

## **Safe Harbor Testimony 2.15.pdf**

Uploaded by: Amanda Rodriguez

Position: FAV



BILL NO: House Bill 833/Senate Bill 768  
TITLE: Criminal Law – Victims of Child Sex  
Trafficking – Safe Harbor and Service Response  
COMMITTEE: Judiciary/Judicial Proceedings  
HEARING DATE: February 17, 2022/March 8, 2022  
POSITION: SUPPORT

TurnAround Inc. respectfully requests a favorable report on House Bill 833/Senate Bill 768. This bill extends protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019. TurnAround, Inc. supports and advocates for survivors of intimate partner violence, sexual violence and human trafficking. It has been an authoritative voice in the field for more than four decades.

HB833 protects child victims of sex trafficking from criminal charges for prostitution and other related crimes related to their victimization. This bill has significant implications for many child victims of sex trafficking.

Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.<sup>1</sup> In fact, Maryland received a grade of F from Shared Hope International in their 2021 annual review of the effectiveness of state victim protection laws and ranked among the 10 worst states for the treatment of child victims.<sup>2</sup>

In the last fiscal year, TurnAround worked with approximately 40 child victims of trafficking. National statistics collected by Polaris identifies 15 as the average age of initial trafficking. In 2020 41% were trafficked by a family member or caregiver. In 45% of the trafficking cases, the victim was recruited by a family member and 10% by a friend. More than half of these victims have been in the child welfare system. These statistics leave child sex trafficking victims particularly vulnerable. Currently, child sex trafficking victims are vulnerable to criminal charges for acts related to their victimization. They can be charged with:

- Prostitution and related crimes.
- Status offenses like truancy and running away.
- Street survival crimes, like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup>

Child sex trafficking victims are forced or manipulated to commit such acts by their traffickers. They endure significant and complex trauma as a result of the dangerous dynamic of power and control at play. HB833 is vital to protect the victims of sex trafficking from prosecution for acts that stem from their own victimization.

For all the reasons stated above, TurnAround, Inc. supports HB833/SB768 and respectfully encourages a favorable report.

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

# **SB768 SAFE Center Support Testimony\_final 3.28.22.**

Uploaded by: Amelia Rubenstein

Position: FAV



# UNIVERSITY OF MARYLAND **SAFE CENTER**

**BILL NO:** Senate Bill 768  
**TITLE:** Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response  
**COMMITTEE:** Judiciary/Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** SUPPORT

## **TESTIMONY IN SUPPORT OF SB768:**

### **Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response**

From: Amelia Rubenstein, MSW, LCSW-C, Director of Research & Programs, University of Maryland SAFE Center for Human Trafficking Survivors,

Date: March 28, 2022

The University of Maryland Support, Advocacy, Freedom, and Empowerment (SAFE) Center for Human Trafficking Survivors provides survivor-centered and trauma-informed services that empower trafficking survivors to heal and reclaim their lives. The SAFE Center offers a one-stop-shop for survivors of sex and labor trafficking of all nationalities, ages, and genders to access multi-disciplinary services, including four direct services programs: social services, legal, behavioral health, and economic empowerment.

The SAFE Center aims to prevent trafficking and better serve trafficking survivors through research and policy advocacy. The SAFE Center is an initiative of the University of Maryland Strategic Partnership: MPowering the State – a collaboration between the University of Maryland, Baltimore and the University of Maryland, College Park. We are part of the Graduate School, University of Maryland, Baltimore.

Since opening in May 2016, we have supported more than 270 human trafficking survivors, plus more than 75 of their immediate family members, referred from law enforcement, other service providers, and the National Human Trafficking Hotline. We serve a diverse population of clients from the United States, El Salvador, Honduras, the Philippines, Guatemala, and other countries. Fifty-five percent of our clients have experienced sex trafficking, 29% labor trafficking, 8% sex and labor trafficking, 8% have demonstrated high risk indicators of trafficking.

The University of Maryland SAFE Center supports the passage of HB 833/SB768 Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response because this law ensures minor victims of sex trafficking and commercial sexual exploitation in Maryland are treated as victims of child sexual abuse. Between June 2013 and June 2021, there have been 829 reports of child sex trafficking screened by Maryland DSS CPS Screening Units.<sup>1</sup> These youth require a child welfare, rather than juvenile justice, response to ensure they are safe, stable, and connected to proper trauma-specific treatment. By ensuring child victims of trafficking are not charged with crimes stemming from their trafficking, HB 833/SB768 will prevent victims from being criminalized, detained in juvenile detention, improperly labeled or shrugged off as delinquents, offenders, or “frequent flyer” runaways.

In 2019, the University of Maryland SAFE Center was appointed by the Governor’s Office of Crime Prevention, Youth, and Victim Services as the Regional Navigator for victims of sex trafficking under the

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<sup>1</sup> 2013-2021 Child Electronic Social Services Information Exchange (CHESSIE), Child Juvenile & Adult Management System (CJAMS); DHS- SSA, as analyzed and reported by the Prevention of Adolescent Risks Initiative, University of Maryland, Baltimore School of Social Work



## UNIVERSITY OF MARYLAND SAFE CENTER

age of 24 in Montgomery County and in 2020, was also appointed as the Regional Navigator for Prince George's County. As the Regional Navigator for these counties, we work to:

- Increase awareness in Montgomery and Prince George's counties of sex trafficking involving youth victims aged 24 and under.
- Effectively identify child and youth victims of sex trafficking.
- Receive referrals involving suspected or confirmed child sex trafficking victims from both counties' law enforcement departments, Child Welfare Services offices, and other youth-serving organizations in the jurisdictions.
- Connect suspected or confirmed child sex trafficking victims with critical services, including safety planning, emergency response, basic living needs, trauma counseling, connection to drug and alcohol abuse treatment centers, legal services, victim advocacy, and case management.
- Implement a methodology to evaluate and report gaps in services in Montgomery County and Prince George's County for sex trafficking victims aged 24 and under.

In serving as the Regional Navigator, we have seen first-hand how trafficked youth are often criminalized as a result of their trafficking. Between 2010 and 2020, there were 1098 arrests in Maryland of young people ages 21 and under for Prostitution & Commercialized Vice.<sup>2</sup> Of these arrests, 110 were of minor children (ages 17 and under), including 33 arrests for prostitution of children 15 years old and younger. This unacceptable response to young people defined by federal and state law as victims of sex trafficking requires immediate intervention. In fact, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**<sup>3</sup> Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>4</sup>

SB768 builds on Maryland's critical 2019 Child Sex Trafficking Screening & Services law that established the Regional Navigator grant program and expanded access to services for victims of sex trafficking under the age of 24. SB768 ensures that "a minor child may not be criminally prosecuted or proceeded against as a delinquent child.... for a qualifying offense....if the minor committed the underlying act as a direct result of sex trafficking." This critical protection would ensure that Maryland has a true Safe Harbor law. SB768 also strengthens reporting requirements to ensure law enforcement, the Maryland Department of Human Services and the Local Departments of Social Services, and Regional Navigators collaborate effectively and follow appropriate information-sharing procedures.

For these reasons, the UM SAFE Center supports the passage of SB768: Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response.

Amelia Rubenstein, MSW, LCSW-C  
Director of Research & Programs  
University of Maryland SAFE Center  
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<sup>2</sup> *Id.*

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

<sup>4</sup> *Id.*

## **HB833\_PGCEX\_FAV.pdf**

Uploaded by: Angela Alsobrooks

Position: FAV



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

## OFFICE OF THE COUNTY EXECUTIVE

**BILL:** House Bill 833 – Criminal Law – Victims of Child Sex Trafficking and Human Trafficking – Safe Harbor and Service Response

**SPONSOR:** Delegate Lierman

**HEARING DATE:** March 29, 2022

**COMMITTEE:** Judicial Proceedings

**CONTACT:** Intergovernmental Affairs Office, 301-780-8411

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**POSITION:** SUPPORT

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The Office of the Prince George's County Executive **SUPPORTS House Bill 833 – Criminal Law – Victims of Child Sex Trafficking and Human Trafficking – Safe Harbor and Service Response**, which is proposed to provide enhanced protections for victims of child sex or human trafficking to include appropriate services to assist in their recovery.

