



BILL NO: Senate Bill 292
TITLE: Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response
COMMITTEE: Judiciary
HEARING DATE: March 28, 2023
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Judiciary Committee to issue a favorable report on SB 292 as amended.**

Senate Bill 292 contains one amendment on page 6, lines 15-17 that clarifies that only the specific charges that were committed as a direct result of a child being a victim of trafficking and that are a qualifying offense, violation, or offense under § 3–1102 of the Criminal Law Article shall be dismissed. MNADV supports SB 292 as amended.

Senate Bill 292 will provide a safe harbor for child victims of sex trafficking. Trafficking and domestic violence are both based on power and control dynamics. It is also all too common for a victim of trafficking to be in love with or in a relationship with their trafficker, whether that relationship violates statutory rape laws or not. Traffickers lure their victims with promises of love, clothing, food, and shelter. They prey on children’s vulnerabilities which may include living in poverty, involvement with the child welfare system, or a mental health diagnosis. Then the traffickers might beat or rape or brand child victims and force them to commit acts of prostitution. Other offenses may be committed as well at the direction of the trafficker or as acts of survival.

Yet Maryland’s laws do not treat child victims of sex trafficking as victims they treat them as delinquents. Our laws allow for exploited children, for victimized children to be arrested, to be detained and to be prosecuted for the very acts that their trafficker forced them to do. 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. Under existing law child sex trafficking is a form of abuse. Services for child victims of sex trafficking are available through the Regional Navigators established in 2019.

Providing Safe Harbor for child victims of sex trafficking Maryland is a crucial step to improving the status of Maryland who continues to receive a failing grade in its treatment of child victims

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of sex trafficking according to Shared Hope International. SB 292 creates a necessary process for shifting a child from a punitive system to a protective system if their victimization is identified after a delinquency case commenced. Extending the safe harbor protections to offenses related to a child's victimization including status offenses and charges such as theft and trespass is a first step to improving Maryland's treatment of child victims of sex trafficking.

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges a **favorable report on SB 292.**