

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 1017

(Senator Lee)

Judicial Proceedings

Judiciary

**Workgroup to Study Safe Harbor Policy for Youth Victims of Human
Trafficking - Sunset Extension**

This bill extends the termination date for the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking from June 30, 2017, to June 30, 2019. The Governor's Office of Crime Control and Prevention (GOCCP) must continue to provide staff for the workgroup. The workgroup must submit a supplemental report on its findings and recommendations to the Governor and the General Assembly by December 1, 2017; a second supplemental report is due by December 1, 2018.

The bill takes effect June 1, 2017.

Fiscal Summary

State Effect: Any continued expense reimbursements for workgroup members and staffing costs for GOCCP are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapter 91 of 2015 established the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking. Chapter 80 of 2016 extended the termination date for the workgroup from June 30, 2016, to June 30, 2017. The workgroup

was required to report its findings and recommendations to the Governor and the General Assembly by December 1, 2016.

As a result of Chapter 80, the workgroup's 23 members met five times over the course of five months in 2016 to discuss and develop recommendations to restore victims and bring traffickers to justice. As required under Chapter 80, the workgroup issued a final [report](#) in December 2016 to the Governor and the General Assembly. The 2016 report reaffirmed the majority of the recommendations from the 2015 report, and included two additional recommendations:

- provide immunity for youth age 17 and younger who are charged with prostitution or other nonviolent misdemeanor charges relating to their victimization with immediate referral to services;
- establish statewide protocols for addressing missing or runaway children;
- expand the use of the Department of Juvenile Services' risk assessment tool to all community and detention locations within the State;
- require human trafficking awareness training for all entry-level law enforcement officers, followed up by mandated in-service training for all sworn law enforcement officers;
- continue to identify and apply for appropriate federal funding to support funding priorities;
- separate solicitation for prostitution out of § 11-306 of the Criminal Law Article;
- amend § 19-103 of the Business Regulation Article to include adult entertainment establishments as entities required to post National Human Trafficking Resource Center Hotline information signs;
- expand the definition of sexual abuse to include sex trafficking regardless of the identity and role of the trafficker;
- form a workgroup of appropriate State agencies and nongovernmental organizations to design and implement a three-year plan to develop a "Safe Harbor Service Provision Proposal" that would create a single point of entry into services for youth victims of human trafficking; and
- have the Maryland State Department of Education (MSDE) work with all public school systems to develop and implement curriculum related to educating students as to the sign of human trafficking to include prevention and intervention opportunities. (MSDE should work to provide human trafficking training to all administrators, teachers, support staff, bus drivers, and school resource officers.)

According to the National Conference of State Legislatures, at least 28 states have enacted legislation addressing safe harbor issues for youth victims of human trafficking. Common goals of safe harbor laws include treatment of youth as victims instead of subjecting them to prosecution as prostitutes, diversion of youth victims away from the justice system and

toward appropriate services, protective responses by states to prevent further victimization of youth victims, and appropriate punishment for individuals who fund, profit from, or pay for sex with children.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor's Office of Crime Control and Prevention; University System of Maryland; National Conference of State Legislatures; Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2017
md/lgc Third Reader - April 4, 2017
Revised - Amendment(s) - April 4, 2017

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