



UNIVERSITY OF MARYLAND
SAFE CENTER

BILL NO: Senate Bill 292
TITLE: Criminal Law - Victims of Child Sex Trafficking and Human Trafficking
- Safe Harbor and Service Response
COMMITTEE: Judiciary/Judicial Proceedings
HEARING DATE: February 14, 2023
POSITION: SUPPORT

TESTIMONY IN SUPPORT OF HB297

Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response

From:

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Date: February 14, 2023

The University of Maryland Support, Advocacy, Freedom, and Empowerment (SAFE) Center for Human Trafficking Survivors provides survivor-centered and trauma-informed services that empower trafficking survivors to heal and reclaim their lives. The SAFE Center offers a one-stop-shop for survivors of sex and labor trafficking of all nationalities, ages, and genders to access multi-disciplinary services, including four direct services programs: social services, legal, behavioral health, and economic empowerment.

The SAFE Center aims to prevent trafficking and better serve trafficking survivors through research and policy advocacy. The SAFE Center is an initiative of the University of Maryland Strategic Partnership: MPowering the State – a collaboration between the University of Maryland, Baltimore and the University of Maryland, College Park. We are part of the Graduate School, University of Maryland, Baltimore.

The University of Maryland SAFE Center supports the passage of SB292 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response because this law ensures minor victims of sex trafficking, commercial sexual exploitation, and human trafficking in Maryland are treated as victims of child abuse. Between June 2013 and July 2022, there have been 931 reports of child sex trafficking screened by Maryland DSS CPS Screening Units.¹ These youth require a child welfare, rather than juvenile justice, response to ensure they are safe, stable, and connected to proper trauma-specific treatment. By ensuring child victims of trafficking are not charged with crimes stemming from their trafficking, SB292 will prevent victims from being criminalized, detained in juvenile detention, improperly labeled, or shrugged off as delinquents, offenders, or “frequent flyer” runaways.

In 2019, the University of Maryland SAFE Center was appointed by the Governor’s Office of Crime Prevention, Youth, and Victim Services as the Regional Navigator for victims of sex trafficking under the age of 24 in Montgomery County and in 2020, was also appointed as the Regional Navigator for Prince George’s County. As the Regional Navigator for these counties, we work to:

¹ 2013-2021 Child Electronic Social Services Information Exchange (CHESSIE), Child Juvenile & Adult Management System (CJAMS); DHS- SSA, as analyzed and reported by the Prevention of Adolescent Risks Initiative, University of Maryland, Baltimore School of Social Work



- Increase awareness in Montgomery and Prince George's counties of sex trafficking involving youth victims aged 24 and under.
- Effectively identify child and youth victims of sex trafficking.
- Receive referrals involving suspected or confirmed child sex trafficking victims from both counties' law enforcement departments, Child Welfare Services offices, and other youth-serving organizations in the jurisdictions.
- Connect suspected or confirmed child sex trafficking victims with critical services, including safety planning, emergency response, basic living needs, trauma counseling, connection to drug and alcohol abuse treatment centers, legal services, victim advocacy, and case management.
- Implement a methodology to evaluate and report gaps in services in Montgomery County and Prince George's County for sex trafficking victims aged 24 and under.

In serving as the Regional Navigator, we have seen first-hand how trafficked youth are often criminalized as a result of their trafficking. Between 2010 and 2020, there were 1098 arrests in Maryland of young people ages 21 and under for Prostitution & Commercialized Vice.¹ Of these arrests, 110 were of minor children (ages 17 and under), including 33 arrests for prostitution of children *15 years old and younger*. This unacceptable response to young people defined by federal and state law as victims of sex trafficking requires immediate intervention. In fact, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**² Maryland not only received an F from Shared Hope International on the effectiveness of its victim protection laws in their 2022 annual review but was also ranked in the bottom 15 states for treatment of child victims of sex trafficking nationwide.³

SB292 builds on Maryland's critical 2019 Child Sex Trafficking Screening & Services law that established the Regional Navigator grant program and expanded access to services for victims of sex trafficking under the age of 24. SB292 ensures that "a minor child may not be criminally prosecuted or proceeded against as a delinquent child.... for a qualifying offense...if the minor committed the underlying act as a direct result of sex trafficking or human trafficking." This critical protection would ensure that Maryland has a true Safe Harbor law for minor victims of sex and labor trafficking. SB292 also strengthens reporting requirements to ensure law enforcement, the Maryland Department of Human Services and the Local Departments of Social Services, and Regional Navigators collaborate effectively and follow appropriate information-sharing procedures.

For these reasons, the UM SAFE Center supports the passage of SB292: Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response.

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¹ *Id.*

² Shared Hope International, Report Cards on Child & Youth Sex Trafficking: 2021 Toolkit 40-43 (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/10/2021Toolkit.pdf>.

³ *Id.*