Victims of human trafficking, specifically youth, are a unique population of victims based on their complex trauma. Victims are lured into human trafficking based on a series of vulnerabilities to include a history of child abuse, intimate partner violence in the home, involvement in the juvenile justice system, and involvement in the child welfare system (especially for youth who are runaways, homeless, or involved in foster care). In many instances of identified sex trafficking, youth victims of human trafficking are criminalized for their involvement in commercial sex. For example, under the current law, minor victims of sex trafficking can be arrested for prostitution and other crimes related to their trafficking situation. The criminalization for victims of this crime is challenging; especially because youth under the age of 18 cannot even consent to sexual acts. This criminalization leads to significant, negative long-term affects such as a criminal record that creates barriers to employment, financial resources including credit, housing, education, and overall access to life skills.

In 2022, a non-profit organization released a national study examining the laws and legal protections for victims of human trafficking. Maryland received a grade of F and was in the bottom 15 states relating to laws specifically designed to protect

child victims. Moreover, Maryland ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.

In many states, Safe Harbor is recognized for its ability to minimize the involvement of youth victims of sex trafficking in the criminal justice system and provide a victim-centered response that encourages specialized, trauma informed services that will assist youth (most generally up to 24 years of age) in the recovery of their human trafficking. Although Maryland recently implemented the Child Sex Trafficking Screening and Services Act of 2019 (establishing the Safe Harbor Regional Navigator Grant Program, which is designed to ensure that emergency and long-term services are available for youth victims of sex trafficking throughout the State), our State fails to protect minors from criminalization. Maryland could also serve as a national leader in providing Safe Harbor protections for youth labor trafficking victims, too.

Under this Bill, there would be many changes to the current state of operations for youth identified as victims of human trafficking. **HB 833** will alter procedures that law enforcement and the court must follow when there is reason to believe that a child that has been detained is a victim of sex or human trafficking (now involving an appropriate regional navigator to coordinate a service response). This Bill also proposes that if a child who has committed a qualifying offense is identified that the court, the child's attorney, or the state's attorney shall petition a motion to stay the proceedings until an evaluation of the child's status as a victim of trafficking is confirmed. Under this Bill, if there is probable cause that a qualifying offense or violation was committed as a direct result of or related to human trafficking, the court shall dismiss the case. This Bill will extend protections available to child victims of human trafficking and connect them with appropriate services needed to initiate their paths to recovery. Overall, this Bill will eliminate the criminalization of child victims of human trafficking for certain offenses that occurred under the duress of their traffickers and trafficking situations.

The Prince George's County's Office of Human Rights (OHR), which administrates the Prince George's County Human Trafficking Task Force (PGCHTTF), supports any legislation that aligns with one of its goals—to identify and serve victims of human trafficking.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS House Bill 833** and asks for a **FAVORABLE** report.



# **HB833\_Brooke Lierman\_FAV\_2022.pdf**

Uploaded by: Brooke Lierman

Position: FAV

**BROOKE E. LIERMAN**  
*Legislative District 46*  
Baltimore City

Environment and Transportation  
Committee

*Chair*

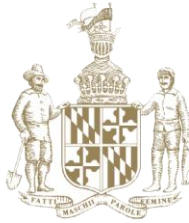
Land Use and Ethics Subcommittee

Joint Committee on Administrative,  
Executive, and Legislative Review

Joint Committee on Ending  
Homelessness

*Co-Chair*

Joint Committee on Pensions



The Maryland House of Delegates  
6 Bladen Street, Room 410  
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## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

### **Testimony in Support of HB 833**

Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response  
Judicial Proceedings Committee \* March 29, 2022

**Delegate Brooke Lierman**

#### **What this bill does**

This legislation strengthens Maryland law to support juvenile trafficking survivors by recognizing the impact of their trafficking and trauma on their behavior.

The bill does the following for juvenile victims of sex trafficking:

- Requires law enforcement officers to notify an appropriate regional navigator for the jurisdiction where the victim was taken into custody, or where the victim is a resident so that a service response can be coordinated.
- Prevents a law enforcement officer from detaining a victim taken into custody in a juvenile detention facility
- Requires that a court stay all proceedings and employ a regional navigator to evaluate a victim's status as a survivor of sex trafficking
- Requires a court to dismiss a case and refer victims to DHS if a regional navigator finds that the victim committed a violation as a result of being trafficked
- Prevents a victim from being criminally prosecuted for certain civil offenses
- Provides safe harbor for a victim from criminal prosecution or from being proceeded against as a delinquent for a crime or civil offense

#### **Why this bill matters**

This bill is simply the right thing to do: it will lead to better outcomes for trafficking victims, improve resiliency for survivors, and ensure our justice system is focused on true offenders - not victims.

Maryland recently received an "F" grade by [Shared Hope International in their annual report card](#). This grade is based on whether or not state law employs best practices to support juvenile victims of sex trafficking in the following areas: (1) criminal provisions to hold traffickers accountable; (2) identification and response to victims; (3) a continuum of care to support survivors; (4) access to justice for trafficking survivors; (5) tools for a victim-centered criminal response; (6) and prevention and training to break the cycle of sex trafficking. Compared to other states, Maryland is failing to provide a range of civil and criminal justice remedies to protect and

support survivors under law. This bill corrects some of the major discrepancies and failures in Maryland by enacting several successful policy tools from other states to support juvenile victims of sex trafficking.

**Why you should vote for this bill.**

The content of this bill was introduced in 2018 as part of HB827 / SB688 - legislation that established a Safe Harbor Regional Navigator grant program. After being amended to remove the Safe Harbor provisions, the bill passed *unanimously*. Current law provides Regional Navigators who provide social support to juvenile victims of trafficking. The Safe Harbor section of the bill, presented in HB833, was removed from the 2018 bill. Now that the Regional Navigators are up and running, it is time to move forward and take the necessary steps to provide safe harbor to our juvenile trafficking victims as well.

Sex-trafficked juveniles are being prosecuted and convicted for crimes that they were forced to or coerced into committing as a result of their trafficking. Children who are experiencing the horror of trafficking may commit crimes out of necessity for survival.

Criminalization of juvenile survivors is traumatizing and counterproductive - it can cause further barriers to escaping trafficking, to seeking safe housing, to finding meaningful employment, and to accessing educational opportunities. 40+ states have passed laws allowing survivors to seek a court order vacating, expunging or sealing convictions that resulted from actions they took relating to their trafficking. Maryland does not - yet. **I urge a favorable vote on HB833.**

## **MSAA letter\_hb833 (1).pdf**

Uploaded by: Brooke Lierman

Position: FAV



## Maryland State's Attorneys' Association

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Ellicott City, Maryland 21043  
410-203-9881  
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Rich Gibson  
President

Steven I. Kroll  
Coordinator

Chairman Luke Clippinger  
Judiciary Committee  
Room 101  
House Office Building  
Annapolis, Maryland 21401

March 9, 2022

**Re: MSAA Supports HB833 with Sponsor Amendments**

Dear Chairman Clippinger:

MSAA withdraws its initial opposition to HB833 and supports with Sponsor Amendments. These Amendments have addressed our technical and procedural concerns with the bill.

Please feel free to contact me directly if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce King".

Joyce King  
Chief Counsel  
Frederick County State's Attorney's Office  
MSAA Legislative Committee

# **Amara Legal Center Written Testimony- HB833.pdf**

Uploaded by: Caroline Ackerman

Position: FAV



**BILL NO:** House Bill 833

**TITLE:** Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response

**COMMITTEE:** Judicial Proceedings

**HEARING DATE:** March 29, 2022

**SUBMITTED BY:** Caroline Ackerman, Managing Attorney of Maryland Legal Services & Special Projects, Amara Legal Center

**POSITION:** SUPPORT

The Amara Legal Center writes to support House Bill 833 (HB833). We are grateful that Delegate Lierman introduced this important legislation to ensure that minors are not prosecuted for offenses related to their trafficking victimization. Thank you for giving us the opportunity to share our thoughts.

