



Maryland Legislative Agenda for Women

Bill No: House Bill 242
Title: Criminal Procedure - Motion to Vacate Judgment - Human Trafficking (True Freedom Act of 2020)
Committee: Judiciary
Hearing Date: January 28, 2020
Position: SUPPORT

The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. MLAW's purpose is to advocate for legislation affecting women and families. To accomplish this goal, MLAW creates an annual legislative agenda with issues voted on by MLAW members and endorsed by organizations and individuals from all over Maryland. **House Bill 242 a priority on the 2020 MLAW Agenda.**

MLAW supports House Bill 242 because this bill expands Maryland's current "vacating convictions" law to allow criminalized survivors of human trafficking to remove crimes *other than* prostitution from their criminal records would significantly increase the ability of these survivors to access to employment and stable housing, as well as heal from the trauma of their trafficking experience.

Victims of human trafficking, a significant portion of whom are female-identified, are commonly forced to engage in various criminal acts by their traffickers. Survivors who are arrested and convicted for crimes they were forced to commit often experience difficulties obtaining safe housing and gainful employment, which in turn keeps them trapped in poverty and vulnerable to continued exploitation.

Although Maryland law already allows survivors of sex trafficking to vacate, or, set aside prostitution convictions stemming from their trafficking experience, prostitution is only one of many crimes these survivors are commonly forced to commit. Under Maryland's current "vacating convictions" law, only prostitution convictions are eligible for vacatur. As a result, the number of survivors able to access this form of legal relief is low, while the need for legal relief remains high. Additionally, the singular focus on prostitution convictions means that criminalized survivors of labor trafficking are completely ineligible for relief. Survivors who are unable to access this form of relief continue to experience stigma as well as difficulties reintegrating back into society following their victimization.

This proposed change in law will expand Maryland's current "vacating convictions" law to apply explicitly to survivors of labor trafficking, as well as expand the number of crimes eligible for vacatur. Without these changes, Maryland's vacatur law will continue to leave a large number of survivors without the legal relief they so desperately need to heal from the trauma of their exploitation and become productive members of their communities. Criminalized survivors in Maryland deserve access to legal relief that reflects their lived experiences and that provides them access to the stability and independence they deserve.

The Maryland Legislative Agenda for Women strongly urges the passage of House Bill 242.

Maryland Legislative Agenda for Women (MLAW)

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MLAW Supporting Organizations

The following organizations have signed on in support of 2020 Legislative Agenda:

AAUW Maryland
Anne Arundel County Commission for Women
Anne Arundel County NOW
Baltimore County Women's Commission
Calvert County Commission for Women
Charles County Commission of Veterans Affairs
DC Coalition for Safe and Just Communities
Federation of Jewish Women's Organization of Maryland
Greater Washington Jewish Coalition Against Domestic Abuse (JCADA)
HopeWorks of Howard County
Law Office of Carole D. Brown, LLC
Lincoln Park Historical Foundation
Maryland Business and Professional Women
Maryland Coalition Against Sexual Assault
Maryland NOW
Maryland Women's Heritage Center
MoCoWoMen
Montgomery County BPW
Montgomery County NOW
Montgomery County Women's Democratic Club
Montgomery County Young Democrats
National Coalition of 100 Black Women, Inc., Anne Arundel Chapter
National Coalition of 100 Black Women, Prince George's County, Md
North Arundel Alumnae Chapter, Delta Sigma Theta Sorority, Inc.
On Our Own of Montgomery County Inc.
Planned Parenthood of Maryland
Prince George's County Drug Policy Coalition, Inc.
The Human Trafficking Prevention Project
The Law Office of Jessica O'Kane
The QED Foundation
Women's Equality Day 2020 Celebration Coalition
Women's Law Center of Maryland