



STATE OF MARYLAND
JUVENILE JUSTICE MONITORING UNIT

**TESTIMONY IN SUPPORT OF HB 297: CRIMINAL LAW – VICTIMS OF CHILD SEX
TRAFFICKING AND HUMAN TRAFFICKING – SAFE HARBOR AND SERVICE RESPONSE**
House Judiciary Committee
February 9, 2023

**Submitted by Nick Moroney, director, and Margi Joshi, senior monitor - Juvenile Justice
Monitoring Unit**

The Juvenile Justice Monitoring Unit (JJMU) supports HB 297. The JJMU is an independent state agency in the Attorney General's office. We work to prevent abuse and ensure appropriate services in the deep end of Maryland's juvenile justice system. Our reports are at: <https://www.marylandattorneygeneral.gov/pages/jjm/default.aspx>

The passage of HB 297 is a critical step needed to minimize the exposure of victims of sex trafficking and human trafficking to the harmful effects of incarceration and justice system involvement and instead provide opportunities for community-based interventions to help abused and traumatized children and young people youth to heal and, we hope, to thrive. Incarceration in general is a failed approach to meeting young people's needs and so detracts from rather than enhances community safety. Studies have shown that confinement endangers the mental and physical well-being of children and young people and stymies their overall development as well as, ultimately, their future chances of educational and career success.

Child victims of sex trafficking suffer from complex trauma and a history of sexual and physical abuse. Because of this, they face unique challenges that require specifically tailored treatment resources and services in normalized, community-based settings. The correctional approach in jails and prisons and in juvenile detention centers and placement centers includes exposure to strip searches and shackling and a reliance on physical and mechanical restraints and seclusion to maintain behavioral compliance – all of which exacerbate underlying mental health and trauma-related conditions and further re-traumatize sex trafficking victims. Girls and boys who are sex trafficked are victims of child abuse and justice system involvement exposes these victims to further harm and perpetuates the maltreatment by abusers that they have experienced by subjecting them to the routine practices that come with incarceration, including forced separation from family and community.

Additionally, there is a real danger of further predation once incarcerated. A survey of incarcerated youth in 2018 found that 7% reported being victimized sexually in the prior year, most by staff or other incarcerated youth. In 2021, a girl housed in a Maryland juvenile system facility was "groomed" by a male staffer who subsequently entered into a sexual relationship with her after she was released. Victims of sex trafficking are safer in the community (rather than in congregate facilities) as they can be afforded access to specialized and individualized treatment through resources and services provided by specially trained and qualified professionals who can help to address their individual situation and circumstances.

For all of the above detailed reasons, the JJMU supports HB 297 and respectfully urges the committee to give the bill a favorable report.