



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

January 21, 2025

The Maryland State Senate Judicial Proceedings Committee

The Honorable William C. Smith, Jr.

2 East Miller Senate Building

Annapolis, Maryland 21401

**Re: Senate Bill 170: *Criminal Law – Benefits Exploitation***

Dear Chairman Smith and Members of the Committee,

Last year, this identical bill passed unanimously in the House but had no Senate cross-file, so it got caught up in the end-of-Session crunch here in the Senate. Once again this year, the House bill has been introduced by Delegate Kaufman. This bill is a cross-file of Delegate Kaufman's bill.

This bill would create a new crime involving the exploitation of someone's government benefits. The crime would have three elements. First, a person would need to be found guilty of using deception, coercion, exploitation, isolation of any other means. These terms are all defined in the bill. Second, through such means, the person charged with the crime would have to be found guilty of knowingly recruiting, harboring, transporting or obtaining an individual as victim. Thirdly, that conduct would need to be found to have been perpetrated for the purpose of appropriating the government benefits of the victim for personal benefit of the defendant or to benefit another. In other words, this crime would be similar to human trafficking but could instead be referred to as "benefits trafficking" or "benefits exploitation."

In the context of this bill, benefits exploitation is the systematic recruitment, harboring and financial exploitation of elder and disabled adults who receive government benefits such as Social Security, Veteran's Benefits, Medicaid, Medicare, pension benefits, disability benefits or other government benefits.

Such exploitation occurs with alarming frequency. The exploiters tend to pose as sincere individuals offering to provide care for at-risk adults in an in-home setting. Once recruited, the at-risk adults sign over their government benefits to their caregiver. From that point on, the victims are held against their will while their caregiver receives their benefits and uses them for the benefit of the caregiver, not for the benefit of the victims. In extreme cases, the victims are moved from location to location, and denied basic needs such as food, clothing, and adequate shelter.

Victims of Benefits Exploitation are often forgotten at-risk adults who have fallen through the cracks of various mental health systems, are unhoused, and no longer have a social support system in place.

Benefits exploitation is deceptive and predatory behavior, causing extreme detrimental harm to individuals and their families.

I appreciate the Committee's consideration of Senate Bill 170 and will be happy to answer any questions the Committee may have.