

---

By: **Senator Forehand**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2006

---

CHAPTER \_\_\_\_\_

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~~

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

41 ~~BY adding to~~  
42 ~~Article—Courts and Judicial Proceedings~~  
43 ~~Section 5-118~~  
44 ~~Annotated Code of Maryland~~  
45 ~~(2002 Replacement Volume and 2005 Supplement)~~

46 BY adding to

1 Article - Criminal Law  
 2 Section 3-1001 ~~through 3-1015, inclusive, and 3-1002~~ to be under the new  
 3 subtitle "Subtitle 10. Trafficking of Persons and Involuntary Servitude"  
 4 Annotated Code of Maryland  
 5 (2002 Volume and 2005 Supplement)

6 ~~BY adding to~~  
 7 ~~Article - Criminal Procedure~~  
 8 ~~Section 11-928 through 11-934, inclusive, to be under the new part "Part IV.~~  
 9 ~~Help for Victims of Trafficking of Persons"~~  
 10 ~~Annotated Code of Maryland~~  
 11 ~~(2001 Volume and 2005 Supplement)~~

12 ~~BY repealing and reenacting, without amendments,~~  
 13 ~~Article - Criminal Procedure~~  
 14 ~~Section 11-1002~~  
 15 ~~Annotated Code of Maryland~~  
 16 ~~(2001 Volume and 2005 Supplement)~~

17 ~~BY repealing and reenacting, with amendments,~~  
 18 ~~Article - Public Safety~~  
 19 ~~Section 2-307, 2-308, and 3-207~~  
 20 ~~Annotated Code of Maryland~~  
 21 ~~(2003 Volume and 2005 Supplement)~~

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

24 **~~Article - Courts and Judicial Proceedings~~**

25 ~~§-118.~~

26 (A) ~~SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CIVIL ACTION UNDER §~~  
 27 ~~3-1012 OF THE CRIMINAL LAW ARTICLE SHALL BE FILED WITHIN 10 YEARS FROM THE~~  
 28 ~~DATE IT ACCRUES.~~

29 (B) (1) ~~IF THE VICTIM WAS A MINOR AT THE TIME THAT THE VIOLATION~~  
 30 ~~GIVING RISE TO THE CIVIL ACTION OCCURS, THE TIME LIMITATIONS PRESCRIBED IN~~  
 31 ~~SUBSECTION (A) OF THIS SECTION SHALL COMMENCE WHEN THE VICTIM ATTAINS~~  
 32 ~~THE AGE OF MAJORITY.~~

33 (2) (1) ~~IN THIS PARAGRAPH, "DISABILITY" INCLUDES INSANITY,~~  
 34 ~~IMPRISONMENT, INCOMPETENCE, OR OTHER INCAPACITY.~~

35 (H) ~~IF THE VICTIM WAS UNDER A DISABILITY AT THE TIME THAT~~  
 36 ~~THE VIOLATION GIVING RISE TO THE CIVIL ACTION OCCURS SO THAT IT IS~~

~~1 IMPOSSIBLE OR IMPRACTICAL FOR THE VICTIM TO BRING AN ACTION, THE TIME  
2 LIMITATION PRESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL COMMENCE  
3 WHEN THE DISABILITY IS REMOVED.~~

~~4 (3) IF THE VICTIM WAS UNAWARE OF THE CAUSE OF ACTION AS A  
5 RESULT OF PSYCHOLOGICAL TRAUMA, CULTURAL AND LINGUISTIC ISOLATION, OR  
6 THE INABILITY TO ACCESS SERVICES RESULTING FROM THE ACTIONS GIVING RISE  
7 TO THE VIOLATION, THE TIME LIMITATION PRESCRIBED IN SUBSECTION (A) OF THIS  
8 SECTION SHALL COMMENCE WHEN THE VICTIM BECOMES AWARE OR REASONABLY  
9 SHOULD HAVE BECOME AWARE OF THE CAUSE OF ACTION.~~

~~10 (C) A DEFENDANT MAY NOT ASSERT THE DEFENSE OF THE EXPIRATION OF  
11 THE STATUTE OF LIMITATIONS IF THE FACT THAT THE TIME LIMITATION  
12 PRESCRIBED IN SUBSECTION (A) OF THIS SECTION HAS EXPIRED BEFORE A CIVIL  
13 ACTION IS FILED IS A RESULT OF THREATS MADE BY THE DEFENDANT TO THE  
14 VICTIM.~~

#### 15 **Article - Criminal Law**

16 **SUBTITLE 10. TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE.**

17 3-1001.