The Amara Legal Center (“Amara”) provides free legal services in Washington, D.C., Maryland, and Northern Virginia to survivors of sex trafficking and to anyone whose rights are violated while involved in commercial sex. Since 2013, Amara has served over 500 clients with more than 800 legal matters. Although many believe that sex trafficking only occurs overseas or among foreign nationals, the vast majority of Amara’s clients are U.S. citizens, both juveniles and adults born and raised in the D.C. metro area. Amara provides brief legal advice, partial, and full representation for civil legal issues such as civil protection orders, divorce, child custody and support, and name changes. In addition to civil legal services, Amara provides victim-witness advocacy for clients working with law enforcement, criminal/juvenile defense, and representation in criminal record sealing and expungement cases.

Survivors of sex trafficking often interact with law enforcement and the court system because of conduct related to their victimization. As a result of the power and control exercised by their traffickers, victims engage in activities in which they would not have otherwise engaged. These activities often lead to victims’ arrests, which create victim-defendants in the criminal legal system. Involvement in the criminal legal system may come from arrests for prostitution or solicitation; arrests for drug use; mental illness that may precede, occur during, or be exacerbated by sex trafficking; struggles with housing insecurity and homelessness; and a variety of crimes related to survival such as shoplifting and trespassing. Criminal records then hinder survivors from obtaining gainful employment, safe housing, and educational opportunities, even after they leave the trafficking situation.

According to the National Human Trafficking Hotline, ninety-five sex trafficking cases were reported in Maryland in 2020 and forty-one human trafficking cases involved minors.<sup>1</sup> This bill recognizes that minors, by virtue of their age, are especially vulnerable to being trafficked and should not be penalized by the legal system for their own victimization. While Maryland’s current Regional Navigator program enables trafficked youth to be connected with specialized social services, it does not prevent youth from being criminalized for offenses committed while being trafficked. HB833 takes the next step in protecting trafficked youth by establishing immunity from prosecution for criminal, delinquency, or civil cases when the underlying offense was a direct result of the minor being

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<sup>1</sup> National Human Trafficking Hotline, Maryland Statistics, <https://humantraffickinghotline.org/state/maryland>.



trafficked. As of now, at least thirty-four other states have passed Safe Harbor legislation to protect minors from prosecution for offenses related to their trafficking.<sup>2</sup> We commend the Maryland legislature for supporting and enacting the Regional Navigator program in 2019 and now urge you to support immunity for youth charged with offenses as a result of being trafficked.

This bill is consistent with the Trafficking Victims Protection Act of 2000 (TVPA), the federal law that defines sex and labor trafficking, and with Maryland's Family Law Code, which defines child abuse. Under the TVPA, all minors engaging in commercial sex work are victims of sex trafficking. This is true regardless of the presence of force, fraud, or coercion, or whether a trafficker/pimp or other third party is involved. Additionally, victims of sex trafficking are victims of child abuse under Maryland law.<sup>3</sup> As such, they should be proceeded upon as victims of abuse and not as delinquents or criminal defendants.

For these reasons, Amara respectfully urges the committee to support HB833.

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<sup>2</sup> 2020 Trafficking in Persons Report: United States, U.S. Department of State, <https://www.state.gov/reports/2020-trafficking-in-persons-report/united-states/#:~:text=At%20least%2034%20states%20had,being%20prosecuted%20for%20commercial%20sex>.

<sup>3</sup> See Md. Code Ann., Fam. Law § 5-701(y).



# **HB0833\_Child\_Sex\_Trafficking\_Safe\_Harbor\_MLC\_FAV.p**

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR HB0833**  
**Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response**

**Bill Sponsor:** Delegate Lierman

**Committee:** Judicial Proceedings

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in favor of SB0768 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

Children who are victims of sex trafficking often do not only have the horror of what has happened to them to contend with – they are often arrested and charged with delinquency or another criminal offence. This bill will require that an officer who detains or arrests a child who that officer suspects is a victim of sex trafficking must notify a regional navigator so that the navigator can release the child to the child's parents or guardian (unless it would put the child at further risk) and notify the local child welfare agency.

If a child has already been charged before it is determined that the child was a victim of sex trafficking, the court or the child's attorney or the state's attorney will stay the proceedings while a determination is made. If the determination shows that the child committed the offense(s) under the duress of sex trafficking, all charges will be dismissed.

This is a much more humane way to treat a child who has already been traumatized.

We support this bill and recommend a **FAVORABLE** report in committee.

**hb0833\_Safe Harbor\_BAMFI\_03282022.pdf**

Uploaded by: Derrica Wilson

Position: FAV



**BILL NO:** House Bill 833  
**TITLE:** Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** **SUPPORT**

House Bill 833 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. **Black and Missing Foundation Inc** supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**<sup>1</sup> In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup>

At present in Maryland, **trafficked minors can still be incarcerated** for prostitution and related crimes, including status offenses that stem from their victimization like truancy and running away, as well as crimes that are common to street survival like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup> Furthermore, while Maryland finally began offering trafficked minors access to specialized services responsive to the unique trauma that is associated with this type of victimization back in 2019,<sup>4</sup> this protective response does not extend to youth who are incarcerated for actions stemming from their trafficking experience. As a result, trafficked minors continue to languish behind bars, with the isolation, stigma, and psychological trauma that was once caused by their trafficking experience now being perpetuated by the very systems that were supposed to protect them.

**Maryland's trafficked youth deserve better.** It is beyond time for Maryland to move from incarceration to protection by providing a process by which minor victims are shielded from prosecution for acts that stem from their own victimization, and instead provided with the victim-centered, trauma-informed services they need to recover from their trafficking experience. **Trafficked youth need protection, not incarceration.**

For all the reasons stated above, **Black and Missing Foundation, Inc** supports HB 833 and respectfully encourages a favorable report.

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

<sup>4</sup> MD. CODE ANN., FAM. LAW § 5-704.4 (West, 2020).

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# **HB833(22)Sen.pdf**

Uploaded by: Edwin Thomas

Position: FAV



## **EASTERN SHORE HUMAN TRAFFICKING TASK FORCE**

**Moving forward to combat this evil together**

The Honorable William C. Smith Jr.  
Chairman, Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

March 28, 2022

Dear Senator,

**House Bill 833 - Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response  
Position - FAVORABLE**

Child sex trafficking victims deserve a way out of the juvenile legal system when charged with prostitution and other related crimes. Therefore, the Eastern Shore Human Trafficking Task Force supports HB 833 as it will protect, rather than criminalizes, children who are victims of human trafficking, and provide them with the specialized services they require.

Human trafficking is the second highest grossing criminal enterprise. For the pimps and traffickers, it is high profit and low risk. For the victims and their families, it is a far-reaching tragedy and a long road to recovery for the survivors. There have been several cases on the eastern shore where minors have been trafficking victims subjected to unspeakable acts. Minor victims deserve protection and care not incarceration. They need a Safe Harbor to protect and assist them, HB 833 will meet this need throughout Maryland.

**For these reasons and to improve Maryland's child sex trafficking laws which recently were given an F, the lowest possible grade, by Shared Hope International the Eastern Shore Human Trafficking Task Force urges the Committee to give HB 833 a favorable report.**

Yours Truly

Edwin Thomas, Co-Chair  
1562 Efford Road  
Pasadena, MD 21122

***The MISSION of the Eastern Shore Human Trafficking Task Force is to:  
Combat human trafficking (sex and labor exploitation) by encouraging, supporting, and promoting  
awareness, prevention, and education throughout the Eastern Shore.***

# **HB833\_FAV Araminta Freedom Initiative\_IRR.pdf**

Uploaded by: Iona R Rudisill

Position: FAV



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UNTIL EVERY  
CHILD IS FREE

**BILL NO:** House Bill 833  
**TITLE:** Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** SUPPORT

House Bill 833 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. **Araminta Freedom Initiative** supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**<sup>1</sup> In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup> Although, a large part of this low grade was due to our state laws not being coded correctly, the fact remains that this Safe Harbor law is needed and severely overdue in Maryland.

