

BILL NO: Senate Bill 292
TITLE: Criminal Law – Victims of Child Sex Trafficking and Human Trafficking – Safe Harbor and Service Response
COMMITTEE: Judicial Proceedings
HEARING DATE: February 13, 2023
POSITION: SUPPORT

The 2017 Protecting Victims of Trafficking Act defined child sex trafficking and provided for youth who have experienced trafficking to receive a trauma-informed, child-centered response via the child welfare system as opposed to the juvenile justice system. Senate Bill 292 would extend the protections available to child sex trafficking victims established by the 2017 Act and codified in the Child Sex Trafficking Screening and Services Act of 2019 by providing additional protections especially for those youth trafficking victims who have been charged with prostitution and other related crimes. The University of Maryland School of Social Work’s Prevention of Adolescent Risks Initiative (PARI) supports this bill because it protects as opposed to criminalizes the most vulnerable victims, the children of Maryland, and provides them with much needed services.

Over the past decade, PARI has worked diligently in collaboration with the Governor’s Office of Crime Prevention, Youth, and Victim Services, the Maryland Human Trafficking Task Force and Maryland’s Departments of Human Services and Juvenile Services to build the infrastructure for our state to address the issue of child sex trafficking. For the past few years, we have served as the Training and Technical Assistance provider for Maryland’s Regional Navigator program assisting in the coordination of their service response with state agencies and victim service providers.

Our work has allowed the state to better understand the risks and protective factors for youth; and, to train stakeholders from numerous disciplines to be able to better support those youth at risk and already being trafficking in our communities. Despite all of this, Maryland is currently ranked behind forty-two other states and the District of Columbia in our legal response to child sex trafficking¹. When Shared Hope International published their 2021 annual review of the effectiveness of victim protection laws, we received an F and ranked in the bottom 10 states for treatment of child victims of sex trafficking nationwide.²

¹ Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit* 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

² *Id.*

Traffickers often target runaway and homeless youth, as well as children who have been abused or neglected. When minors are forced to engage in commercial sex, it places them at risk for prosecution under prostitution laws. When child trafficking victims are convicted of prostitution, they are often transferred from the control of a trafficker to the control of the juvenile justice system. Services currently being provided to Maryland youth who have experienced the trauma of trafficking do not extend to youth who are incarcerated for actions stemming from their trafficking experience. This Safe Harbor law will ensure that trafficked children are treated as victims, not criminals, and provide access to medical care, safe housing, remedial education, and counseling services.

Maryland's trafficked youth deserve better. Safe Harbor Laws protect child victims of sex trafficking from unjust criminalization. Further, because this law will redirect arrested minors from juvenile delinquency proceedings to child protection proceedings, it will give sexually exploited children access to specialized services needed to become productive citizens as they transition to adulthood. Our focus in Maryland needs to become prevention and protection NOT incarceration for youth who have experienced trafficking.

For all the reasons stated above, UMSSW Prevention of Adolescent Risks Initiative supports SB 292 and respectfully encourages a favorable report.

A handwritten signature in purple ink that reads "Nicole M. Ly-Carr". The signature is written in a cursive style and is positioned to the left of a vertical line.