18 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
19 INDICATED.

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

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

25 (D) "DEBT BONDAGE" MEANS THE STATUS OR CONDITION OF A DEBTOR  
26 ARISING FROM A PLEDGE BY THE DEBTOR OF HIS OR HER PERSONAL SERVICES OR  
27 THOSE OF A PERSON UNDER HIS OR HER CONTROL AS SECURITY FOR A DEBT, IF THE  
28 VALUE OF THOSE SERVICES AS REASONABLY ASSESSED IS NOT APPLIED TOWARD  
29 THE LIQUIDATION OF THE DEBT OR THE LENGTH AND NATURE OF THOSE SERVICES  
30 ARE NOT RESPECTIVELY LIMITED AND DEFINED.

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

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

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

1 ~~(H)~~ "MAINTAIN" MEANS TO SECURE CONTINUED PERFORMANCE, LABOR, OR  
2 SERVICES REGARDLESS OF ANY INITIAL AGREEMENT ON THE PART OF THE  
3 TRAFFICKED PERSON TO PERFORM COMMERCIAL SEX ACTS OR SEXUALLY EXPLICIT  
4 PERFORMANCES.

5 ~~(H)~~ (H) "OBTAIN" MEANS TO SECURE PERFORMANCE OF A COMMERCIAL SEX  
6 ACT, A SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES.

7 ~~(H)~~ (I) "SERVICES" MEANS AN ONGOING RELATIONSHIP BETWEEN TWO OR  
8 MORE PERSONS IN WHICH ONE PERSON PERFORMS ACTIVITIES AT THE DIRECTION  
9 OF ANOTHER.

10 ~~(K)~~ (J) "SEX ACT" MEANS TOUCHING, OR BEING TOUCHED, DIRECTLY OR  
11 INDIRECTLY ON THE GENITAL, ANAL, OR OTHER INTIMATE AREA FOR SEXUAL  
12 AROUSAL OR GRATIFICATION.

13 ~~(L)~~ (K) "SEXUALLY EXPLICIT PERFORMANCE" MEANS A PUBLIC OR PRIVATE  
14 ACT OR SHOW, WHETHER LIVE, PHOTOGRAPHED, RECORDED, OR VIDEOTAPED,  
15 INTENDED TO AROUSE OR SATISFY THE SEXUAL DESIRES OF OR APPEAL TO THE  
16 PRURIENT INTERESTS OF PATRONS OR VIEWERS.

17 3-1002.

18 (A) A PERSON MAY NOT KNOWINGLY RECRUIT, ENTICE, HARBOR, TRANSPORT,  
19 PROVIDE, OR OBTAIN, OR ATTEMPT TO RECRUIT, ENTICE, HARBOR, TRANSPORT,  
20 PROVIDE, OR OBTAIN, ANOTHER PERSON FOR THE PURPOSE OF ENGAGING THAT  
21 PERSON IN A COMMERCIAL SEX ACT, A SEXUALLY EXPLICIT PERFORMANCE, LABOR,  
22 OR SERVICES BY:

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

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

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

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

31 (5) EXTORTION;

32 (6) DECEPTION;

33 (7) FRAUD;

34 (8) DEBT BONDAGE;

35 (9) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO ANY  
36 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 MAY NOT KNOWINGLY BENEFIT FINANCIALLY, OR RECEIVE  
8 ANYTHING OF VALUE, FROM PARTICIPATING IN A VENTURE THAT HAS ENGAGED IN A  
9 VIOLATION OF SUBSECTION (A) OF THIS SECTION.

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

13 ~~3-1003.~~

14 ~~(A) A PERSON MAY NOT KNOWINGLY RECRUIT, ENTICE, HARBOR, TRANSPORT,~~  
15 ~~PROVIDE, OR OBTAIN, OR ATTEMPT TO RECRUIT, ENTICE, HARBOR, TRANSPORT,~~  
16 ~~PROVIDE, OR OBTAIN A MINOR FOR THE PURPOSE OF A COMMERCIAL SEX ACT OR A~~  
17 ~~SEXUALLY EXPLICIT PERFORMANCE.~~

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

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

24 ~~3-1004.~~

25 ~~(A) A PERSON MAY NOT KNOWINGLY SUBJUGATE OR ATTEMPT TO~~  
26 ~~SUBJUGATE ANOTHER PERSON FOR THE PURPOSE OF A COMMERCIAL SEX ACT, A~~  
27 ~~SEXUALLY EXPLICIT PERFORMANCE, LABOR, OR SERVICES BY:~~

