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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
Judiciary Committee * February 17, 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.**