

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 550
TITLE: Children - Labor Trafficking
COMMITTEE: Judicial Proceedings
HEARING DATE: February 16, 2024
POSITION: **FAVORABLE**

Senate Bill 550 would add labor trafficking to Maryland’s definition of child abuse or neglect, thereby requiring a referral to the Safe Harbor Regional Navigator program under 5–704.3 of the Maryland Family Law Article.¹ Additionally, the legislation would expand Regional Navigator funding to allow for housing costs to be covered. The Human Trafficking Prevention Project supports this bill because it will continue to move Maryland towards our goal of connecting every minor victim of both sex *and* labor trafficking to the supportive services they need.

In 2019, Maryland passed the *Child Sex Trafficking Screening and Services Act of 2019*, creating the Regional Navigator program and ensuring that every sex-trafficked individual under the age of 25 had access to specialized local services. Since then, the program has expanded statewide, and countless minors and young adult victims of sex trafficking have been served by specialized, trauma-informed service providers. In 2023, Maryland passed *Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response*, decriminalizing prostitution for minors providing a legal “exit ramp” out of the juvenile criminal legal system for survivors of trafficking charged with a select number of nonviolent offenses so that they can receive access to specialized services rather than be subject to incarceration for crimes they were forced to commit by their traffickers. While these important pieces of legislation have moved us closer towards our goal of serving every young victim of human trafficking, we need to close the gap for labor trafficking survivors.

There are a high number of youth made vulnerable to labor trafficking in Maryland. Maryland has received the fifth-greatest number of unaccompanied children (UACs) since FY15.² In the first two months of FY24 alone (October 1, 2023–November 30, 2023), Maryland has resettled 616 UACs in Prince George’s County, Montgomery County, Baltimore City, and Baltimore County.³ Because of their lack of access to social services, education on workers’ rights, and legal work opportunities, UACs and other foreign nationals are put at disproportionately high risk of labor trafficking. In fact, of the 15,886 victims of labor trafficking identified through the National Human Trafficking Hotline from 2018–2020, 92% were foreign nationals.⁴ For this reason alone, it is imperative that the legal mandate governing Regional Navigators, who are currently only legally required to serve young victims of sex trafficking, be expanded to include young victims of labor trafficking, too.

Additionally, it is important to note that funding for housing, including rental assistance, is currently an unallowable cost under the Regional Navigator Program.⁵ Lack of access to safe housing is both a predictor *and* a result of human trafficking, given that both adult and minor victims so often live in poverty, both before and after their victimization.⁶ As a result, SB 550 would expand Regional Navigator funding to allow for housing costs, which is often one of the most fundamental and foundational needs of victims.

¹ MD CODE ANN., FAM. LAW § 5-704.3 (West, 2019).

² Office of Refugee Resettlement. (2023, December 28). Unaccompanied Children Released to Sponsors by State. The Administration for Children and Families. <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>

³ Office of Refugee Resettlement. (2023, December 28). Unaccompanied Children Released to Sponsors by County. The Administration for Children and Families. <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-county>

⁴ Polaris. (2023, September 27). Labor Trafficking on Specific Temporary Work Visas Report. A Data Analysis: 2018–2020. <https://polarisproject.org/labor-trafficking-on-specific-temporary-work-visas-report/>

⁵ MD CODE ANN., FAM. LAW § 5-704.3(e)(3) (West, 2019).

⁶ See generally Brittany Anthony et. al., *On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking* (2018), <https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking-Housing-and-Homelessness-Systems.pdf>.

Despite the abusive and exploitative nature of labor trafficking, the labor trafficking of minors is not currently a recognized form of child abuse or neglect. This means that, as a state, we are not protecting *and* grossly underestimating the number of abused children in our communities. SB 550 would change this, defining labor trafficking as a form of child abuse and neglect, and expanding the reach of Regional Navigator funding to include access to housing. For these reasons, the Human Trafficking Prevention Project supports Senate Bill 550 and respectfully urges a favorable report.

The Human Trafficking Prevention Project is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief.

***For more information, please contact:
Jessica Emerson, LMSW, Esq.
Director, Human Trafficking Prevention Project
(E): jemerson@ubalt.edu***