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

29 ~~(2) PHYSICALLY RESTRAINING OR THREATENING TO PHYSICALLY~~  
30 ~~RESTRAIN ANY PERSON;~~

31 ~~(3) ABUSING OR THREATENING TO ABUSE LEGAL PROCESSES;~~

32 ~~(4) KNOWINGLY DESTROYING, CONCEALING, REMOVING,~~  
33 ~~CONFISCATING, OR POSSESSING ANY ACTUAL OR PURPORTED PASSPORT OR OTHER~~  
34 ~~IMMIGRATION DOCUMENT OR ANY OTHER ACTUAL OR PURPORTED GOVERNMENT~~  
35 ~~IDENTIFICATION DOCUMENT OF ANOTHER PERSON;~~

36 ~~(5) EXTORTION;~~

1 (6) DECEPTION;

2 (7) FRAUD;

3 (8) DEBT BONDAGE;

4 (9) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO ANY  
5 PERSON;

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

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

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

15 ~~3-1005.~~

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

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

20 (2) DISSOLUTION OR REORGANIZATION;

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

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

25 ~~3-1006.~~

26 (A) A PERSON MAY NOT VIOLATE § 3-1002, § 3-1003, OR § 3-1004 OF THIS  
27 SUBTITLE WHILE ALSO VIOLATING TITLE 2, SUBTITLE 2 OF THIS ARTICLE OR § 3-303,  
28 § 3-304, § 3-305, § 3-306, § 3-309, § 3-310, § 3-311, § 3-312, § 3-502, OR § 3-503 OF THIS  
29 TITLE.

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

1 ~~3-1007.~~

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

3 ~~(1) THE VICTIM HAS A SEXUAL HISTORY OR A HISTORY OF COMMITTING~~  
4 ~~COMMERCIAL SEX ACTS;~~

5 ~~(2) THE VICTIM HAS A CONNECTION BY BLOOD OR MARRIAGE TO A~~  
6 ~~DEFENDANT OR TO ANOTHER INVOLVED IN THE VIOLATION;~~

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

10 ~~(4) THE VICTIM WAS OVER THE AGE OF CONSENT OR OF LEGAL AGE FOR~~  
11 ~~MARRIAGE; OR~~

12 ~~(5) THE DEFENDANT WAS MISTAKEN AS TO THE AGE OF THE VICTIM,~~  
13 ~~EVEN IF THE MISTAKE IS REASONABLE.~~

14 ~~3-1008.~~

15 ~~(A) IT IS AN AFFIRMATIVE DEFENSE TO THE PROSECUTION OF A VICTIM OF A~~  
16 ~~VIOLATION OF THIS SUBTITLE FOR ANY CRIME COMMITTED DURING THE TIME OF~~  
17 ~~THE VIOLATION THAT THE VICTIM WAS UNDER DURESS OR COERCED INTO~~  
18 ~~COMMITTING THE OFFENSE.~~

19 ~~(B) A VICTIM OF A VIOLATION OF THIS SUBTITLE IS NOT CRIMINALLY LIABLE~~  
20 ~~FOR A COMMERCIAL SEX ACT OR SEXUALLY EXPLICIT PERFORMANCE COMMITTED~~  
21 ~~AS A DIRECT RESULT OF A VIOLATION OF THIS SECTION.~~

22 ~~3-1009.~~

23 ~~IN ADDITION TO ANY OTHER FACTORS THAT THE COURT CONSIDERS IN~~  
24 ~~CONNECTION WITH THE DETERMINATION OF AN APPROPRIATE SENTENCE THE~~  
25 ~~COURT SHALL CONSIDER:~~

26 ~~(1) WHETHER THE VICTIM SUFFERED BODILY INJURY AS A RESULT OF~~  
27 ~~THE VIOLATION;~~

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

29 ~~(3) THE NUMBER OF VICTIMS INVOLVED IN THE VIOLATION.~~

30 ~~3-1010.~~

31 ~~(A) (1) NOTWITHSTANDING ANY OTHER LAW, A PERSON CONVICTED OF A~~  
32 ~~VIOLATION OF THIS SUBTITLE SHALL BE ORDERED TO PAY RESTITUTION TO THE~~  
33 ~~VICTIM.~~



