

February 15, 2024

The Honorable Luke Clippinger
Chair, Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

RE: TESTIMONY ON HB 508 - Children - Labor Trafficking - POSITION: FAVORABLE WITH AMENDMENTS

Dear Chair Clippinger and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony on House Bill 508 (HB 508). With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to workforce development and career opportunities. The Social Services Administration (SSA) within DHS implements the Child Protective Services (CPS) program, which protects the same children as HB 508 through expanding the type of trafficking for which DHS can provide services to a child.

We strongly support HB 508 as it would aid the Department in protecting children from exploitation and abuse. HB 508 authorizes Child Protective Services to intervene in reported trafficking cases to assess safety and wellbeing of youth alleged to be victims of labor trafficking. Local Departments of Social Services (LDSS) will have the opportunity to engage families, utilizing current family engagement practices, to evaluate the risk factors leading to the alleged labor trafficking and intervene in a prevention first service model to address risk factors or protect children from continued trafficking when required.

HB 508 intersects with our Social Services Administration Policy [SSA/CW#23-02](#) where labor trafficking is defined according to Maryland criminal law as "knowingly taking, placing, harboring, persuading, inducing, or enticing another by force, fraud, or coercion to provide services or labor or receiving a benefit or thing of value from the provision of services or labor by another that was induced by force, fraud, or coercion" (Criminal Law §3-1202(a)). If passed, HB 508 provides statutory support for implementing SSA/CW#23-02, and the policy would be amended to align definitions.

We offer the following technical amendment for consideration by the Committee to align the definitions of possible maltreaters in sex and labor trafficking. As currently written, the bill does not permit individuals who are not related to the alleged victim or do not share an address with the victim child to be eligible to receive a finding of abuse or neglect in cases of labor trafficking. This contrasts with the definition of sex trafficking,

which includes 'sex trafficking of a child by any individual' (existing Courts and Judicial Proceedings Article § 3-801(z)(2)). This divergence is significant, as it allows for any individual responsible for sex trafficking of a minor to receive a finding of abuse or neglect through CPS, regardless of relation or address. Including "by any individual" in the definition of labor trafficking would align it with the



definition of sex trafficking and ensure that all individuals responsible for these forms of child exploitation are held accountable. As a result, the bill should expressly include “labor trafficking” in the definitions of abuse or neglect that trigger required child protective services investigations, Family Law §5-701, and in the corresponding child-in-need-of-assistance statutes, Courts and Judicial Proceedings §3-801.

We appreciate the opportunity to provide favorable testimony to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on HB 508.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael Lopez', written in a cursive style.

Rafael López
Secretary