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January 31, 2024

TO: The Honorable William C. Smith Jr.
Chair, Judicial Proceedings Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 153 - Maryland Department of Transportation - Child
Exploitation and Human Trafficking Awareness, Training, and Response-
Support in Concept

The Office of Attorney General (OAG) supports the intent of Senate Bill 153, Senator Jackson's legislation to raise awareness of child exploitation and human trafficking amongst transportation sector employees and contractors. According to the National Human Trafficking Hotline, "[s]ex trafficking occurs at truck stops in the United States often in to forms, through commercial sex and through fake massage businesses."¹ Similarly, according to the American Association of Airport Executives, "[t]he first step in combating human trafficking is learning to spot warning signs, and travel industry employees should participate in training seminars that are tailored to them. Airport, airline and security personnel who have completed human trafficking awareness training are a vital first line of defense in the effort to prevent this crime."² Senate Bill 153 can greatly heighten awareness and, through associated reporting, improve public safety.

¹ National Human Trafficking Hotline: Truck Stop-Based, available online at: <https://humantraffickinghotline.org/en/sex-trafficking-venuesindustries/truck-stop-based> (last visited Jan. 27, 2024).

² American Association of Airport Executives: Human Trafficking Research, available online at: <https://aaae.org/humantrafficking> (last visited Jan. 27, 2024).

While the OAG supports the intent of Senate Bill 153, we have concerns about implementation of the bill. Subsection (f) of the bill provide that “an employer or employee may not be held civilly or criminally liable for reporting or responding in good faith to a suspected incident of child exploitation or human trafficking.” The exemption from criminal liability for any “response” to a suspected incident, so long as in good faith, may be overbroad. The bill does not define what a “response” to an incident might entail.

Additionally, there is concern about requirements for contractors. As is, Senate Bill 153 is vague as to whether the requirements for “contractors” apply to just those with direct contracts with the State or would the bill also apply to subcontractors at the airport?

For the foregoing reason, we urge the Committee to favorably report Senate Bill 153.

cc: Committee Members