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

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

8           (1)     REASONABLE COSTS OF NECESSARY TRANSPORTATION, TEMPORARY  
9 HOUSING, OR CHILD CARE;

10          (2)     ATTORNEY'S FEES;

11          (3)     VICTIM'S ADVOCATES FEES;

12          (4)     THE GREATER OF:

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

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

19          (5)     REASONABLE COMPENSATION FOR EMOTIONAL DISTRESS, PAIN,  
20 AND SUFFERING; AND

21          (6)     REASONABLE EXPENSES INCURRED BY AN ADULT VICTIM IN  
22 RELOCATING AWAY FROM THE DEFENDANT IF THE RELOCATION IS VERIFIED BY  
23 LAW ENFORCEMENT TO BE NECESSARY FOR THE PERSONAL SAFETY OF THE VICTIM  
24 OR BY A MENTAL HEALTH TREATMENT PROVIDER TO BE NECESSARY FOR THE  
25 EMOTIONAL WELL BEING OF THE VICTIM, INCLUDING:

26                 (I)     DEPOSITS FOR UTILITIES;

27                 (II)    DEPOSITS FOR RENTAL HOUSING;

28                 (III)   TEMPORARY LODGING AND FOOD EXPENSES; AND

29                 (IV)   PURCHASE OF CLOTHING AND PERSONAL ITEMS.

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

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

1 ~~(D) AN ORDER OF RESTITUTION UNDER THIS SECTION IS ENFORCEABLE EVEN~~  
2 ~~IF THE VICTIM LEAVES THE JURISDICTION.~~

3 ~~3-1011.~~

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

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

8 ~~(2) DIRECTLY OR INDIRECTLY INVOLVED IN THE COMMISSION OF THE~~  
9 ~~VIOLATION.~~

10 ~~3-1012.~~

11 ~~(A) A PERSON WHO HAS SUFFERED AN INJURY OR A VIOLATION OF A SPECIFIC~~  
12 ~~RIGHT AS A RESULT OF A VIOLATION OF THIS SUBTITLE MAY BRING A CIVIL ACTION~~  
13 ~~IN A COURT OF COMPETENT JURISDICTION.~~

14 ~~(B) THE COURT MAY AWARD:~~

15 ~~(1) ACTUAL DAMAGES;~~

16 ~~(2) COMPENSATORY DAMAGES;~~

17 ~~(3) PUNITIVE DAMAGES;~~

18 ~~(4) INJUNCTIVE RELIEF; OR~~

19 ~~(5) ANY OTHER APPROPRIATE RELIEF.~~

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

22 ~~3-1013.~~

23 ~~THE SECRETARY OF STATE POLICE MAY MAKE GRANTS TO THE FOLLOWING~~  
24 ~~ENTITIES FOR THE PURPOSE OF AIDING ENFORCEMENT OF VIOLATIONS OF THIS~~  
25 ~~SUBTITLE OR DEVELOPING, EXPANDING, OR STRENGTHENING SERVICES FOR~~  
26 ~~VICTIMS OF VIOLATIONS OF THIS SUBTITLE:~~

27 ~~(1) LOCAL LAW ENFORCEMENT AGENCIES;~~

28 ~~(2) NATIVE AMERICAN TRIBES; AND~~

29 ~~(3) NONPROFIT, NONGOVERNMENTAL VICTIMS' SERVICES~~  
30 ~~ORGANIZATIONS.~~

1 3-1014.

2 (A) ~~THE SECRETARY OF STATE POLICE SHALL DEVELOP AND IMPLEMENT~~  
3 ~~PUBLIC AWARENESS PROGRAMS DESIGNED TO:~~

4 (1) ~~EDUCATE THE GENERAL PUBLIC OF THE DANGERS ASSOCIATED~~  
5 ~~WITH VIOLATIONS OF THIS SUBTITLE; AND~~

6 (2) ~~TARGET AND EDUCATE POTENTIAL VICTIMS OF VIOLATIONS OF THIS~~  
7 ~~SUBTITLE.~~

8 (B) ~~A PUBLIC AWARENESS PROGRAM DEVELOPED UNDER THIS SECTION~~  
9 ~~SHALL INCLUDE AS APPROPRIATE:~~

10 (1) ~~INFORMATION ABOUT THE RISKS OF BECOMING A VICTIM,~~  
11 ~~INCLUDING THE RISK OF MALTREATMENT, RAPE, AND EXPOSURE TO SEXUALLY~~  
12 ~~TRANSMITTED DISEASES;~~

