

Memorandum

TO: Delegate Eric Ebersole

RE: HB0270: Business Regulation - Innkeepers - Maintenance of Guest Records and Employee Human Trafficking Awareness Training and Policy

DATE: January 28th, 2022

Introduction

Human trafficking is a major problem across the country that permeates almost every industry, one of the most prominent industries affected being innkeepers in hotels and motels. Even when the trafficking does not take place through the guise of a legitimate lodging business itself, many human traffickers use inns as a means to control and sell their victims to potential buyers. These horrific trafficking crimes often involve young women and children, although they can occur across racial and gender lines to anyone. Without proper recognition by outside individuals, these crimes can be difficult to track as the traffickers often move with victims from inn to inn to avoid detection by authorities. It is key in fighting to stop human trafficking crimes for the signs to be recognized by everyday bystanders, which often are innkeepers and other staff that interact daily with victims. This bill would require innkeepers to help better combat these crimes by maintaining records for every guest and training all employees in the signs of human trafficking along with the steps they should take to best assist victims and to help catch the traffickers.

Stopping Human Traffickers

Inns, which includes hotels and motels, are some of the most common locations that human traffickers tend to frequent. According to the National Human Trafficking Hotline, these kinds of places “are a common venue for sex trafficking, due to ease of access for buyers, ability to pay in cash and maintain secrecy through finances, and lack of facility maintenance or upkeep expenses.”¹ Requiring innkeepers to keep records of all the guests that visit will help to discourage the practice and better allow police to identify the perpetrators when these crimes are reported. This bill also requires that records be available both electronically and that they be maintained for 6 months after guest’s visits, both of which promote better transparency and identification for investigation of trafficking crimes

¹ <https://humantraffickinghotline.org/sex-trafficking-venuesindustries/hotelmotel-based>

Appropriate human trafficking awareness training of staff members in these industries is a key step to combating the problem at its source. This training generally focuses on aspects such as explaining what human trafficking is, different types of trafficking, signs of it, and creating a comprehensive strategy to combat and report the issue.² Mandating this kind of training for all innkeepers and staff members allows recognition on all levels when these crimes occur and is considered by many to be a required feature of putting a stop to illegal human trafficking.

Steps must be taken at every level of the problem to better deal with the concerning rate of human trafficking incidents. Research conducted by the Polaris Project, a non-profit organization working to stop human trafficking, stresses that a well-rounded approach to dealing with the problem includes state-level legislation to increase awareness of the problem.³ In recent years, other states have begun passing these much needed state-level requirements as the national attitude shifts more towards addressing the problem head-on. Currently, four states require this training (California, Connecticut, Minnesota, and New Jersey) and 11 states recommend it (Colorado, Iowa, Kansas, Louisiana, Michigan, Missouri, Oregon, Pennsylvania, Rhode Island, Texas and Vermont).⁴ By joining these states, Maryland would become a leader on the human rights issue by helping to end human trafficking.

Burdens on Businesses

While creating legislation to combat this deadly issue may seem like an idea with full support, the requirement that hotels must train their employees in recognizing the signs of human trafficking is not without its opponents. Opponents, particularly those favoring less governmental restrictions on businesses, have argued that it will place an “undue burden” on hotels and other inns.⁵ They often believe that businesses are capable of regulating themselves and can solve these issues better without governmental interference. This argument is lacking much evidence to support it, even though the opposing side has shown evidence that requiring innkeepers and employees to take this training helps to effectively combat the problem of human trafficking.

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<https://hospitalitytech.com/five-ways-human-trafficking-training-can-help-hotels-increase-awareness-and-prevention/>

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<https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Dismantle-Human-Trafficking-Hotels-and-Motels.pdf>

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<https://www.hotelmanagement.net/legal/a-review-u-s-human-trafficking-laws#:~:text=Four%20states%20require%20training%3A%20California,Rhode%20Island%2C%20Texas%20and%20Vermont>

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https://www.columbiamissourian.com/news/state_news/lawmakers-consider-awareness-training-internets-role-in-human-trafficking/article_71a64e8a-3954-11e9-b7d3-d3a899fc4dcd.html

Conclusion

Human trafficking is an undeniable issue that must be combatted on all levels of society, from individuals working in hotels to different governmental organizations. Passing a state law requiring better recordkeeping of guests and training for all hotel employees is a no-nonsense and clear cut way to fight back against the problem. The solution is both supported by many groups working to solve the problem and evidence collected from research on the issue. Maryland should act as soon as possible to pass this law as part of a well-rounded approach to dealing with human trafficking to better prevent more people from being victims of this horrible crime.