



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

POSITION: SUPPORT

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.