13 (2) ~~INFORMATION ABOUT THE GENERAL CHARACTERISTICS OF~~  
14 ~~POTENTIAL VICTIMS;~~

15 (3) ~~INFORMATION ABOUT COMMON RECRUITING TECHNIQUES, DEBT~~  
16 ~~BONDAGE, AND OTHER COERCIVE TACTICS;~~

17 (4) ~~INFORMATION ABOUT AVAILABLE VICTIMS' SERVICES;~~

18 (5) ~~INFORMATION ABOUT THE RISK OF ENGAGING IN ACTIVITIES~~  
19 ~~RELATING TO A VIOLATION OF THIS SECTION AND THE POSSIBLE PUNISHMENTS;~~  
20 ~~AND~~

21 (6) ~~METHODS FOR REPORTING SUSPECTED RECRUITMENT ACTIVITIES,~~  
22 ~~INCLUDING PROVIDING A TELEPHONE HOTLINE.~~

23 (C) ~~IN DEVELOPING A PUBLIC AWARENESS PROGRAM UNDER THIS SECTION,~~  
24 ~~THE SECRETARY OF STATE POLICE MAY COLLABORATE WITH ANY OTHER~~  
25 ~~APPROPRIATE GOVERNMENTAL AGENCIES OR NONGOVERNMENTAL~~  
26 ~~ORGANIZATIONS.~~

27 (D) ~~MATERIALS PREPARED FOR A PROGRAM UNDER THIS SECTION MAY~~  
28 ~~INCLUDE:~~

29 (1) ~~PAMPHLETS, BROCHURES, POSTERS, AND ADVERTISEMENTS IN~~  
30 ~~MASS MEDIA; AND~~

31 (2) ~~SUBJECT TO THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION,~~  
32 ~~INFORMATION ON THE IMPACT OF VIOLATIONS OF THIS SUBTITLE ON INDIVIDUAL~~  
33 ~~VICTIMS.~~

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



1                   (III)    ~~ONE REPRESENTATIVE OF A NONGOVERNMENTAL AGENCY~~  
2 ~~DEVOTED TO CHILD AND RUNAWAY SERVICES; AND~~

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

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

6    (D)    ~~THE DEPARTMENT OF STATE POLICE SHALL PROVIDE STAFF FOR THE~~  
7 ~~TASK FORCE.~~

8    (E)    ~~A MEMBER OF THE TASK FORCE:~~

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

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

13    (F)    ~~THE TASK FORCE SHALL:~~

14           (1)    ~~DEVELOP AND RECOMMEND A STATE PLAN FOR THE PREVENTION~~  
15 ~~OF TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE;~~

16           (2)    ~~COORDINATE THE IMPLEMENTATION OF THE PLAN;~~

17           (3)    ~~DEVELOP AND RECOMMEND A PLAN FOR THE COORDINATED~~  
18 ~~COLLECTION AND SHARING OF TRAFFICKING DATA AMONG GOVERNMENT~~  
19 ~~AGENCIES;~~

20           (4)    ~~DEVELOP A PLAN FOR THE SHARING OF INFORMATION AMONG~~  
21 ~~GOVERNMENT AGENCIES FOR THE PURPOSE OF DETECTING CRIMINAL GROUPS~~  
22 ~~ENGAGED IN TRAFFICKING OF PERSONS;~~

23           (5)    ~~DEVELOP AND RECOMMEND POLICIES TO PROVIDE FOR~~  
24 ~~COORDINATION BETWEEN GOVERNMENTAL AGENCIES AND NONGOVERNMENTAL~~  
25 ~~ORGANIZATIONS TO ENABLE THEM TO BETTER PREVENT TRAFFICKING OF PERSONS~~  
26 ~~AND INVOLUNTARY SERVITUDE AND TO PROVIDE ASSISTANCE TO VICTIMS,~~  
27 ~~INCLUDING UNITED STATES CITIZENS AND FOREIGN NATIONALS;~~

28           (6)    ~~REVIEW THE EXISTING SERVICES AND FACILITIES INTENDED TO~~  
29 ~~MEET THE NEEDS OF TRAFFICKING VICTIMS AND RECOMMEND A SYSTEM THAT~~  
30 ~~WOULD COORDINATE SERVICES, INCLUDING:~~

