



VICTIM SERVICES ADVISORY BOARD

March 8, 2022

The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

Re: Support – SB768 - Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response

Dear Chairman Smith:

Senate Bill 768 alters the procedures that a law enforcement officer and a court are required to follow when either has reason to believe that a detained child is a victim of sex trafficking. Minors may not be criminally prosecuted or have proceedings brought against them as delinquent children for certain crimes or civil offenses if the minors committed the crime or civil offense as a direct result of sex trafficking. Among various notification requirements, the law enforcement officer must alert the regional navigator to determine the child's service needs.

The Montgomery County Victim Services Advisory Board (VSAB) advises the County Council and County Executive on assisting the needs of victims of a broad range of violent crimes, including rape, domestic violence, sexual assault and human trafficking. The number and severity of the sexual assault and domestic violence cases referred to the Montgomery County HHS Victim Assistance and Sexual Assault Program and the Abused Persons Program have continued to increase substantially during the pandemic, with more than 1800 requests for help in FY21 and 500 requests received during the first quarter of FY 22. Victims of child sex trafficking are often runaways fleeing untenable situations of family abuse, drug addiction and homelessness, making them easy prey for sex offenders. Traffickers often target victims with these and other vulnerabilities including those who struggle with mental health issues, as well as recent migration/relocation challenges. (<https://polarisproject.org/wp-content/uploads/2022/01/Human-Trafficking-Trends-in-2020-by-Polaris.pdf>).

Maryland was ranked as one of the 10 worst states (44th place) to receive a failing grade in every category listed by the Shared Hope International 2021 Report on Child & Youth Sex Trafficking. The report examined both "safe harbor" laws to prevent minors' prosecution and the state infrastructure for connecting children with needed help and resources. Maryland needs to do more to identify these children and to provide them with help. SB768 protects children who are charged with prostitution or solicitation, theft, drug possession, and other nonviolent crimes committed under pressure from those controlling their activity. The notification requirements ensure that children who are victims of sex trafficking will receive the assistance they need.

VSAB asks the committee to issue a favorable report on SB768.

Sincerely,

Kathryn Pontzer
VSAB Co-chair

Department of Health and Human Services