



**SB0691 - Criminal Procedure - Motion to Vacate Judgment - Human Trafficking
(True Freedom Act of 2019)**

Presented to the Hon. Bobby A. Zirkin and Members of the Senate Judicial Proceedings Committee
February 27, 2019 at 12:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland encourages the Senate Judicial Proceedings Committee to give a **favorable report on SB0691**, Criminal Procedure - Motion to Vacate Judgment - Human Trafficking (True Freedom Act of 2019), sponsored by Senator Susan Lee.

Our organization is an advocate for reproductive health, rights and justice. We believe that victims of human trafficking should not be discouraged from seeking help because they fear retribution for things done as part of the trafficking. 72¹ cases of human trafficking were reported in Maryland in 2018. This issue is a serious one and victims need to be able to seek the necessary help from authorities.

Vacating judgement for human trafficking victims also gives them a better chance of having a stable life afterwards. The unemployment rate for those who have a criminal record is significantly higher² than for those without one. By having a criminal record as a result of crimes committed while in a human trafficking situation, victims are less likely to have access to employment and social acceptance. This can lead to re-trafficking for victims³. In order to keep those rescued from human trafficking safe from re-entering the cycle judgement must be vacated as economic and social stability are key to successful reintegration.

SB0691 expands the existing definition of what a qualifying offence is for a victim of human trafficking to apply for a vacation of judgement. Currently, only prostitution is counted a qualifying offense. This means that victims who did other things – such as offenses involving false identification documents, vehicle-related offenses, and withholding information from law enforcement officers – as a direct result of trafficking are vulnerable to prosecution. This makes the choice to attempt escape from trafficking far more difficult as victims may find themselves in what they see as a worse situation by coming forward.

Many survivors who have spoken up about their experiences after being rescued and described how they felt scared to tell the truth to police for fear of being punished by their traffickers. With the law as it currently stands, victims who feel this fear may face prosecution for false testimony to a police officer if they eventually do muster up the courage to come forward later. This bill ensures that this would not be the case.

We strongly support SB0691 as it makes rehabilitation of human trafficking survivors easier and makes it safer for victims to attempt escape without fear of legal retribution. For these reasons, **NARAL Pro-Choice Maryland urges a favorable committee report on SB0691**. Thank you for your time and consideration.

¹ National Human Trafficking Hotline. (2018). *Hotline Statistics*. [online] Available at: <https://humantraffickinghotline.org/states> [Accessed 18 Feb. 2019].

² DiGregorio, Z. (2017). *Criminal Records and Unemployment: The Impact on the Economy*. [online] Wharton Public Policy Initiative. Available at: <https://publicpolicy.wharton.upenn.edu/live/news/2071-criminal-records-and-unemployment-the-impact-on> [Accessed 18 Feb. 2019].

³ Publications.iom.int. (2010). *The Causes and Consequences of Re-trafficking: Evidence from the IOM Human Trafficking Database* - | IOM Online Bookstore. [online] Available at: <https://publications.iom.int/books/causes-and-consequences-re-trafficking-evidence-iom-human-trafficking-database> [Accessed 18 Feb. 2019].