

**Testimony of Delegate Sandy Bartlett
Before the House Judiciary Committee**

**In Support of HB0459
Criminal Law - Survivors of Human Trafficking - Affirmative Defense**

Chair Clippinger, Vice Chair Atterbeary, and Members of the Judiciary Committee,

Thank you for the opportunity to testify on behalf of Delegate Alice Cain's bill HB0459. She has three bills being heard at this time so, as a co-sponsor, I am here to present this bill.

This bill is designed to help survivors of human trafficking get on with their lives. Specifically, it expands the list of crimes for which survivors can use an affirmative defense for charges related to crimes committed under duress while being trafficked.

Survivors of human trafficking are commonly forced to engage in various crimes. These range from the obvious, like prostitution and sex-related crimes, to more complicated crimes like burglary, drivers license violations, and fraud. Some crimes, like those relating to drug use, can be committed in reaction to trauma. This bill allows survivors charged with many of these charges to use an affirmative defense. In other words, survivors can use the fact that they were forced to commit certain crimes as a defense against related charges.

The bill complements Senator Lee and Delegate Atterbeary's "True Freedom Act of 2020," heard in this committee two weeks ago, that allows those already prosecuted for committing crimes under the same conditions to have their judgments vacated. While that bill supports survivors retroactively, this bill does so proactively.

Survivors of human trafficking, who have lived under modern slavery, deserve to get on with their lives. Allowing survivors an affirmative defense against crimes committed as a result of being trafficked is necessary to help them seek justice, and start life anew without the chains of a criminal record.

They have been through enough, and this bill will help them move on and, hopefully, rebuild their lives.

I respectfully urge a favorable report on this bill.