S FAMILY; AND

7 (II) SUPPORT SERVICES DESCRIBED IN § 11-933 OF THIS PART.

8 (C) THE DEPARTMENT OF HUMAN RESOURCES MAY CONTRACT WITH PUBLIC  
9 OR PRIVATE NONPROFIT ORGANIZATIONS TO OPERATE THE SUPPORT SERVICES  
10 PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS.

11 (D) (1) THE DEPARTMENT OF HUMAN RESOURCES, OR AN ORGANIZATION  
12 UNDER CONTRACT WITH THE DEPARTMENT UNDER SUBSECTION (C) OF THIS  
13 SECTION SHALL PROVIDE EACH VICTIM WITH A CASEWORKER TO ASSIST THE VICTIM  
14 WITH ACCESSING SERVICES PROVIDED BY THE PROGRAMS ESTABLISHED UNDER  
15 THIS SECTION.

16 (2) A COMMUNICATION BETWEEN A VICTIM AND A CASEWORKER IS  
17 CONFIDENTIAL.

18 (E) MONEY FOR THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF  
19 TRAFFICKING OF PERSONS SHALL BE AS PROVIDED IN THE ANNUAL STATE BUDGET  
20 AND SHALL BE USED TO SUPPLEMENT, BUT NOT SUPPLANT, MONEY THAT THE  
21 PROGRAMS RECEIVE FROM OTHER SOURCES.

22 (F) THE SECRETARY OF HUMAN RESOURCES SHALL INCLUDE A REPORT ON  
23 THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS IN  
24 THE DEPARTMENT OF HUMAN RESOURCES ANNUAL REPORT TO THE GENERAL  
25 ASSEMBLY.

26 11-933.

27 (A) THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF TRAFFICKING OF  
28 PERSONS MAY INCLUDE:

29 (1) APPROPRIATE HOUSING FOR THE VICTIMS AND THEIR DEPENDENT  
30 CHILDREN;

31 (2) PSYCHOLOGICAL COUNSELING WITH AN APPROPRIATE LANGUAGE  
32 INTERPRETER PROVIDED IF NECESSARY;

33 (3) MEDICAL ASSISTANCE WITH AN APPROPRIATE LANGUAGE  
34 INTERPRETER PROVIDED IF NECESSARY;

35 (4) LEGAL ASSISTANCE WITH AN APPROPRIATE LANGUAGE  
36 INTERPRETER PROVIDED IF NECESSARY;

1 (5) MATERIAL ASSISTANCE AS APPROPRIATE; AND

2 (6) EMPLOYMENT, EDUCATIONAL, AND TRAINING OPPORTUNITIES.

3 (B) VICTIMS THAT ARE PROVIDED SHELTER UNDER THIS SECTION:

4 (1) MAY NOT BE HOUSED IN PRISONS OR OTHER DETENTION FACILITIES  
5 FOR CONVICTED OR ACCUSED OFFENDERS; AND

6 (2) SHALL BE PROVIDED WITH THE OPPORTUNITY TO COMMUNICATE  
7 WITH AND RECEIVE VISITS FROM FAMILY, FRIENDS, ATTORNEYS, AND ADVOCATES.

8 11-934.

9 (A) A PERSON MAY NOT MALICIOUSLY PUBLISH, DISSEMINATE, OR  
10 OTHERWISE DISCLOSE THE LOCATION OF A SHELTER FOR VICTIMS OF TRAFFICKING  
11 OF PERSONS OR A RESIDENCE BEING USED TO PROTECT THE SAFETY OF VICTIMS OF  
12 TRAFFICKING OF PERSONS.

13 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
14 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A  
15 FINE NOT EXCEEDING \$500 OR BOTH.

16 11-1002.

17 (a) The appropriate criminal justice unit should inform a victim of a crime, a  
18 victim's representative, or a witness of the guidelines listed in subsection (b) of this  
19 section.

20 (b) A victim of a crime, victim's representative, or witness:

21 (1) should be treated with dignity, respect, courtesy, and sensitivity;

22 (2) should receive crisis intervention help, if needed, or be told by the  
23 appropriate criminal justice unit where crisis intervention help, emergency medical  
24 treatment, creditor intercession services, or other social services and counseling may  
25 be obtained;

26 (3) should be notified in advance of dates and times of trial court  
27 proceedings in the case and, on written request, of postsentencing proceedings, and be  
28 notified if the court proceedings to which the victim of a crime, victim's  
29 representative, or witness has been subpoenaed will not proceed as scheduled;

30 (4) should be told of the protection available, and, on request, be  
31 protected by a criminal justice unit, to the extent reasonable, practicable, and, in the  
32 unit's discretion, necessary, from harm or threats of harm arising out of the crime  
33 victim's or witness's cooperation with law enforcement and prosecution efforts;

34 (5) during each phase of the investigative or court proceedings, should be  
35 provided, to the extent practicable, with a waiting area that is separate from a  
36 suspect and the family and friends of a suspect;

1 (6) should be told by the appropriate criminal justice unit of financial  
2 assistance, criminal injuries compensation, and any other social services available to  
3 the victim of a crime or victim's representative and receive help or information on how  
4 to apply for services;

