

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 608
Judiciary

(Delegate B. Robinson, *et al.*)

Police Training - Human Trafficking - Sensitivity and Awareness

This bill authorizes the Police Training Commission (PTC) to require police training by State or local police training schools in the State to include the study of the application and enforcement of the criminal laws concerning human trafficking, including sensitivity and awareness training to recognize victims of human trafficking.

Fiscal Summary

State Effect: None. PTC's responsibilities to ensure that police training academies in the State comply with the bill's requirements can be handled with existing budgeted resources.

Local Effect: Potential minimal. Most jurisdictions either already receive human trafficking training or could accommodate an annual training component with existing budgeted resources. Some jurisdictions may incur some minimal additional costs for training materials.

Small Business Effect: None.

Analysis

Current Law/Background: PTC was created in 1966 and is chaired by the Superintendent of State Police. It operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. It also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

PTC certifies persons as police officers who have met commission standards. An individual who is not satisfactorily trained in the 12-month probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

PTC requires, for entrance-level police training and at least every three years for in-service level police training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training, attention to, and study of the application and enforcement of the criminal laws concerning rape and sexual offenses, including the sexual abuse and exploitation of children and related evidentiary procedures. PTC also requires, for entrance-level police training and annually for in-service level police conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training in the proper use of electronic control devices for specified police officers, consistent with established law enforcement standards and constitutional provisions.

Training for the certification of law enforcement officers in the State may be conducted at PTC facilities or at any of 20 police training academies in the State certified by PTC. There are approximately 16,000 certified police officers in Maryland.

PTC regulations address police officer entrance-level training and include requirements for police officer training in criminal investigation, crime prevention, *etc.* In addition to these regulatory requirements, PTC's detailed *Entrance-Level Training Objectives* already require training that familiarizes a student with criminal law.

The Maryland Capitol Police currently teaches a course on human trafficking during in-service training for police officers of the Department of General Services. The course is mandated by PTC.

According to the Federal Bureau of Investigation (FBI), human sex trafficking is the most common form of modern-day slavery. Estimates place the number of its domestic and international victims in the millions, mostly females and children enslaved in the commercial sex industry for little or no money. In 2000, Congress passed the Trafficking Victims Protection Act (TVPA), which created the first comprehensive federal law to address trafficking, with a significant focus on the international dimension of the problem. The law provides a three-pronged approach: (1) prevention through public awareness programs overseas and a State Department-led monitoring and sanctions program; (2) protection through a new T Visa and services for foreign national victims; and (3) prosecution through new federal crimes and severe penalties. The federal Office to Monitor and Combat Trafficking in Persons was established in October 2001. The enabling legislation led to the creation of a bureau within the State Department to

specifically address human trafficking and exploitation on all levels and to take legal action against perpetrators. TVPA was designed to enforce all laws within the Thirteenth Amendment to the U.S. Constitution that apply.

The FBI regards human sex trafficking as the fastest-growing business of organized crime and the third-largest criminal enterprise in the world.

The Maryland State Commission on Criminal Sentencing Policy reports that in fiscal 2013, there were two criminal convictions for misdemeanor human trafficking and one conviction for felony human trafficking in Maryland circuit courts.

Local Expenditures: A limited survey of local jurisdictions by the Department of Legislative Services suggests that most, if not all, law enforcement operations either already receive human trafficking training or could accommodate an annual training component with existing budgeted resources. However, it is assumed that some affected local jurisdictions may incur some minimal additional costs associated with expanding current training programs. The City of Havre de Grace, for instance, assumes that costs increase by \$4,500 in fiscal 2015 and \$1,500 annually thereafter for new training materials.

Additional Information

Prior Introductions: HB 1056 of 2013 received an unfavorable report by the House Judiciary Committee.

Cross File: SB 819 (Senator Forehand) - Judicial Proceedings.

Information Source(s): Frederick and Montgomery counties, cities of Frederick and Havre de Grace, Maryland State Commission on Criminal Sentencing Policy, Department of General Services, Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

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