

Testimony in Support of HB 297
Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response
Judiciary Committee – February 9, 2023

Committee Members: I am happy to offer my support for HB297. I am using this opportunity to provide testimony on this legislation as a former lead sponsor while a member of the House of Delegates and am now proud to see Delegate Sandy Bartlett champion this issue. I appreciate the opportunity to continue the effort to move this specific legislation forward and bring additional attention to this issue.

The Goal: 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:

- Requires law enforcement 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 law enforcement from detaining a victim taken into custody in a juvenile detention facility
- Requires a stay of proceedings to employ a regional navigator to evaluate victim as a survivor of 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
- Protects victims from prosecution or from delinquency proceedings for a crime or civil offense.

As the elected CFO of the state, I will work to ensure that all Marylanders can reach their full potential through building a state that is more equitable, more resilient, and more prosperous – and that includes trafficking survivors.

The Problem: Trafficking both stems from and can contribute to economic insecurity. People – often young people – who are trafficked are more likely to be financially vulnerable and live in poverty, be unemployed, or be experiencing homelessness.

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. 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. Over forty 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.

Sex-trafficking also imposes significant short and long-term impacts on our economy. A 2017 study by the Institute on Domestic Violence & Sexual Assault looked at the costs to the state of Texas. In addition to the high costs of exploited labor, they estimated \$6.5 billion for lifetime costs of providing care to victims and survivors of minor and youth trafficking.



One Solution: Passing Safe Harbor legislation will ensure that trafficking survivors can work with regional navigators without being prosecuted for actions that occurred while they were being trafficked. It is imperative that these survivors be given support to build financial capacity from the earliest days of their separation from their trafficker so that they can grow confidence and resilience. **I urge a favorable report on HB297.**



Brooke E. Lierman

Comptroller of Maryland
