



COMMISSION FOR WOMEN COMMUNITY ENGAGEMENT CLUSTER

STATEMENT ON BILL NO: House Bill 833
TITLE: Criminal Law – Victims of Child Sex Trafficking – Safe Harbor and Service Response
COMMITTEE: Judiciary/Judicial Proceedings
HEARING DATE: February 17, 2022/March 8, 2022
POSITION: SUPPORT

House Bill 833/Senate Bill 768 would extend the protections available to child sex trafficking victims first established by the Child Sex Trafficking Screening and Services Act of 2019 by providing an exit ramp out of the juvenile legal system for child sex trafficking victims charged with prostitution and other related crimes. **The Montgomery County Commission for Women**, support this bill because it protects children (mostly young women and girls) who are victims of human trafficking while also providing specialized services.

How can we explain the incarceration of trafficked minors? Maryland should be protecting young victims forced, induced, or coerced to engage in prostitution and related crimes. Instead, in Maryland, juveniles continue to be incarcerated for actions stemming from their trafficking experience and charged with offenses like truancy, running away, and crimes common to street survival like trespassing, drug possession, drug dealing, or food stealingⁱ. Victims do not report being trafficked when arrested because their trafficker threatened them - or - they don't understand that - what is happening to them is a crime. As a result, trafficked minors languish behind bars, with the isolation, stigma, and psychological trauma caused by their trafficking experience and perpetuated by the systems supposed to protect them. Furthermore, the criminal record resulting from being prosecuted can be a barrier to the victim's future employment, housing, and other opportunities.

It is disconcerting that Maryland, a state that leads the fight against child sex trafficking, continues to lag the rest of the country in its response to this horrific crime. While identification of victims has grown thanks to expanded training and awareness, **Maryland ranks behind forty-two other states, plus the District of Columbia, in their legal response to child sex trafficking.**ⁱⁱ Maryland received an F from Shared Hope International (2021 annual review) on its victim protection laws. It also ranked **in the bottom 10 states for the treatment of child victims of sex trafficking nationwide**ⁱⁱⁱ on access to justice.

Maryland can do much better for the at-risk, underserved, and trafficked youth. Incarceration is not a default option. Instead, we should aim to protect victims by providing a process that shields them from prosecution for acts that stem from their victimization and providing victim-centered, trauma-informed services needed to heal and recover from their trafficking experience.

The Montgomery County, Maryland Commission for Women supports HB 833 and respectfully encourages a favorable report. The Commission is a 15-member advisory board appointed by the County Executive to advise, the Executive and County Council, besides state and federal government on matters affecting women and girls. We represent the interests of all the women representing more than half of the residents of the County.

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ⁱ Shared Hope International, *Report Cards on Child & Youth Sex Trafficking: Analysis Report Maryland 6-7* (2021), <https://reportcards.sharedhope.org/wp-content/uploads/2021/11/2021-State-Analysis-MD.pdf>.

ⁱⁱ 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>.

ⁱⁱⁱ *Id.*