

Safe Harbor Working Group

Meeting Minutes

September 16, 2016

Members in Attendance: Secretary John Wobensmith, Delegate Marice Morales, Meghan McCarthy, Amanda Rodriguez, Patricia Arriaza, Nicole Lee, Thomas Stack, Doug Mohler, Rebecca Gaston Jones, Christi Megna, Steven Kroll, Amelia Rubenstein, Cpl Chris Heid, and Morgan Weibel.

Guests included law enforcement professionals, prosecutors, agency officials and service providers.

Welcome and Introductions

Secretary John Wobensmith called the meeting to order and reviewed the agenda.

Introductions

Members introduced themselves to attendees and guests.

Approval of August Meeting Minutes

There were no corrections to the minutes.

Group Discussion

Challenges/Barriers

The meeting was opened up to hear from prosecutors, law enforcement personnel and providers to share the challenges they experience when interacting with victims of sex trafficking and recommendations. Trafficking is the only crime in which a victim can also be a defendant. Victims are manipulated and targeted based on their vulnerability. In most instances, victims suffer from mental health and sexual abuse issues; have spent time in the foster care system and come from broken homes. Traffickers target these vulnerabilities. Several guests in attendance indicated that addressing previous trauma is important if the State expects to be able to make progress in helping victims of sex trafficking.

- In western Maryland, resources are lacking to serve this population. The jurisdictions don't have the volume of trafficking that larger jurisdictions have. Victims in this area also work across 4 states. Due to a lack of resources, victims are charged to facilitate treatment. In many cases, there is a drug addiction. What options exist to make charging a victim the last resort?
- Department of Juvenile Services: Often, a young victim will be charged to facilitate treatment by the Department of Juvenile Services. Though this is common, it may lead to a re-traumatization of the victim. Can services be developed that will help law enforcement personnel work with sex trafficking victims?
- Often a victim is charged in order to maintain him/her in one place and be available to serve as a witness. Whenever possible, diversion to services and treatments would be preferable but currently the system is not adequately structured to allow for diversion. Is there another tool in the criminal justice system that can be used besides charging a victim in order to be able to charge

the trafficker? Can testimony be taken outside of court? Law enforcement officers can contact their local Department of Social Services for support.

- Where a victim is placed is important. In some instances, the victims are recruited in the same facilities where they are placed for treatment. How to ensure victims are placed in stable, secure homes? Can services be structured to motivate victims to not run away? Law enforcement personnel indicated that they would like to see services and supports be developed that would encourage/ensure that juveniles are able to participate in the prosecution of the human traffickers.
- Immunity: Is there a minimum age that immunity should be a viable option? As an example, a 13-year old victim is not old enough to consent to sex.
- What about the buyer/John? Is there an enhanced penalty? Has there been discussion? Yes.
- Prostitution statutes: A discussion was had on the efficacy of separating the crimes listed under the prostitution statute. The group expressed an interest in exploring enhancers for traffickers and enhanced penalties for Johns and did not see an immediate need in pulling apart the statute.
- Mandatory minimums: It was suggested that mandatory minimums for traffickers be considered.

Resources, Needed Supports and Solutions

- Needed services and supports: Immediate crisis intervention; services that are culturally competent to include male victims and LGBTQ youth; address language barriers; housing and medical services; training of medical staff and EMTs.
- Training:
 - Mandated training for the judiciary was discussed. Education and awareness is key in helping victims. It would also help in developing standards, e.g. What is the standard to define the victim as the victim? Abigail Hill from the administrative office of courts created a workgroup to train judges. The group is in the process of creating a curriculum, and determining the best way to ensure training reaches judges statewide. Written materials should be provided to complement the trainings.
 - Mandated training for law enforcement personnel was suggested; both at entry level and long-term officers who could benefit from learning the unique needs and challenges of this population. The training could help law enforcement see the young person as victim instead of a perpetrator.
 - Training for front-line staff in how to build trust and establish rapport with victims could help victims feel supported and encourage them to not run away from placements and services.
- Mentoring: Pairing a victim with a mentor has shown success. This model is currently provided in Baltimore and surrounding counties, including Prince George's. Advocates have also been used to help prosecutors engage with and stay in touch with the victim. The relationship can drift off because of the transient nature of the population.
- Data: One law enforcement officer shared that, of the cases that are tracked, the majority that are sent to a treatment facility fare better. A detention center is not the ideal place for a victim, as it deals with criminal issues. Better data would help the Safe Harbor Workgroup understand the scope of the problem and recommend appropriate services that would address the challenges present in serving victims of sex trafficking.

Secretary Wobensmith thanked all those in attendance and adjourned the meeting at 10:50.