



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



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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 that reads "Marilyn J. Mosby". The signature is fluid and cursive, with the first and last names being more prominent.

Marilyn J. Mosby
State's Attorney for Baltimore City