At present in Maryland, **trafficked minors can still be incarcerated** for prostitution and related crimes, including status offenses that stem from their victimization like truancy and chronic missing youth reports, as well as crimes that are common to street survival like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup> Furthermore, while Maryland finally began offering trafficked minors access to specialized services responsive to the unique trauma that is associated with this type of victimization back in 2019,<sup>4</sup> this protective response does not extend to youth who are incarcerated for actions stemming from their trafficking experience. As a result, trafficked minors continue to languish behind bars, with the isolation, stigma, and psychological trauma that was once caused by their trafficking experience now being perpetuated by the very systems that were supposed to protect them.

**Maryland's trafficked youth deserve better.** It is beyond time for Maryland to move from incarceration to protection by providing a process by which minor victims are shielded from prosecution for acts that stem from their own victimization, and instead provided with the survivor-centered, trauma-informed services they need to recover from their trafficking experience. **Trafficked youth need protection, not incarceration.**

For all the reasons stated above, **Araminta Freedom Initiative** supports HB 833 and respectfully encourages a favorable report.

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

<sup>4</sup> MD. CODE ANN., FAM. LAW § 5-704.4 (West, 2020).



# **Maryland Catholic Conference\_FAV\_\_HB833.pdf**

Uploaded by: Jenny Kraska

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

**March 29, 2022**

**House Bill 833**

**Criminal Law – Victims of Child Sex Trafficking – Safe Harbor & Service Response**

**Senate Judicial Proceedings Committee**

**Position: SUPPORT**

The Maryland Catholic Conference represents the mutual public-policy interests of the three (arch)dioceses serving Maryland, including the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. We offer this testimony in support of House Bill 833.

House Bill 833 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. The Maryland Catholic Conference supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.<sup>1</sup> In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup>

At present in Maryland, trafficked minors can still be incarcerated for prostitution and related crimes, including status offenses that stem from their victimization like truancy and running away, as well as crimes that are common to street survival like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup> Furthermore, while Maryland finally began

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

offering trafficked minors access to specialized services responsive to the unique trauma that is associated with this type of victimization back in 2019,<sup>4</sup> this protective response does not extend to youth who are incarcerated for actions stemming from their trafficking experience. As a result, trafficked minors continue to languish behind bars, with the isolation, stigma, and psychological trauma that was once caused by their trafficking experience now being perpetuated by the very systems that were supposed to protect them.

Maryland's trafficked youth deserve better. It is beyond time for Maryland to move from incarceration to protection by providing a process by which minor victims are shielded from prosecution for acts that stem from their own victimization, and instead provided with the victim-centered, trauma-informed services they need to recover from their trafficking experience. Trafficked youth need protection, not incarceration.

For all the reasons stated above, the Maryland Catholic Conference supports HB 833 and respectfully encourages a favorable report.

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<sup>4</sup> MD. CODE ANN., FAM. LAW § 5-704.4 (West, 2020).

## **HB 833 OPD Favorable Testimony.pdf**

Uploaded by: Jenny Egan

Position: FAV



**PAUL DeWOLFE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN**  
DIRECTOR OF POLICY AND DEVELOPMENT

**KRYSTAL WILLIAMS**  
DIRECTOR OF GOVERNMENT RELATIONS DIVISION

**ELIZABETH HILLIARD**  
ASSISTANT DIRECTOR OF GOVERNMENT RELATIONS DIVISION

**BILL:** HB 833 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking  
- Safe Harbor and Service Response  
**FROM:** Maryland Office of the Public Defender  
**POSITION:** Favorable  
**DATE:** March 28, 2022

Too often, young people who are victims of trafficking find themselves having to choose between two kinds of imprisonment - that inflicted by their traffickers and that threatened by the State of Maryland's juvenile courts.

Juvenile courts often use secure detention as a means to protect youth without adequate consideration of the trauma that secure detention can inflict on already traumatized youth. Youth exposed to trauma run away from those who inflict the trauma, quite often into another situation that, while unsafe, may seem safer than home. While federal law prohibits the incarceration of youth for status offenses such as runaways, there is a loophole (the valid court order exception) that allows states to imprison youth who have violated a court order. The use of detention to address status offenders is counterproductive and tends to exacerbate the underlying issues those children face.<sup>1</sup> Worse yet, status offenders are disparately detained depending on their gender, as girls are more likely than boys to be detained for status offenses.<sup>2</sup>

The Office of the Public Defender has represented countless teenage runaways who are forced into prostitution - a pathway all too familiar to anyone who has dealt with victims of domestic sex trafficking.<sup>3</sup> Our clients often "do not seek help or resist intervention from law enforcement or social service organizations because they do not know their rights, they feel ashamed, they are reluctant to admit to victimization, or they fear their traffickers."<sup>4</sup>

The federal directive for how to help young people in this situation is clear: "Help, do not punish, child victims of sex trafficking."<sup>5</sup> The U.S. Attorney General's *National Task Force on Children*

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<sup>1</sup> See Ellen Wright Clayton, Richard D. Krugman, and Patti Simon, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, National Academy of Sciences (2013) at 164.

<sup>2</sup> *Report of the Attorney General's National Task Force on Children Exposed to Violence* at 182, available at <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>.

<sup>3</sup> See Jessica Lustig, *The 13-Year Old Prostitute: Working Girl or Sex Slave?*, New York Magazine (April 1, 2007), available at <https://nymag.com/news/features/30018/>; President Barack Obama, *Remarks by the President to the Clinton Global Initiative*, (September 25, 2012, available at <https://obamawhitehouse.archives.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative>; see also *Very Young Girls*, a film which documents commercial sexual exploitation of girls in New York City, information available at <https://www.gems-girls.org/shop>.

<sup>4</sup> See Note 2 at 188.

<sup>5</sup> *Id.*

*Exposed to Violence* asked localities to ensure that local law enforcement and prosecutors work to protect the rights of child victims instead of continuing with outdated views that teens were willing participants and charging them with prostitution-related crimes.<sup>6</sup> The Task Force report further directs that “[c]hild victims of commercial sex trafficking should not be treated as delinquents or criminals.”

Instead of incarceration and out of home placements, juvenile justice should focus on returning these youth to their communities, noting that “the key elements to trauma-informed, gender-responsive juvenile justice programs exist in every community. Very simply, programs that are good for girls, especially those recovering from exposure to violence, weave together family, community, and systems of care.”

Unfortunately, while Maryland, like many other states, prohibits the use of secure detention for status offenders on paper<sup>7</sup> but courts use the valid court order exception to incarcerate children status offenders for “their own safety. The Office of the Public Defender supports HB 833 as it clarifies the law to make clear that victims should not be treated as delinquents. This position is supported by stakeholders across the criminal legal system, “The task force, consistent with federal policy, recommends strongly that child victims of commercial sex trafficking be treated as victims and not as delinquents or criminals. **They should not be locked up in juvenile detention facilities, placement programs, or jails** but instead should be given safe harbor in facilities specially designed to address their unique needs.”<sup>8</sup>

The National Academy of Sciences similarly argues against detention for victims of trafficking, finding that “secure detention deprives youth of opportunities that are vital to healthy development, including access to activities that lead to self-efficacy and critical thinking, connections with peers who exhibit prosocial behavior and value academic success, and adequate health and mental health care.”<sup>9</sup> The National Academy of Sciences found that secure detention places victims of trafficking at greater risk, as “secure detention can be an additional trauma and is therefore especially harmful to minors who are victims of commercial sexual exploitation and sex trafficking.”

Understanding, however, that youth who have been sexually trafficked are often detained for running away, truancy, or violating other conditions of probation, the Office of the Public Defender supports prohibiting detention for all youth who are suspected victims of sex trafficking instead of limiting the detention prohibition to youth detained for “qualifying offenses.”

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB 833.**

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<sup>6</sup> *Id.* at 189.

<sup>7</sup> Linda A. Szymanski, *What is the Valid Court Order Exception to Secure Detention for Status Offenders?* National Center for Juvenile Justice (2011).

<sup>8</sup> See Note 2 at 189.

