

Testimony of the Human Trafficking Prevention Project

BILL NO:	Senate Bill 148
TITLE:	Victim Services Programs – Supplementing Federal Funding and Support (Victim Services Stabilization Act)
COMMITTEE:	Appropriations
HEARING DATE:	March 21, 2023
POSITION:	FAVORABLE

Senate Bill 148 would address the challenges victim services providers experience regarding federal funds for crime victims administered by the State. The Human Trafficking Prevention Project at the University of Baltimore School of Law supports this bill because we depend on VOCA funds to provide legal services to survivors of human trafficking, and this legislation will ensure that state funds are made available to compensate for any future VOCA shortages and provide structural improvements to the administration of the grants.

Federal Victims of Crime Act (VOCA) funding supports services for crime victims all across the state of Maryland. Funds are used for services such as counseling, advocacy, domestic violence shelters, child advocacy centers, support for rape victims at the hospital, and victim-witness support in court. The Human Trafficking Prevention Project (HTPP)¹ depends on VOCA funds to provide legal representation to survivors of human trafficking in matters that stem directly from their victimization and the instability that so commonly precedes and/or follows it. By providing access to a wide range of civil legal services, including criminal record relief, family law, housing, and consumer matters, the HTPP aids clients in improving survivors' self-sufficiency and stability, which, in turn, assists in trauma recovery and reduces the likelihood of additional or initial exploitation. Yet on-going challenges with funding and the inconsistent administration of the grants has put organizations like the HTPP that rely on VOCA funding in precarious positions.

At its inception, the HTPP was the only organization in the state of Maryland providing criminal record relief to survivors of human trafficking, and it remains the only grant-funded program in the state of Maryland with this focus. Through a generous grant from the Maryland Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) in 2016, the HTPP expanded to include a partnership with Maryland Volunteer Lawyers Service (MVLS), which increased the project's reach considerably through the addition of a Project Manager employed by MVLS whose responsibility it is to assess the need for criminal record relief and other civil legal services by conducting in-person legal clinics at organizations in the community that serve HTPP clients. Additionally, the Project Manager is responsible for the training and coordination of a panel of pro bono attorneys who are trained in working with survivors of human trafficking and to whom the cases identified by the Project Manager can be referred.

While criminal record relief is not typically identified as a primary need for human trafficking survivors as soon as they exit a trafficking situation, it is a crucial part of their ability to safely and self-sufficiently move on with their lives afterwards. This is due to the fact that, in addition to the abuse, coercive control and manipulation victims of trafficking routinely face, many victims struggle with the collateral consequences of having a criminal record, much of which commonly stems from crimes they were forced to commit by their trafficker. Data obtained from a national survey of both sex and labor trafficking

¹ First established in 2015, the Human Trafficking Prevention Project is a partnership between the University of Baltimore School of Law and Maryland Volunteer Lawyers Service.

survivors found that 91% of them reported having a criminal record, with over 50% reporting that *every single arrest* on their criminal record stemmed from their trafficking experience.² Of those surveyed, 73% reported barriers to employment because of their criminal records, while 58% reported barriers to accessing housing.³ These national data are reflected in the lived experiences of HTPP clients, who routinely struggle with obtaining gainful employment and safe housing, sometimes for decades after they've escaped a trafficker. Clients like Tanya, who was first trafficked as a teenager in the early 1990's by her mother as a way to earn income for her mother's addiction. When she finally escaped in the year 2012, she had been exploited by 4 separate traffickers and had been arrested over a dozen times, all for crimes directly related to her trafficking. Since then, Tanya has worked with her HTPP attorney to clear almost all of her criminal record and has gone on to work with a local social services agency in her Maryland community to help other young women who have experienced similar challenges.

Or Leena, who coped with a history of childhood sexual abuse and neglect through substance use, leading her to survival sex work and her first of 3 traffickers when she was just 20 years old. By the time she was trafficked into Maryland from Ohio in 2011, she had been forced by her traffickers to trade sex for money in nearly 20 states, wracking up criminal records in many of them. Since she connected with the HTPP, we have assisted her in clearing her entire record in the state of Maryland and referred her to service providers in each of the other states where she has a criminal record. As a result, LK has been successful in staying clean from drugs and alcohol, obtaining her nursing certification, and is working to regain custody of her daughter.

VOCA funding has been crucial to the successes of both of the survivors described above, as it has been to the hundreds of other trafficking survivors that the HTPP has served over the years. The loss of VOCA funds would devastate the program, requiring the layoff of the Program Manager at MVLS who conducts the entirety of the HTPP's community outreach, as well as the Director of the HTPP who is also the supervising attorney at UB Law. In short, the program itself would close its doors within months, and survivors of human trafficking would lose the only resource dedicated entirely to this crucial form of legal assistance. The recent instability of VOCA funding has been challenging enough, resulting in the pairing down of funding to only personnel costs, and requiring both organizations to scramble to acquire funding for our community outreach, training, and program costs. The thought of losing VOCA funding entirely is too difficult to bear.

The HTPP relies on VOCA funding to conduct its crucial holistic legal work, and would like to continue to grow as an organization with GOCPYVS as its partner. However, we cannot do that without providing for the stable funding and support of trauma-informed, high-quality program and services for victims of crime, which SB 148 would provide. For these reasons, the Human Trafficking Prevention Project supports Senate Bill 148, and respectfully urges a favorable report.

***For more information, please contact:
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² National Survivor Network Members Survey, *Impact of Criminal Arrest and Detention on Survivors of Human Trafficking* (2016), <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>.

³ *Id.*