

## Testimony of the Human Trafficking Prevention Project

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**BILL NO:** House Bill 251  
**TITLE:** Consumer Protection – Maryland Consumer Reporting Act –  
Registration of Consumer Reporting Agencies and Regulations  
**COMMITTEE:** Judiciary  
**HEARING DATE:** January 26, 2022  
**POSITION:** SUPPORT

House Bill 251 would mandate that consumer reporting agencies improve the accuracy of their reporting so that Marylanders receive a fairer evaluation by lenders, landlords, and employers. The Human Trafficking Prevention Project at the University of Baltimore School of Law supports this bill because it will improve employment, housing and consumer outcomes for criminalized survivors of human trafficking, thereby reducing the risk of recidivism and additional exploitation.

Every day, Marylanders find themselves rejected for jobs, apartments, loans, or insurance because of inaccurate information on their consumer reports, one of the most consequential of which is the presence of outdated or otherwise inaccurate criminal records. These inaccuracies can have devastating consequences for individuals living in poverty and/or who may be struggling to find housing or employment. One particularly vulnerable impacted group are survivors of human trafficking, many of whom have criminal records stemming from acts they were forced to commit by their traffickers, or from the instability that so commonly precedes or follows a trafficking experience.

In addition to the abuse, coercive control and manipulation victims of trafficking routinely face, many victims struggle with the collateral consequences of having a criminal record, much of which commonly stems from crimes they were forced to commit by their trafficker. Data obtained from a national survey of both sex and labor trafficking survivors found that 91% of them reported having a criminal record, with over 50% reporting that *every single arrest* on their criminal record stemmed from their trafficking experience.<sup>1</sup> Of those surveyed, 73% reported barriers to employment because of their criminal records, while 58% reported barriers to accessing housing.<sup>2</sup>

In recent years, Maryland has shown its strong support for remedying the impact a deeply flawed criminal justice system has had on its citizens' ability to escape poverty and lead productive lives by improving access to criminal record relief measures. However, this progress is essentially rendered moot if these same individuals still struggle under the weight of an inaccurate consumer report listing criminal records that are no longer accurate. Criminalized survivors of trafficking suffer similarly if they are forced to shoulder such a burden, but these consequences carry with them the additional risk of continued exploitation by a trafficker or the inability to exit the commercial sex trade if and when the time is right for them.

House Bill 251 will reduce the risk of these harms by giving the Commissioner of Financial Regulation in the Maryland Department of Labor the ability to refuse to renew, suspend, or revoke the registration of a credit reporting agency for violations of the Maryland Consumer Reporting Act, and directing the Commissioner to promulgate regulations regarding the accuracy of information on consumer reports, including developing a system for excluding duplicate, outdated, sealed, and expunged records. While this bill will improve outcomes for all Marylanders who have worked to clear up their criminal records, for trafficking survivors it contains the added benefit of reducing their risk of re-exploitation as they work to regain stability and independence and to recover from the trauma of their trafficking experience. For these reasons, the Human Trafficking Prevention Project at the University of Baltimore School of Law supports House Bill 251. We respectfully urge a favorable report.

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<sup>1</sup> National Survivor Network Members Survey, *Impact of Criminal Arrest and Detention on Survivors of Human Trafficking* (2016), <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>.

<sup>2</sup> *Id.*