<sup>9</sup> Ellen Wright Clayton, Richard D. Krugman, and Patti Simon, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, National Academy of Sciences (2013) at 202.

# **HTPP HB 833 Testimony- FAV.pdf**

Uploaded by: Jessica Emerson

Position: FAV

## Testimony of the Human Trafficking Prevention Project

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**BILL NO:** House Bill 833  
**TITLE:** Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response Health and Government Operations  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** **SUPPORT**

House Bill 833 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. The Human Trafficking Prevention Project supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**<sup>1</sup> In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup>

At present in Maryland, **trafficked minors can still be incarcerated** for prostitution and related crimes, including status offenses that stem from their victimization like truancy and running away, as well as crimes that are common to street survival like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup> While Maryland was one of the first states in the country to address the criminalization of adult survivors,<sup>4</sup> no such action has been taken with regard to the criminalization of trafficked youth, even though national data tell us that child trafficking survivors are being criminalized at similar rates as their adult counterparts.<sup>5</sup> Unfortunately, age does not play a large factor in who is being identified as a victim and who is being arrested.

**Maryland's trafficked youth deserve better.** It is beyond time for Maryland to move from incarceration to protection by providing a process by which minor victims are shielded from prosecution for acts that stem from their own victimization, and instead provided with the victim-centered, trauma-informed services they need to recover from their trafficking experience. **Trafficked youth need protection, not incarceration.**

For all the reasons stated above, the Human Trafficking Prevention Project supports HB 833 and respectfully encourages a favorable report.

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

<sup>4</sup> MD CODE ANN., CRIM. PROC. § 8-302 (West, 2020).

<sup>5</sup> National Survivor Network, *National Survivor Network Members Survey: Impact of Criminal Arrest and Detention on Survivors of Human Trafficking* 3 (2016), <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>. NSN (citing that 41.6% of respondents reported being arrested as minors, with 50% stating that they had been convicted of at least one crime as a juvenile).



# **MLAW Testimony - HB833 - Criminal Law - Victims of**

Uploaded by: Jessica Morgan

Position: FAV



Bill No: HB833  
Title: Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response  
Committee: Judicial Proceedings  
Hearing: March 29, 2022  
Position: FAVORABLE

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The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. MLAW's purpose is to advocate for legislation affecting women and families. To accomplish this goal, MLAW creates an annual legislative agenda with issues voted on by MLAW members and endorsed by organizations and individuals from all over Maryland. **HB833 - Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response** is a priority on the 2022 MLAW Agenda and we urge your support.

HB833 would provide a safe harbor for child victims of sex trafficking and prevent prosecution for acts committed as a result of trafficking including prostitution and other related offenses. Legislation was passed in 2019 that established the regional navigator program that connects child survivors of trafficking to necessary services. This bill will benefit women and girls by preventing them from being criminalized for being a victim. Children, would instead, receive services and assistance instead of being forced to fight against the stigmas associated with societal views on sex work and the criminal justice system for acts that were committed against them.

Most trafficking victims are women and girls. Currently children can be charged in the criminal or juvenile justice system for acts that are directly related to their victimization including prostitution and other related offenses. Children are, by law, considered victims of human trafficking per se if they are engaging in sex work; however, unlike any other victimization, they can also be charged for the very act that makes them a victim. This paradox in the criminal justice system leads to further victimization both as children, but often leads to further abuse as adults.

**For these reasons, MLAW strongly urges the passage of HB833.**



## **MLAW 2022 Supporting Organizations**

The following organizations have signed on in support of our 2022 Legislative Agenda:

Allegany County Women's Action Coalition  
American Association of University Women - Anne Arundel County  
American Association of University Women - Maryland  
American Association of University Women - Garrett Branch  
Anne Arundel County Commission for Women  
Anne Arundel County NOW (National Organization for Women)  
Baltimore County Commission for Women  
Baltimore Jewish Council  
Baltimore NOW (National Organization for Women)  
Business and Professional Women of Maryland  
For All Seasons, Inc.  
Forward Justice Maryland  
Indivisible Central Maryland  
Make A Difference Monday  
Maryland NOW (National Organization for Women)  
Maryland Network Against Domestic Violence  
Maryland Women's Heritage Center  
MoCoWoMen  
MomsRising  
Montgomery County NOW (National Organization for Women)  
Montgomery County Commission for Women  
Montgomery County Women's Democratic Club  
National Coalition For Sexual Freedom  
National Organization for Women  
NCBW Anne Arundel County Chapter  
Prince George's County Alumnae Chapter  
Prince George's County Drug Policy Coalition, Inc.  
Reproductive Justice Inside  
South Prince George's Business and Professional Women  
WISE - WISE Women of Maryland  
Women's Equality Day Celebration across Maryland  
Women's Law Center of Maryland  
Yellow Rose Foundation  
Zonta Club Mid Maryland  
Zonta Club of Annapolis

### **Maryland Legislative Agenda for Women**

**305 W. Chesapeake Avenue, Suite 201 • Towson, MD 21204 • 443-519-1005 phone/fax  
[mdlegagenda4women@yahoo.com](mailto:mdlegagenda4women@yahoo.com) • [www.mdlegagendaforwomen.org](http://www.mdlegagendaforwomen.org)**

## **HB 833- FAV - Cross over hearing - Women's Law Cen**

Uploaded by: Laure Ruth

Position: FAV

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<b>BILL NO:</b>	House Bill 833 – Cross over hearing
<b>TITLE:</b>	Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response
<b>COMMITTEE:</b>	Judiciary
<b>HEARING DATE:</b>	March 29, 2022
<b>POSITION:</b>	<b>SUPPORT</b>

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House Bill 833 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. The Women's Law Center of Maryland (WLC) supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**<sup>1</sup> In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup>

At present in Maryland, trafficked minors can still be incarcerated for prostitution and related crimes, including status offenses that stem from their victimization like truancy and running away, as well as crimes that are common to street survival like trespassing, 4<sup>th</sup> degree burglary, and drug possession.<sup>3</sup> Furthermore, while Maryland finally began offering trafficked minors access to specialized services responsive to the unique trauma that is associated with this type of victimization back in 2019,<sup>4</sup> this protective response does not extend to youth who are incarcerated for actions stemming from their trafficking experience. As a result, trafficked minors continue to languish behind bars, with the isolation, stigma, and psychological trauma that was once caused by their trafficking experience now being perpetuated by the very systems that were supposed to protect them.

It is beyond time for Maryland to move from incarceration to protection by providing a process by which minor victims are shielded from prosecution for acts that stem from their

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

<sup>3</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland* 6-7 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

<sup>4</sup> MD. CODE ANN., FAM. LAW § 5-704.4 (West, 2020).

own victimization, and instead provided with the victim-centered, trauma-informed services they need to recover from their trafficking experience. Trafficked youth need protection, not incarceration.

For all the reasons stated above, the Women's Law Center of Maryland supports HB 833 and respectfully urges a favorable report.

***The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change.***

# **Trafficking - safe harbor - testimony - house in s**

Uploaded by: Lisae C Jordan

Position: FAV



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## Working to end sexual violence in Maryland

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P.O. Box 8782  
Silver Spring, MD 20907  
Phone: 301-565-2277  
Fax: 301-565-3619

For more information contact:  
Lisae C. Jordan, Esquire  
443-995-5544  
[www.mcasa.org](http://www.mcasa.org)

### **Testimony Supporting House Bill 833 as Amended in the House** **Lisae C. Jordan, Executive Director & Counsel** March 29, 2022

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on House Bill 833 as amended in the House.

#### **House Bill 833**

##### **Safe Harbor – Preventing Prosecution of Minor Victims of Sex Trafficking**

“Safe Harbor” refers to the practice of prohibiting prosecution or juvenile proceedings against youth for prostitution or other crimes and instead providing services. Maryland is making slow but steady progress in its efforts to respond to sex trafficking. In 2012, sex trafficking was made a form of child abuse and this gave more trafficked children access to services from the Department of Human Services. In 2019, the legislature enacted the Child Sex Trafficking Screening and Services Act of 2019, initiating the creation of a network of “Regional Navigators” to help provide case management and services to youth survivors. Both the Department of Human Services and the Department of Juvenile Services are tasked with screening for trafficking in an effort to identify victims and provide better responses.

