

Bill	HB 701/SB 454: Criminal Law - Child Kidnapping and Prostitution - Penalty
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Sponsors	Delegate Lee/ Senator Robey House Co-sponsors: Delegates Beidle, Bobo, Cardin, Carr, Cullison, DeBoy, Dumais, Dwyer, Frush, Gutierrez, Guzzone, Haddaway–Ricchio, Healey, Howard, Jameson, Jones, A. Kelly, Lafferty, McComas, McDonough, A. Miller, Morhaim, Ready, S. Robinson, Rosenberg, Sophocleus, Stocksdale, F. Turner, Valderrama, and A. Washington;
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The Issue

- The commercial sexual exploitation of children and sex trafficking are egregious crimes and the penalties must reflect the severity of the offense.
- In Maryland, traffickers receive felony level punishment if charged with the crime of human trafficking, which includes child sex trafficking.
- Specifically, if an individual is charged with sex trafficking and the victim is a minor, the defendant is subject to a felony punishable by imprisonment up to 25 years, a fine not to exceed \$15,000, or both.
- In contrast, if a trafficker is charged with abduction of a child under 16, the trafficker faces a misdemeanor offense punishable by up to 10 years of imprisonment, a fine not to exceed \$5,000, or both.
- An enumerated purpose of the crime of abduction is for prostitution—prostitution of a child is sex trafficking and therefore should be penalized at the same severity level as the offense of human trafficking.
- Consistency in penalties ensures no trafficking offender will be punished less severely than another and will increase deterrence.

Legislative Solution

Increase the crime classification for abduction of a minor under 16 when the purpose is for prostitution, pornography or sexual performance to a felony, reflecting the severity of the crime and aligning to the penalty provided for sex trafficking of a child.

How This Bill Addresses the Issue

- This bill raises the offense of abduction of child under 16 to a felony punishable by up to 30 years imprisonment, a fine not to exceed \$5,000 or both.

