



Media Release

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HUMAN TRAFFICKING SURVIVOR HAS PROSTITUTION CONVICTION VACATED

THE WOMEN'S LAW CENTER OF MARYLAND FILES ITS FIRST MOTION UNDER THE MARYLAND HUMAN TRAFFICKING VICTIM PROTECTION ACT

On September 12th, the Women's Law Center of Maryland filed its first motion to vacate the prostitution convictions of a survivor of human trafficking under the Maryland Human Trafficking Victim Protection Act. Days later, the Honorable John Peter McKenna, Jr., District Administrative Judge for Anne Arundel County, vacated the survivor's conviction and dismissed the charges against her. Upon being told of the court's decision in her case, the survivor shared her relief with her attorney, stating, "I feel like this is finally over."

This legal victory marks a huge step in obtaining justice for survivors of human trafficking who have been inappropriately criminalized. In 2011, Maryland became the second state in the country to pass a law allowing survivors of sex trafficking to set aside, or vacate, their prostitution convictions. In doing so, Maryland acknowledged its commitment to providing trafficking survivors with the emotional and legal fresh start they deserve. This law ensures that survivors of human trafficking will no longer be prevented from moving forward with their lives because of convictions stemming from acts they were forced to commit.

The Maryland Human Trafficking Task Force, an umbrella organization made up of local, state and federal organizations, was formed in 2007 to address the presence of human trafficking in Maryland and to restore rights to victims. Members of the Task Force are thrilled with the outcome of this case. **Melissa Snow**, chair of the Task Force's Victim Services subcommittee, states, "The Maryland vacatur law empowers survivors of sex trafficking by allowing them to move on with their lives, and function in society without the stigma and barriers of past exploitation. As a survivor of sex trafficking, having a prostitution conviction on your record not only carries enormous shame but also prevents them from obtaining work, getting stable housing, and ultimately from being able to move on. Today we are overjoyed with the news that for one courageous survivor, her record has been set straight."

Equal Justice Works Fellow Jessica Emerson, LMSW, Esq., directs the Trafficking Victims Post-Conviction Advocacy Project (TVPCAP) at the Women's Law Center of Maryland, which provided legal representation to the survivor whose conviction was vacated. The project works to improve access to justice for survivors of sex trafficking by implementing Maryland's vacating convictions law through direct representation, community outreach, and the development of a pro bono training program. **Ms. Emerson**, who was recently named among [The Daily Record's 2014 Leading Women](#), states, "Vacating

convictions for survivors of sex trafficking is about correcting a legal injustice and helping survivors heal from the trauma they've experienced."

Despite the heightened awareness of the crime of human trafficking throughout the state, legal representation meeting the unique needs of trafficking victims remains sparse. Because Maryland's vacatur law remains particularly underutilized, the Trafficking Victim's Post-Conviction Advocacy Project at the Women's Law Center of Maryland is dedicated to developing the first independent motions practice focused on vacating prostitution convictions on behalf of survivors of sex trafficking in Maryland. This is a crucial step, as the existence of this progressive legal remedy cannot be effective without the availability of legal advocates to support survivors in bringing these motions.

Gov. Martin O'Malley, who signed this progressive form of relief into law in 2011, states, "Here in Maryland, we have worked collaboratively with our public safety and community partners to identify victims, provide them with the services they need, and hold traffickers accountable. In this case, I am gratified that the Maryland Human Trafficking Victim Protection Act has enabled a survivor of human trafficking to reclaim her life," said **Gov. O'Malley**. "Together, we set and surpassed our goal to reduce violent crimes like human trafficking against women and children by 25 percent by 2012. And because protecting the public safety is our highest priority, we'll continue to identify and support victims who have been confined, oppressed and exploited by this horrific crime, and work to achieve our new goal of reducing by an additional 25 percent by the end of 2018."

This successful outcome for one survivor of human trafficking represents significant progress towards justice for victims, but there is much more work to be done. The Women's Law Center of Maryland, together with the Maryland Human Trafficking Task Force, is committed to improving access to justice for survivors of trafficking by reducing the collateral consequences associated with criminal convictions. In doing so, the Women's Law Center honors its commitment to protecting and expanding women's legal rights through a sensitive, rights-based approach to legal representation.

The Women's Law Center of Maryland serves as a leading voice for justice and fairness for women by advocating for the protection and expansion of women's rights through legal assistance to individuals and strategic initiatives to achieve systemic change. We are a non-profit organization that provides free legal representation and education programs to protect and empower individual women and their families. Advocacy, research and policy initiatives advance access to justice and equality. To support the Women's Law Center of Maryland, please call 410.321.8761 or visit www.wlcmd.org.