31                   (I)    ~~HEALTH SERVICES;~~

32                   (II)   ~~HOUSING;~~

33                   (III)   ~~EDUCATION;~~

34                   (IV)   ~~JOB TRAINING;~~

1 (~~V~~) ENGLISH AS A SECOND LANGUAGE CLASSES;

2 (~~VI~~) INTERPRETING SERVICES;

3 (~~VII~~) LEGAL AND IMMIGRATION SERVICES; AND

4 (~~VIII~~) VICTIM COMPENSATION; AND

5 (~~7~~) EVALUATE VARIOUS APPROACHES USED BY STATE AND LOCAL  
6 GOVERNMENTS TO INCREASE PUBLIC AWARENESS OF TRAFFICKING OF PERSONS  
7 AND INVOLUNTARY SERVITUDE.

8 (~~G~~) ON OR BEFORE SEPTEMBER 30, 2008, THE TASK FORCE SHALL REPORT ITS  
9 FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH  
10 § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

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

13 **Article -- Criminal Procedure**

14 ~~41-926. RESERVED.~~

15 ~~41-927. RESERVED.~~

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

17 ~~41-928.~~

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

20 ~~41-929.~~

21 THE VICTIMS' SERVICES REQUIRED IN THIS SECTION ARE SUPPLEMENTAL TO  
22 AND IN ADDITION NOT IN DEROGATION OF THE SERVICES PROVIDED BY OTHER  
23 PROVISIONS OF THIS TITLE.

24 ~~41-930.~~

25 AT EACH STAGE OF AN INVESTIGATION AND PROSECUTION OF THE OFFENSE  
26 INVOLVING TRAFFICKING OF PERSONS:

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

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

1                   (I)       PROSECUTION OF THE CRIMINAL OFFENDERS;

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

4                   (III)       PROCEEDINGS FOR HELPING THE VICTIM SEEK LEGAL  
5 IMMIGRATION STATUS.

6 ~~11-931.~~

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

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

12               (2)       PREVENT THREATS, REPRISALS, OR INTIMIDATION FROM THE  
13 PERSON WHO COMMITTED THE OFFENSE OR ASSOCIATES OF THE PERSON WHO  
14 COMMITTED THE OFFENSE.

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

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

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

22               (2)       RELOCATION SERVICES MAY INCLUDE:

23                   (I)       NEW IDENTIFICATION DOCUMENTS;

24                   (II)       NEW RESIDENCE;

25                   (III)       EMPLOYMENT OR WORK PERMITS; OR

26                   (IV)       PROTECTION OF CONFIDENTIALITY OF IDENTITY AND  
27 LOCATION.

28 ~~11-932.~~

29       (A)       THE PURPOSE OF THIS SECTION IS TO PROVIDE FOR SUPPORT SERVICES  
30 PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS THAT ADDRESS THE SPECIAL  
31 NEEDS OF THE VICTIMS OF TRAFFICKING.

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

1           (2)     ~~THE PROGRAMS SHALL:~~

2                   (1)     ~~BE DEVELOPED AND LOCATED TO FACILITATE THEIR USE BY~~  
3 ~~VICTIMS RESIDING IN SURROUNDING AREAS;~~

4                   (II)    ~~PROVIDE SPECIALIZED SUPPORT SERVICES TO ADULT AND~~  
5 ~~MINOR VICTIMS OF TRAFFICKING OF PERSONS; AND~~

6                   (III)   ~~TAKE INTO ACCOUNT THE AGE, GENDER, AND SPECIAL NEEDS~~  
7 ~~OF THE VICTIMS AND THE VICTIMS' DEPENDENT CHILDREN.~~

8           (3)     ~~THE PROGRAMS SHALL INCLUDE:~~

9                   (1)     ~~A CONFIDENTIAL TELEPHONE HOTLINE FOR THE VICTIM OR~~  
10 ~~THE VICTIM'S FAMILY TO USE TO SEEK ASSISTANCE OR REPORT TRAFFICKING~~  
11 ~~WITHOUT JEOPARDIZING THE SAFETY OF THE VICTIM OR THE VICTIM'S FAMILY; AND~~

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

13    (C)     ~~THE DEPARTMENT OF HUMAN RESOURCES MAY CONTRACT WITH PUBLIC~~  
14 ~~OR PRIVATE NONPROFIT ORGANIZATIONS TO OPERATE THE SUPPORT SERVICES~~  
15 ~~PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS.~~

