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POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 203 Child Custody – Maryland Department of Transportation – Child Exploitation and Human Trafficking Awareness, Training, and Response

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: 2/6/2023

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on Senate Bill 203. This bill will require Maryland government to expend huge sums of money to develop a training program, implement a system for reporting suspected child exploitation and human trafficking, and print and post informational posters. Moreover, this bill expands the role and responsibility of bus drivers, subway drivers, food servers at rest stops, and other civil servants into a surveillance arm of law enforcement without any evidence that such a reporting program will substantially curb the instances of child exploitation and human trafficking. It will inevitably result in overreporting, because transportation employees will want to err on the side of caution, and this will have the direct consequence of increased policing of families in Maryland. Those who take public transportation are more likely than not to be lower income people and families. More low-income families will be reported for suspected child exploitation and human trafficking, and they will be investigated by police or local department of social services. Whether these investigations lead to something more is beside the point – the fact that poor families are investigated by the government is a harm in and of itself.

In addition to the problem of over-policing of poor families, it is also a problem that transportation employees – people who drive buses, operate the subway or light rail, or work in rest-stops – are expected to be trained on a complex subject such as child exploitation and human trafficking to the degree that they can make an informed decision on whether a child is in danger. The concepts of child exploitation and human trafficking are difficult to grasp, and even more difficult to apply, even by trained professionals, like social workers and judges. A cursory training will be insufficient to teach laypersons these concepts. This bill is likely to establish a

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system that is set up for failure at the expense of the State and, more importantly, the expense of innocent people and families who will suffer the numerous consequences of an unfounded report and investigation.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on SB 203.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

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