5 (7) should be told of and, on request, should be given employer  
6 intercession services, when appropriate, by the State's Attorney's office or other  
7 available resource to seek employer cooperation in minimizing an employee's loss of  
8 pay or other benefits resulting from participation in the criminal justice process;

9 (8) on written request, should be kept reasonably informed by the police  
10 or the State's Attorney of the arrest of a suspect and closing of the case, and should be  
11 told which office to contact for information about the case;

12 (9) should be told of the right to have stolen or other property promptly  
13 returned and, on written request, should have the property promptly returned by a  
14 law enforcement unit when evidentiary requirements for prosecution can be satisfied  
15 by other means, unless there is a compelling law enforcement reason for keeping it;

16 (10) for a crime of violence, on written request, should be kept informed by  
17 pretrial release personnel, the State's Attorney, or the Attorney General, as  
18 appropriate, of each proceeding that affects the crime victim's interest, including:

19 (i) bail hearing;

20 (ii) dismissal;

21 (iii) nolle prosequi;

22 (iv) setting of charges;

23 (v) trial; and

24 (vi) disposition;

25 (11) on request of the State's Attorney and in the discretion of the court,  
26 should be allowed to address the court or jury or have a victim impact statement read  
27 by the court or jury at:

28 (i) sentencing before the imposition of the sentence; or

29 (ii) any hearing to consider altering the sentence;

30 (12) should be told, in appropriate cases, by the State's Attorney of the  
31 right to request restitution and, on request, should be helped to prepare the request  
32 and should be given advice as to the collection of the payment of any restitution  
33 awarded;

34 (13) should be entitled to a speedy disposition of the case to minimize the  
35 length of time the person must endure responsibility and stress in connection with  
36 the case;

1 (14) on written request to the parole authority, should be told each time  
2 there is to be a hearing on provisional release from custody and each time the  
3 criminal will receive a provisional release;

4 (15) on written request to the Patuxent Institution, Division of Correction,  
5 or Parole Commission, as appropriate, should have a victim impact statement read at  
6 a hearing to consider temporary leave status or a provisional release; and

7 (16) on written request to the unit that has custody of the offender after  
8 sentencing, should be told by the unit whenever the criminal escapes or receives a  
9 mandatory supervision release.

10 (c) (1) The Department shall make the guidelines in subsection (b) of this  
11 section available to the units involved with carrying out the guidelines.

12 (2) To the extent feasible, the guidelines in subsection (b) of this section  
13 shall be printed by Maryland Correctional Enterprises.

#### 14 **Article - Public Safety**

15 2-307.

16 (a) The Department shall collect, analyze, and disseminate information about  
17 the incidence of crime in the State.

18 (b) (1) The Department shall collect and analyze information about  
19 incidents apparently directed against an individual or group because of race, religion,  
20 ethnicity, or sexual orientation.

21 (2) Each local law enforcement agency and the State Fire Marshal shall  
22 provide the Department with the information described in paragraph (1) of this  
23 subsection.

24 (3) The Department shall adopt procedures for the collection and  
25 analysis of the information described in paragraph (1) of this subsection.

26 (4) The Department shall make monthly reports to the Commission on  
27 Human Relations about the information described in paragraph (1) of this subsection.

28 (C) (1) THE DEPARTMENT SHALL, WITH THE COOPERATION OF OTHER  
29 STATE AGENCIES AND NONGOVERNMENTAL ORGANIZATIONS AS NECESSARY,  
30 COLLECT, ANALYZE, AND DISSEMINATE INFORMATION ABOUT THE OCCURRENCE OF  
31 VIOLATIONS UNDER TITLE 3, SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE,  
32 INCLUDING INFORMATION ON:

33 (I) THE NUMBER OF INVESTIGATIONS, ARRESTS, PROSECUTIONS,  
34 AND CONVICTIONS;

35 (II) IF REASONABLY AVAILABLE, THE NUMBER OF PERSONS AND  
36 THE DEMOGRAPHIC CHARACTERISTICS OF PERSONS INVOLVED IN EACH VIOLATION

1 UNDER TITLE 3, SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE BOTH AS THE  
2 VIOLATOR AND AS A PARTICIPANT IN THE ACTS THAT WERE PART OF THE  
3 VIOLATION;

4 (III) THE NUMBER OF VICTIMS;

5 (IV) THE NATIONALITY AND AGE OF THE VICTIMS;

6 (V) THE METHOD BY WHICH THE VICTIMS WERE RECRUITED;

7 (VI) TRAFFICKING ROUTES AND PATTERNS;

8 (VII) METHODS OF TRANSPORTATION THAT WERE USED TO  
9 FACILITATE THE VIOLATIONS; AND

10 (VIII) ANY KNOWN RELEVANT SOCIAL AND ECONOMIC FACTORS  
11 THAT CONTRIBUTED TO THE VIOLATIONS.

12 (2) EACH LOCAL LAW ENFORCEMENT AGENCY SHALL PROVIDE THE  
13 DEPARTMENT WITH THE INFORMATION DESCRIBED IN PARAGRAPH (1) OF THIS  
14 SUBSECTION.