16    (D)    (1)     ~~THE DEPARTMENT OF HUMAN RESOURCES, OR AN ORGANIZATION~~  
17 ~~UNDER CONTRACT WITH THE DEPARTMENT UNDER SUBSECTION (C) OF THIS~~  
18 ~~SECTION SHALL PROVIDE EACH VICTIM WITH A CASEWORKER TO ASSIST THE VICTIM~~  
19 ~~WITH ACCESSING SERVICES PROVIDED BY THE PROGRAMS ESTABLISHED UNDER~~  
20 ~~THIS SECTION.~~

21                  (2)     ~~A COMMUNICATION BETWEEN A VICTIM AND A CASEWORKER IS~~  
22 ~~CONFIDENTIAL.~~

23    (E)     ~~MONEY FOR THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF~~  
24 ~~TRAFFICKING OF PERSONS SHALL BE AS PROVIDED IN THE ANNUAL STATE BUDGET~~  
25 ~~AND SHALL BE USED TO SUPPLEMENT, BUT NOT SUPPLANT, MONEY THAT THE~~  
26 ~~PROGRAMS RECEIVE FROM OTHER SOURCES.~~

27    (F)     ~~THE SECRETARY OF HUMAN RESOURCES SHALL INCLUDE A REPORT ON~~  
28 ~~THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF TRAFFICKING OF PERSONS IN~~  
29 ~~THE DEPARTMENT OF HUMAN RESOURCES ANNUAL REPORT TO THE GENERAL~~  
30 ~~ASSEMBLY.~~

31 ~~11-933.~~

32    (A)     ~~THE SUPPORT SERVICES PROGRAMS FOR VICTIMS OF TRAFFICKING OF~~  
33 ~~PERSONS MAY INCLUDE:~~

34                  (1)     ~~APPROPRIATE HOUSING FOR THE VICTIMS AND THEIR DEPENDENT~~  
35 ~~CHILDREN;~~



1           (2)     ~~PSYCHOLOGICAL COUNSELING WITH AN APPROPRIATE LANGUAGE~~  
2 ~~INTERPRETER PROVIDED IF NECESSARY;~~

3           (3)     ~~MEDICAL ASSISTANCE WITH AN APPROPRIATE LANGUAGE~~  
4 ~~INTERPRETER PROVIDED IF NECESSARY;~~

5           (4)     ~~LEGAL ASSISTANCE WITH AN APPROPRIATE LANGUAGE~~  
6 ~~INTERPRETER PROVIDED IF NECESSARY;~~

7           (5)     ~~MATERIAL ASSISTANCE AS APPROPRIATE; AND~~

8           (6)     ~~EMPLOYMENT, EDUCATIONAL, AND TRAINING OPPORTUNITIES.~~

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

10           (1)     ~~MAY NOT BE HOUSED IN PRISONS OR OTHER DETENTION FACILITIES~~  
11 ~~FOR CONVICTED OR ACCUSED OFFENDERS; AND~~

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

14 ~~11-934.~~

15     (A)     ~~A PERSON MAY NOT MALICIOUSLY PUBLISH, DISSEMINATE, OR~~  
16 ~~OTHERWISE DISCLOSE THE LOCATION OF A SHELTER FOR VICTIMS OF TRAFFICKING~~  
17 ~~OF PERSONS OR A RESIDENCE BEING USED TO PROTECT THE SAFETY OF VICTIMS OF~~  
18 ~~TRAFFICKING OF PERSONS.~~

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

22 ~~11-1002.~~

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

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

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

28           (2)     ~~should receive crisis intervention help, if needed, or be told by the~~  
29 ~~appropriate criminal justice unit where crisis intervention help, emergency medical~~  
30 ~~treatment, creditor intercession services, or other social services and counseling may~~  
31 ~~be obtained;~~

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

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

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

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

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

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

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

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

26                   (i)       bail hearing;

27                   (ii)      dismissal;

28                   (iii)     nolle prosequi;

29                   (iv)     setting of charges;

30                   (v)      trial; and

31                   (vi)     disposition;

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

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

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



1 COLLECT, ANALYZE, AND DISSEMINATE INFORMATION ABOUT THE OCCURRENCE OF  
2 VIOLATIONS UNDER TITLE 3, SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE,  
3 INCLUDING INFORMATION ON:

4 (I) THE NUMBER OF INVESTIGATIONS, ARRESTS, PROSECUTIONS,  
5 AND CONVICTIONS;