Despite this progress, Maryland is lagging behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.<sup>1</sup> In fact, Maryland not only received an “F” from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide,<sup>2</sup> particularly with regard to access to justice.

#### **Protection from Prosecution**

House Bill 833 is the next step in improving Maryland's response to children and adolescents who are victims of sex trafficking. This bill would prohibit prosecution of these victims in either the criminal or juvenile justice systems for a specified list of relatively low level non-violent crimes. Prosecution for

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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



“qualifying offenses” is prohibited. These are the same crimes that adult survivors of sex trafficking can seek to have vacated. Two crimes are added to this list: unauthorized use of a motor vehicle, and soliciting (but not paying for) prostitution. Prosecution in adult or juvenile proceedings would be prohibited when the act alleged is a direct result of sex trafficking. Determination of this issue would be by a judge after a motion from child’s counsel, the State’s Attorney, or the Court and both DHS and a Regional Navigator would be notified of determinations.

HB833 is carefully balanced to provide services, not punishment. It does not and should not address every case and fix every problem, but it is a necessary piece of justice.

### **Violent Crimes**

The protected crimes in HB833 as amended do not include protection from prosecution from violent crimes. While there has been discussion of whether safe harbor should extend to assault in the second degree, MCASA believes that this would be bad policy because it would elevate the needs of one victim over another, disregard crime victim rights, and create great risks. In particular, MCASA is concerned that prohibiting prosecution of assault could incentivize adult traffickers to encourage minors who are helping manage other victims to beat the other victims because they could not be prosecuted for assault. There are simply other better ways to address the needs of sex trafficking victims who commit violent crimes and the legislature should not explore these as a separate policy issue. HB833 will provide “safe harbor” for nonviolent offenses.

**HB833 continues Maryland’s progress towards a workable and sensitive safe harbor policy to address sex trafficking of children and adolescents in Maryland.**

**The Maryland Coalition Against Sexual Assault urges the  
Judicial Proceedings Committee to report favorably on House Bill 833**

# **HB833 Safe Harbor BCSAO LOS 3.29.22.pdf**

Uploaded by: Marilyn Mosby

Position: FAV



March 29, 2022

Senator William C. Smith, Jr.  
Chair, Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis, MD 21401

**SUPPORT HB833 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response**

Dear Chairman Smith, Vice Chairman Waldstreicher and Committee Members:

As the State's Attorney for Baltimore City, I support House Bill 833, entitled "Safe Harbor and Service Response". This bill modifies the current law related to the response of law enforcement officers or the court, when a minor child is encountered, whom is suspected of being a victim of sex trafficking.

House Bill 833 builds on current legislation, first established by the Child Sex Trafficking Screening and Services Act of 2019, to better protect minor children by dismissing any qualifying delinquent acts (non-violent) committed as a direct result of their connection to sex trafficking. This Safe Harbor legislation also addresses the inconsistent treatment of minor children in the legal system by ensuring that these victims are provided services without being detained through the Department of Juvenile Services (DJS). The legislation also mandates the state implemented Human Trafficking Regional Navigator program be utilized to identify and connect all available services.

While Maryland holds itself out as a leader in the fight against child sex trafficking, it continues to lag behind the rest of the country in its response to this horrific crime. While identification of minor victims has grown steadily each year in response to expanded training and awareness efforts throughout the state, Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking. In fact, Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.

At present in Maryland, trafficked minors can still be incarcerated for prostitution and related crimes, including status offenses that stem from their victimization like truancy and running away, as well as crimes that are common to street survival like trespassing, 4th degree burglary, and drug possession. Furthermore, while Maryland finally began offering trafficked minors access to specialized services responsive to the unique trauma that is associated with this type of victimization back in 2019, this protective response does not extend to youth who are incarcerated for actions stemming from their trafficking experience. As a result, trafficked minors continue to languish behind bars, with the isolation, stigma, and psychological trauma that was once caused by their trafficking experience now being perpetuated by the very systems that were supposed to protect them.

STATE'S ATTORNEY  
Marilyn J. Mosby



OFFICE of the STATE'S ATTORNEY for BALTIMORE CITY  
120 East Baltimore Street | Baltimore, Maryland 21202

For the reasons stated, I urge the passing of House Bill 833. Human trafficking is a serious issue in Maryland, and specifically in Baltimore City. Should this legislation help one minor victim stay out of DJS custody and receive needed services stemming from the oppression imposed by a sex trafficker, it would be a success.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, reading "Marilyn J. Mosby". The signature is written in a cursive style with a large, stylized "M" and "J".

Marilyn J. Mosby  
State's Attorney for Baltimore City

# **HB 833\_MNADV\_FAV\_JPR.pdf**

Uploaded by: Melanie Shapiro

Position: FAV



**BILL NO:** House Bill 833  
**TITLE:** Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** **SUPPORT**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on HB 833.**

House Bill 833 will provide a safe harbor for child victims of sex trafficking. Trafficking and domestic violence are both based on power and control dynamics. It is also all too common for a victim of trafficking to be in love with or in a relationship with their trafficker, whether that relationship violates statutory rape laws or not. Traffickers lure their victims with promises of love, clothing, food, and shelter. They prey on children's vulnerabilities which may include living in poverty, involvement with the child welfare system, or a mental health diagnosis. Then the traffickers might beat or rape or brand child victims and force them to commit acts of prostitution. Other offenses may be committed as well at the direction of the trafficker or as acts of survival.

Yet Maryland's laws do not treat child victims of sex trafficking as victims they treat them as delinquents. Our laws allow for exploited children, for victimized children to be arrested, to be detained and to be prosecuted for the very acts that their trafficker forced them to do. We must amend Maryland's laws to join the other forty-two states that treat child victims of sex trafficking as victims and recognize that they should not be prosecuted or stigmatized for being a victim of horrific crimes. Under existing law child sex trafficking is a form of abuse. Services for child victims of sex trafficking are available through the Regional Navigators established in 2019.

Providing Safe Harbor for child victims of sex trafficking Maryland is a crucial step to improving the status of Maryland as one of the ten worst states in treatment of child victims of sex trafficking according to Shared Hope International. HB 833 creates a necessary process for shifting a child from a punitive system to a protective system if their victimization is identified after a delinquency case commenced. Extending the safe harbor protections to offenses related to a child's victimization including status offenses and charges such as theft and trespass is a first step to improving Maryland's treatment of child victims of sex trafficking.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with sponsor amendments on HB 833.**

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For further information contact Melanie Shapiro • Public Policy Director • 301-852-3930 • [mshapiro@mnadv.org](mailto:mshapiro@mnadv.org)

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# **HB 833 OPD Favorable Testimony.pdf**

Uploaded by: Michal Gross

Position: FAV



**PAUL DeWOLFE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN**  
DIRECTOR OF POLICY AND DEVELOPMENT

**KRYSTAL WILLIAMS**  
DIRECTOR OF GOVERNMENT RELATIONS DIVISION

**ELIZABETH HILLIARD**  
ASSISTANT DIRECTOR OF GOVERNMENT RELATIONS DIVISION

**BILL:** HB 833 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking  
- Safe Harbor and Service Response  
**FROM:** Maryland Office of the Public Defender  
**POSITION:** Favorable  
**DATE:** March 28, 2022

Too often, young people who are victims of trafficking find themselves having to choose between two kinds of imprisonment - that inflicted by their traffickers and that threatened by the State of Maryland's juvenile courts.