15 (3) THE DEPARTMENT SHALL ADOPT PROCEDURES FOR THE  
16 COLLECTION AND ANALYSIS OF THE INFORMATION DESCRIBED IN PARAGRAPH (1) OF  
17 THIS SUBSECTION.

18 2-308.

19 (a) (1) Any information, records, or statistics collected under this subtitle  
20 shall be available for use by any agency or unit required to provide information to the  
21 Department.

22 (2) By rule, the Secretary may establish conditions for the use or  
23 availability of the information described in paragraph (1) of this subsection as  
24 necessary:

25 (i) to preserve the information;

26 (ii) to protect any confidential information; or

27 (iii) because of a pending prosecution.

28 (b) (1) The Department:

29 (i) shall periodically publish statistics on the incidence of crime in  
30 the State; [and]

31 (ii) SHALL PERIODICALLY PUBLISH DATA COLLECTED UNDER §  
32 2-307(C) OF THIS SUBTITLE ON THE OCCURRENCE OF VIOLATIONS UNDER TITLE 3,  
33 SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE; AND

1 (III) at least monthly shall publish statistics about the occurrence  
2 and cause of all motor vehicle accidents in the State.

3 (2) A statistical report on the incidence of crime published under this  
4 subsection may not name or otherwise identify a particular known or suspected  
5 offender.

6 (3) The Department shall distribute the reports required by this  
7 subsection to:

8 (i) each agency or unit that contributed information contained in  
9 the reports;

10 (ii) the press; and

11 (iii) any other interested person.

12 (4) By rule, the Secretary may establish conditions under which reports  
13 of specific motor vehicle accidents may be made available on request to the public.

14 (c) (1) The fee for conducting a document search is \$4.

15 (2) The Department shall apply the money received from conducting  
16 document searches to the cost of providing this service.

17 3-207.

18 Subject to the authority of the Secretary, the Commission has the following  
19 powers and duties:

20 (1) to establish standards for the approval and continuation of approval  
21 of schools that conduct police entrance-level and in-service training courses required  
22 by the Commission, including State, regional, county, and municipal training schools;

23 (2) to approve and issue certificates of approval to police training  
24 schools;

25 (3) to inspect police training schools;

26 (4) to revoke, for cause, the approval or certificate of approval issued to a  
27 police training school;

28 (5) to establish the following for police training schools:

29 (i) curriculum;

30 (ii) minimum courses of study;

31 (iii) attendance requirements;

32 (iv) eligibility requirements;

- 1 (v) equipment and facilities;
- 2 (vi) standards of operation; and
- 3 (vii) minimum qualifications for instructors;

4 (6) to require, for entrance-level police training and at least every 3  
 5 years for in-service level police training conducted by the State and each county and  
 6 municipal police training school, that the curriculum and minimum courses of study  
 7 include special training, attention to, and study of the application and enforcement of  
 8 the criminal laws concerning:

- 9 (I) rape and sexual offenses, including:
  - 10 [(i)] 1. the sexual abuse of children;
  - 11 [(ii)] 2. related evidentiary procedures; and
  - 12 [(iii)] 3. the contact with and treatment of victims of these crimes;

13 AND

14 (II) VIOLATIONS UNDER TITLE 3, SUBTITLE 10 OF THE CRIMINAL  
 15 LAW ARTICLE, INCLUDING:

- 16 1. METHODS USED TO IDENTIFY AND INTERVIEW VICTIMS;
- 17 2. METHODS FOR ASSISTING IN THE PROSECUTION OF  
 18 THESE CRIMES;
- 19 3. METHODS OF INCREASING COLLABORATION WITH  
 20 NONGOVERNMENTAL ORGANIZATIONS IN THE INVESTIGATION OF THESE CRIMES;
- 21 4. METHODS FOR PROTECTING THE RIGHTS OF VICTIMS;
- 22 AND
- 23 5. METHODS FOR PROMOTING THE SAFETY OF VICTIMS;

24 (7) to certify and issue appropriate certificates to qualified instructors  
 25 for police training schools authorized by the Commission to offer police training  
 26 programs;

27 (8) to verify that police officers have satisfactorily completed training  
 28 programs and issue diplomas to those police officers;

29 (9) to conduct and operate police training schools authorized by the  
 30 Commission to offer police training programs;

31 (10) to make a continuous study of entrance-level and in-service training  
 32 methods and procedures;

1           (11)    to consult with and accept the cooperation of any recognized federal,  
2 State, or municipal law enforcement agency or educational institution;

3           (12)    to consult and cooperate with universities, colleges, and institutions  
4 in the State to develop specialized courses of study for police officers in police science  
5 and police administration;

6           (13)    to consult and cooperate with other agencies and units of the State  
7 concerned with police training; and

8           (14)    to perform any other act that is necessary or appropriate to carry out  
9 the powers and duties of the Commission under this subtitle.

10    SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2006. Section 2 of this Act shall remain effective for a period of 2 years and,  
12 at the end of September 30, 2008, with no further action required by the General  
13 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.