



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

[www.womensdemocraticclub.org](http://www.womensdemocraticclub.org)

**Senate Bill 768**  
**Criminal Law - Victims of Child Sex Trafficking – Safe Harbor and Service**  
**Response**  
**Judicial Proceedings Committee – March 8, 2022**  
**FAVORABLE**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2022 legislative session. WDC is one of Maryland's largest and most active Democratic Clubs, with hundreds of politically active women and men, including many elected officials.

**WDC urges the passage of SB768.** This bill alters certain procedures that law enforcement and the court are required to follow to ensure that a minor is not criminally prosecuted for crimes committed as a direct result of sex trafficking. Far too often, WDC finds itself advocating for legislation to fix a problem that is hard to believe has been allowed to exist in our state. This is that kind of legislation. It would likely not occur to most Marylanders that, children who are trafficked for sex are actually arrested (and possibly prosecuted and incarcerated) or detained in the custody of the Department of Juvenile Services for crimes related to their trafficking. Children who are trafficked for sex are not perpetrators of crime, they are the victims of crime. No child should ever be prosecuted for crimes of which they are the victim. WDC thanks Senator Lee for sponsoring this legislation to clear up the confusion between child criminals and child victims for law enforcement officials.

Most trafficking victims are women and girls, and the majority of them are women and girls of color. According to the National Center for Missing and Exploited Children, the average age of sex trafficking victims is 15.<sup>1</sup> Trafficked children can now 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 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.

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<sup>1</sup> <https://www.childrensrights.org/newsroom/fact-sheets/child-sex-trafficking/#:~:text=The%20average%20age%20of%20child%20sex%20trafficking%20victims%20is%2015,were%20sexually%20abused%20as%20children.>



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This bill would provide a “safe harbor” for child victims of sex trafficking and prevent prosecution for acts committed as a result of being trafficked, including prostitution and other related offenses. In 2019, Maryland established the regional navigator program that connects child survivors of trafficking to necessary services. Instead of being treated as criminals, children suspected of being trafficked would receive services and assistance instead of being forced to fight against the criminal justice system for acts that were committed against them, or they were forced by their traffickers to commit.

The emotional effects of trauma can be persistent and devastating. Victims of human trafficking may suffer from one or more conditions of anxiety, panic disorder, major depression, substance abuse, eating disorders, and Post-Traumatic Stress Disorder.<sup>2</sup> These children need specialized, trauma-based, therapeutic help to deal with the trauma of having been trafficked.<sup>3</sup> What they do not need is the compounding trauma of arrest or detention, prosecution, and possibly incarceration.

**We ask for your support for SB768 and strongly urge a favorable Committee report.**

Respectfully,

Leslie Milano  
President

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<sup>2</sup> <https://aspe.hhs.gov/reports/treating-hidden-wounds-trauma-treatment-mental-health-recovery-victims-human-trafficking-0>

<sup>3</sup> <https://aspe.hhs.gov/reports/treating-hidden-wounds-trauma-treatment-mental-health-recovery-victims-human-trafficking-0>