Juvenile courts often use secure detention as a means to protect youth without adequate consideration of the trauma that secure detention can inflict on already traumatized youth. Youth exposed to trauma run away from those who inflict the trauma, quite often into another situation that, while unsafe, may seem safer than home. While federal law prohibits the incarceration of youth for status offenses such as runaways, there is a loophole (the valid court order exception) that allows states to imprison youth who have violated a court order. The use of detention to address status offenders is counterproductive and tends to exacerbate the underlying issues those children face.<sup>1</sup> Worse yet, status offenders are disparately detained depending on their gender, as girls are more likely than boys to be detained for status offenses.<sup>2</sup>

The Office of the Public Defender has represented countless teenage runaways who are forced into prostitution - a pathway all too familiar to anyone who has dealt with victims of domestic sex trafficking.<sup>3</sup> Our clients often "do not seek help or resist intervention from law enforcement or social service organizations because they do not know their rights, they feel ashamed, they are reluctant to admit to victimization, or they fear their traffickers."<sup>4</sup>

The federal directive for how to help young people in this situation is clear: "Help, do not punish, child victims of sex trafficking."<sup>5</sup> The U.S. Attorney General's *National Task Force on Children*

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<sup>1</sup> See Ellen Wright Clayton, Richard D. Krugman, and Patti Simon, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, National Academy of Sciences (2013) at 164.

<sup>2</sup> *Report of the Attorney General's National Task Force on Children Exposed to Violence* at 182, available at <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>.

<sup>3</sup> See Jessica Lustig, *The 13-Year Old Prostitute: Working Girl or Sex Slave?*, New York Magazine (April 1, 2007), available at <https://nymag.com/news/features/30018/>; President Barack Obama, *Remarks by the President to the Clinton Global Initiative*, (September 25, 2012, available at <https://obamawhitehouse.archives.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative>; see also *Very Young Girls*, a film which documents commercial sexual exploitation of girls in New York City, information available at <https://www.gems-girls.org/shop>.

<sup>4</sup> See Note 2 at 188.

<sup>5</sup> *Id.*



*Exposed to Violence* asked localities to ensure that local law enforcement and prosecutors work to protect the rights of child victims instead of continuing with outdated views that teens were willing participants and charging them with prostitution-related crimes.<sup>6</sup> The Task Force report further directs that “[c]hild victims of commercial sex trafficking should not be treated as delinquents or criminals.”

Instead of incarceration and out of home placements, juvenile justice should focus on returning these youth to their communities, noting that “the key elements to trauma-informed, gender-responsive juvenile justice programs exist in every community. Very simply, programs that are good for girls, especially those recovering from exposure to violence, weave together family, community, and systems of care.”

Unfortunately, while Maryland, like many other states, prohibits the use of secure detention for status offenders on paper<sup>7</sup> but courts use the valid court order exception to incarcerate children status offenders for “their own safety. The Office of the Public Defender supports HB 833 as it clarifies the law to make clear that victims should not be treated as delinquents. This position is supported by stakeholders across the criminal legal system, “The task force, consistent with federal policy, recommends strongly that child victims of commercial sex trafficking be treated as victims and not as delinquents or criminals. **They should not be locked up in juvenile detention facilities, placement programs, or jails** but instead should be given safe harbor in facilities specially designed to address their unique needs.”<sup>8</sup>

The National Academy of Sciences similarly argues against detention for victims of trafficking, finding that “secure detention deprives youth of opportunities that are vital to healthy development, including access to activities that lead to self-efficacy and critical thinking, connections with peers who exhibit prosocial behavior and value academic success, and adequate health and mental health care.”<sup>9</sup> The National Academy of Sciences found that secure detention places victims of trafficking at greater risk, as “secure detention can be an additional trauma and is therefore especially harmful to minors who are victims of commercial sexual exploitation and sex trafficking.”

Understanding, however, that youth who have been sexually trafficked are often detained for running away, truancy, or violating other conditions of probation, the Office of the Public Defender supports prohibiting detention for all youth who are suspected victims of sex trafficking instead of limiting the detention prohibition to youth detained for “qualifying offenses.”

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB 833.**

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<sup>6</sup> *Id.* at 189.

<sup>7</sup> Linda A. Szymanski, *What is the Valid Court Order Exception to Secure Detention for Status Offenders?* National Center for Juvenile Justice (2011).

<sup>8</sup> See Note 2 at 189.

<sup>9</sup> Ellen Wright Clayton, Richard D. Krugman, and Patti Simon, *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States*, National Academy of Sciences (2013) at 202.

# **HB833\_FAV\_UMB\_PARI\_FiniganCarr March2022.pdf**

Uploaded by: Nadine Finigan-Carr

Position: FAV

**BILL NO:** House Bill 833  
**TITLE:** Criminal Law – Victims of Child Sex Trafficking – Safe Harbor  
and Service Response  
**COMMITTEE:** Judicial Proceedings  
**HEARING DATE:** March 29, 2022  
**POSITION:** **SUPPORT**

The 2017 Protecting Victims of Trafficking Act defined child sex trafficking and provided for youth who have experienced trafficking to receive a trauma-informed, child-centered response via the child welfare system as opposed to the juvenile justice system. House Bill 833/Senate Bill 768 would extend the protections available to child sex trafficking victims established by the 2017 Act and codified in the Child Sex Trafficking Screening and Services Act of 2019 by providing additional protections especially for those youth trafficking victims who have been charged with prostitution and other related crimes. The University of Maryland School of Social Work's Prevention of Adolescent Risks Initiative (PARI) supports this bill because it protects as opposed to criminalizes the most vulnerable victims, the children of Maryland, and provides them with much needed services.

Over the past decade, PARI has worked diligently in collaboration with the Maryland Human Trafficking Task Force and Maryland's Departments of Human Services and Juvenile Services to build the infrastructure for our state to address the issue of child sex trafficking. Our work has allowed the state to better understand the risks and protective factors for youth; and, to train stakeholders from numerous disciplines to be able to better support those youth at risk and already being trafficking in our communities. Despite all of this, Maryland is currently ranked behind forty-two other states and the District of Columbia in our legal response to child sex trafficking<sup>1</sup>. When Shared Hope International published their 2021 annual review of the effectiveness of victim protection laws, we received an F and also ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.<sup>2</sup>

Traffickers often target runaway and homeless youth, as well as children who have been abused or neglected. When minors are forced to engage in commercial sex, it places them at risk for prosecution under prostitution laws. When child trafficking victims are convicted of prostitution, they are often transferred from the control of a trafficker to the control of the juvenile justice system. Services currently being provided to Maryland youth who have experienced the trauma of trafficking do not

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<sup>1</sup> Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

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

extend to youth who are incarcerated for actions stemming from their trafficking experience. This Safe Harbor law will ensure that trafficked children are treated as victims, not criminals, and provide access to medical care, safe housing, remedial education, and counseling services.

**Maryland's trafficked youth deserve better.** Safe Harbor Laws protect child victims of sex trafficking from unjust criminalization. Further, because this law will redirect arrested minors from juvenile delinquency proceedings to child protection proceedings, it will give sexually exploited children access to specialized services needed to become productive citizens as they transition to adulthood. Our focus in Maryland needs to become prevention and protection NOT incarceration for youth who have experienced trafficking.

For all the reasons stated above, UMSSW Prevention of Adolescent Risks Initiative supports HB 833 and respectfully encourages a favorable report.

A handwritten signature in purple ink, reading "Nicole M. Lynn-Carr". The signature is written in a cursive, flowing style. The first name "Nicole" is written in a larger, more prominent script, followed by "M. Lynn-Carr" in a slightly smaller, more compact script. The signature is positioned on the left side of the page, below the main body of text.

**hb833amend.pdf**

Uploaded by: Suzanne Pelz

Position: UNF

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Joseph M. Getty  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 833  
Criminal Law – Victims of Child Sex Trafficking – Safe Harbor  
and Service Response  
**DATE:** March 23, 2022  
(3/29)  
**POSITION:** Oppose, as drafted

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The Maryland Judiciary continues to oppose amended House Bill 833, as drafted.

The Judiciary continues to strongly support the intention of the bill, and notes that many of the concerns previously identified have been addressed in the amendments. However, the Judiciary remains concerned that the bill does not address what happens to the child while the assessment by the regional navigator is pending, or if that assessment is challenged. Specifically, the Judiciary is concerned that there are no identified criteria or time requirements for the regional navigator's assessment, and that this might result in uncertainty and delay.

cc. Hon. Brooke Lierman  
Judicial Council  
Legislative Committee  
Kelley O'Connor

# **HB0833\_UNFAVORABLE\_opposed VMcAvoy.pdf**

Uploaded by: vince mcavoy

Position: UNF

# UNFAVORABLE on HB0833

vince mcavoy baltimore md

Dear Lawmakers,  
I strongly urge an UNFavorable on HB833.