6 (II) IF REASONABLY AVAILABLE, THE NUMBER OF PERSONS AND  
7 THE DEMOGRAPHIC CHARACTERISTICS OF PERSONS INVOLVED IN EACH VIOLATION  
8 UNDER TITLE 3, SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE BOTH AS THE  
9 VIOLATOR AND AS A PARTICIPANT IN THE ACTS THAT WERE PART OF THE  
10 VIOLATION;

11 (III) THE NUMBER OF VICTIMS;

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

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

14 (VI) TRAFFICKING ROUTES AND PATTERNS;

15 (VII) METHODS OF TRANSPORTATION THAT WERE USED TO  
16 FACILITATE THE VIOLATIONS; AND

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

19 (2) EACH LOCAL LAW ENFORCEMENT AGENCY SHALL PROVIDE THE  
20 DEPARTMENT WITH THE INFORMATION DESCRIBED IN PARAGRAPH (1) OF THIS  
21 SUBSECTION.

22 (3) THE DEPARTMENT SHALL ADOPT PROCEDURES FOR THE  
23 COLLECTION AND ANALYSIS OF THE INFORMATION DESCRIBED IN PARAGRAPH (1) OF  
24 THIS SUBSECTION.

25 2-308.

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

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

32 (i) to preserve the information;

33 (ii) to protect any confidential information; or

34 (iii) because of a pending prosecution.

1 (b) (1) The Department:

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

4 (ii) ~~SHALL PERIODICALLY PUBLISH DATA COLLECTED UNDER §~~  
5 ~~2-307(C) OF THIS SUBTITLE ON THE OCCURRENCE OF VIOLATIONS UNDER TITLE 3,~~  
6 ~~SUBTITLE 10 OF THE CRIMINAL LAW ARTICLE; AND~~

7 (iii) at least monthly shall publish statistics about the occurrence  
8 and cause of all motor vehicle accidents in the State.

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

12 (3) The Department shall distribute the reports required by this  
13 subsection to:

14 (i) each agency or unit that contributed information contained in  
15 the reports;

16 (ii) the press; and

17 (iii) any other interested person.

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

20 (e) (1) The fee for conducting a document search is \$4.

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

23 ~~3-207.~~

24 Subject to the authority of the Secretary, the Commission has the following  
25 powers and duties:

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

29 (2) to approve and issue certificates of approval to police training  
30 schools;

31 (3) to inspect police training schools;

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

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

2 (i) curriculum;

3 (ii) minimum courses of study;

4 (iii) attendance requirements;

5 (iv) eligibility requirements;

6 (v) equipment and facilities;

7 (vi) standards of operation; and

8 (vii) minimum qualifications for instructors;

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

14 (I) rape and sexual offenses, including:

15 [(i)] 1. the sexual abuse of children;

16 [(ii)] 2. related evidentiary procedures; and

17 [(iii)] 3. the contact with and treatment of victims of these crimes;

18 AND

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

21 1. METHODS USED TO IDENTIFY AND INTERVIEW VICTIMS;

22 2. METHODS FOR ASSISTING IN THE PROSECUTION OF

23 THESE CRIMES;

24 3. METHODS OF INCREASING COLLABORATION WITH  
25 NONGOVERNMENTAL ORGANIZATIONS IN THE INVESTIGATION OF THESE CRIMES;

26 4. METHODS FOR PROTECTING THE RIGHTS OF VICTIMS;

27 AND

28 5. METHODS FOR PROMOTING THE SAFETY OF VICTIMS;

29 (7) to certify and issue appropriate certificates to qualified instructors  
30 for police training schools authorized by the Commission to offer police training  
31 programs;

- 1           (8)     to verify that police officers have satisfactorily completed training  
2 ~~programs and issue diplomas to those police officers;~~
- 3           (9)     to conduct and operate police training schools authorized by the  
4 ~~Commission to offer police training programs;~~
- 5           (10)    to make a continuous study of entrance level and in-service training  
6 ~~methods and procedures;~~
- 7           (11)    to consult with and accept the cooperation of any recognized federal,  
8 ~~State, or municipal law enforcement agency or educational institution;~~
- 9           (12)    to consult and cooperate with universities, colleges, and institutions  
10 ~~in the State to develop specialized courses of study for police officers in police science~~  
11 ~~and police administration;~~
- 12          (13)    to consult and cooperate with other agencies and units of the State  
13 ~~concerned with police training; and~~
- 14          (14)    to perform any other act that is necessary or appropriate to carry out  
15 ~~the powers and duties of the Commission under this subtitle.~~

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