

**SB292****Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response**

House Judiciary Committee  
Hearing Date: March 28, 2023

**POSITION: SUPPORT**

My name is Andrea Carroll, and I am the Director of Behavioral Health Services at Board of Child Care (BCC). I am submitting this written testimony on behalf of BCC regarding *SB292 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response* to encourage your support of this bill.

BCC provides a continuum of services to youth and families across Maryland. We have locations in six counties and provide care to hundreds of families each year through community-based, residential, and educational programs. The youth we serve are at high risk for human trafficking due to complex trauma and abuse histories, behavioral health challenges, developmental delays, out of home placements, and poverty. We have dedicated trauma-responsive services for survivors of child sex trafficking both in our high intensity residential program and our Anne Arundel County community-based Regional Navigator Program.

**Safe Harbor will protect child survivors of human trafficking.**

Children cannot consent to sexual acts with adults. Buying and selling a child for sex is illegal and, by Maryland's definition, child abuse. In Maryland, child victims of sex trafficking can be arrested, prosecuted, and incarcerated for prostitution. Child victims of sex trafficking may be forced or coerced by their trafficker to commit other nonviolent crimes such as trespassing, shoplifting, driving without a license, and holding weapons or drugs so that the traffickers themselves cannot be punished. A child who has been sexually exploited should not be liable for offenses their abuser forced them to commit. SB292 will protect children who are victims of sex trafficking from arrest, prosecution, or detention for prostitution or other related nonviolent crimes they were forced to commit by a trafficker. This will result in more victims coming forward without fear, and therefore more traffickers being prosecuted.

**Maryland needs to do better.**

Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking. Maryland not only received an "F" from Shared Hope International on the effectiveness of its victim protection laws in their 2021 annual review but was also ranked in the bottom ten states for treatment of child victims of sex trafficking nationwide, particularly regarding access to justice. While Maryland was one of the first states in the country to provide legal relief designed to address the criminalization of adult trafficking survivors, no such action has been taken regarding the criminalization of trafficked minors. Maryland's laws do not treat child victims of sex trafficking as victims, they treat them as criminals. We must amend Maryland's laws to join the

other states that treat child victims of sex trafficking as victims and recognize that they should not be prosecuted or stigmatized for being a victim of horrific crimes.

**Child trafficking victims deserve services not persecution.**

Child victims of sex trafficking have experienced abuse and trauma. If SB292 is passed, those children cannot be arrested on prostitution charges and will instead be immediately cared for by experts in childhood sexual trauma. The Regional Navigator Program, established in 2019, already exists to receive these children in nearly every county in Maryland.

For children already in the justice system, Safe Harbor will allow them to disclose safely and they will immediately be transferred from the justice system to the Regional Navigator Program. Safe Harbor will also allow those youth to obtain an enhanced quality of life following their victimization by creating a pathway for vacating judgements for nonviolent crimes resulting from their trafficking, giving them access to obtain education, housing or employment or enroll in the armed forces.

SB0292 will strengthen existing Maryland law to support child trafficking survivors by recognizing the impact of a trafficker's control and exploitation on their behavior and ensuring much needed access to care for these traumatized youth.

BCC supports this bill because it protects, instead of criminalizes, children who are victims of human trafficking, and provides them with the specialized services they so desperately need. We urge you to pass *SB292 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response* so that organizations like ours can provide needed services to ALL Maryland's children and youth victimized by human traffickers.

Sincerely,



Andrea Carroll, LCPC  
Director of Behavioral Health Services  
Board of Child Care  
[acarroll@boardofchildcare.org](mailto:acarroll@boardofchildcare.org)