The intent is to minimize those youth who get caught up in prostitution.

There is an awful methodology used in Annapolis hearing rooms that to free one young criminal lawmakers & jailers must empty the prisons.....out of empathy & kindness, they so delude themselves.. The advocates are frequently former convicts, employing relativistic ethics..

This bill has been contemplated in California, where citizens determined the harm would far outweigh any good. Hispanic Sheriffs have been outspoken about the harm such a bill brings. And the actual harm is increased numbers and duration of teen prostitution. Communities' crime **[Violent crime rates as a proxy for social determinants of STD rates: the consistent state-level correlation between violent crime and reported STDs in the United States, 1981–2010. Sex Health. 2013]** and disease will increase. American and illegal alien children will be victimized by such a bill.

Note which demographic(s) will be harmed. This bill aims to harm them.

"...note a troubling pattern for Black Americans. Chlamydia, gonorrhea, HIV and syphilis top the list of most reported new sexually transmitted infections (STIs) globally. STD rates are typically 5-8 times higher for African Americans or Black people than for non-Hispanic White people. This year's data suggest that the city with the highest STD rate was Jackson, Mississippi, which was followed by Baltimore....

...The new data shows gonorrhea cases in women — which have gradually increased since 2014 — went up steeply last year. ...infections among women grew more sharply in recent year, data shows...  
...Black and Latino women accounted for the majority of female gonorrhea and syphilis cases, officials said."

<https://patch.com/new-york/new-york-city/syphilis-gonorrhea-surge-among-nyc-women-health-officials-say>

AS A REMINDER TO THE LAWMAKERS, I HAVE BROUGHT SOLUTIONS/BILLS TO ANNAPOLIS FOR ABOUT A DECADE TO REDUCE THE INCIDENCE OF DRUG USE, TEEN CRIME AND PROSTITUTION, ET CETERA ET CETERA. You simply don't seem concerned about fixing these issues as you ignore nationally-recognized experts on reducing fatherlessness in Maryland.

HIV is spreading and will spread even more with this bill.

"Baltimore has the highest rate of Sexually Transmitted Diseases (STD) in the U.S. and D.C. isn't far behind, according to a new study...

CDC attributes the following factors to the rise of STDs in the U.S.:

Drug use,...Decreased condom use among vulnerable groups, including young people and gay and bisexual men"

<https://wjla.com/news/local/baltimore-dc-20-us-cities-highest-std-rates>



This bill will have the effect of legalizing prostitution for children. In just the last year, New York and NYC have been testbeds of such awful policy. It will bring a generational curse of these teens, similar to the pre Rudy Giuliani era in NYC, which was both dangerous in disease spread and with crime spreading.

Prostitution And Massage Parlors Now Legal In New York City as reported APRIL 23, 2021

"...NEW YORK, NY – The 80's are back. New York City's rising crime and violence will now be joined by legal prostitution as the city's district attorney said his office will no longer prosecute prostitution.

Although the laws of the state prohibit prosecution, Mayor Bill DeBlasio's action essentially legalizes the activity in the city of New York.

...the Office's new policy to decline-to-prosecute prostitution and unlicensed massage,...preventing unnecessary future contacts with the criminal justice system, eliminating the collateral consequences associated with having a prostitution case or conviction, and empowering New Yorkers to interact with law enforcement without fear of arrest or deportation. D.A. Vance also moved to dismiss 5,080 Loitering for the Purpose of Prostitution cases, following New York State's repeal of the statute known as "Walking While Trans" earlier this year..."

This shows the high prevalence of transgenders leaning on state support systems as they continue (what was often) prison prostitution on the streets, spreading cases of HIV. Shop owners in City - one being a (well-known) homosexual-owned coffee shop - have told me that they are a blight to business in addition to disease & mental health concerns.

"...Black, Brown and East Asian women and girls, immigrants, and LGBTQ+ people have been disproportionately... 'loitering for the purpose of prostitution' and 'unlicensed practice of a profession' ...we will decline to prosecute these arrests outright, providing services and supports solely on a voluntary basis

<https://www.shorenewsnetwork.com/2021/04/23/prostitution-and-massage-parlors-now-legal-in-new-york-city/>

Instead of mandatory testing, temporary cessation of prostitution while imprisoned and appropriate shunting of cases for those who merit juvenile adjudication, all children will be permanently freed to their own youthful devices and tendencies on the streets. Prostitution and drug addicts will not seek help until they are walking disease spreader, bringing communities across Maryland to increased harm and danger.

But our neighbors to the north will solidify child trafficking as a workable business model up and down the Mid-Atlantic with this bill. Children will increasingly be trafficked across state lines and - with our porous national borders - in and out of the country when police don't arrest children caught up in the sex trade.

"Philadelphia has the fourth highest transmission rate with 2,827 per 100,000 inhabitants. Jackson, Mississippi, Baltimore, Maryland and San Francisco, California occupy the top three spots.

Chlamydia, gonorrhea and syphilis are the three sexually transmitted diseases with the highest growth in infections. Together, they increased by nearly 30% between 2015 and 2019. Within the top 20 cities with the most infections, New York has the most HIV cases (97,206), Atlanta followed with 31,833, Miami..."

<https://www.aldianews.com/leadership/advocacy/std-numbers-us>

These increases in New York happened directly as a result of such laxity as seen in the Sponsor's bill.

"Health Department Reports an Increase in Sexually Transmitted Infections in New York City From 2019 to 2020 ...

Primary and secondary syphilis diagnoses increased among both men and women; gonorrhea diagnoses increased among women from 2019 to 2020...

October 13, 2021 — The Health Department today released preliminary data on sexually transmitted infections (STIs) in 2019 and 2020 in New York City. According to the New York City STI Surveillance Data Report (PDF), from 2019 to 2020, rates of primary and secondary (P&S) syphilis – the stages during which syphilis is most infectious – increased 9% for men and 24% for women, rates of gonorrhea increased 5% for women and decreased 19% for men..."

<https://www1.nyc.gov/site/doh/about/press/pr2021/health-department-reports-increase-in-sti.page>

<https://blackdoctor.org/cities-with-the-most-stds/>

<https://rollingout.com/2021/08/14/this-list-of-cities-with-the-highest-std-transmission-rates-may-surprise-you/>

I strongly urge an unfavorable. Quit allowing these misguided bills which remove pinch points which can straighten out our fatherless children. And, if you wish to prevent their interaction with the criminal justice system in the first place, take heed with the many ways we bring to reduce fatherlessness each year.

humbly

~vince

# **HB0833\_DHS\_LOI (Senate Hearing).pdf**

Uploaded by: Rachel Sledge

Position: INFO

**Date:** March 29, 2022

**Bill number:** HB0833

**Committee:** Judicial Proceedings

**Bill title:** **Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response**

**DHS Position:** **Letter of Information**

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The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide further considerations regarding House Bill 833 (HB 833).

DHS appreciates working with the House Sponsor and House Committee to adopt certain amendments regarding the role and responsibility of regional navigators. In light of the adopted amendments by the House of Delegates, DHS respectfully requests the Committee take into consideration the following technical amendments:

- Page 4 starting on line 31: - We already have a statute outlining this process and would like this to read the same. Here is our proposed change:  
(iii) Keep custody only until the local department either takes custody under § 3-815 of this Article or authorizes release of the child unless the officer determines that it is safe to return the child to the child's parent, custodian, or guardian. [This mirrors CJP 3-814 (b) (3)]
- Page 4 line 28- Substitute Local Department of Social Services instead of Local Child Welfare Agency
- Page 6 line 3-4 Substitute Local Department of Social Services instead of DHS.

The Department appreciates the opportunity to provide these proposed amendments to the committee for consideration during your deliberations.