



**BALTIMORE CITY COUNCIL
PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Public Safety and Government Operations will be responsible for matters concerning public safety, including, but not limited to; emergency preparedness, police services, fire/EMS, and the executive, administrative, and operational functions of the city government and libraries.

**The Honorable Mark Conway
Chairman**

PUBLIC HEARING

**Wednesday, September 1, 2021
1:00 PM**

**Council Bill: 21-0095
Labor Trafficking – Notice Requirements**



BILL SYNOPSIS

Committee: Public Safety and Government Operations

Bill 21-0095

Labor Trafficking – Notice Requirements

Sponsor: Councilman Kris Burnett

Introduced: June 8, 2021

Purpose:

For the purpose of requiring certain contractors with the City of Baltimore to place a notice regarding the human-trafficking prevention hotline in certain locations; providing that certain contractors may obtain the required human-trafficking notices from the United States Department of Homeland Security’s Blue Campaign website; providing for certain penalties; and generally relating to labor trafficking notice requirements for city contractors.

Effective: 30th Day after enactment.

Agency Reports

Law Department	
Office of Children and Family Success	
Baltimore City Administrator	
Department of Finance	

Analysis

Background

The United States Department of Homeland Security administers the national public awareness Blue Campaign, designed to educate the public, law enforcement and other industry partners to recognize the indicators of human trafficking, and how to appropriately respond to possible cases. Located within the Office of Partnership and Engagement, Blue Campaign leverages partnerships with the private sector, Non-Governmental Organizations, law enforcement and state/local authorities to maximize national public engagement on anti-human trafficking efforts. Blue Campaign's educational awareness objectives consists of two foundational elements, prevention of human trafficking and protection of exploited persons.

Human trafficking involves the use of force, fraud, or coercion in exchange for labor services, or a commercial sex act. The United States Department of Homeland Security has stated that everybody can play a role in ending human trafficking by learning key indicators of the crime, raising awareness of human trafficking within your community or industry, and reporting suspected trafficking incidents. Individuals working in particular industries or with specific audiences may be more likely to observe human trafficking by nature of their day-to-day job duties or surroundings.

If enacted, bill 21-0095 would require certain contractors during business with the City of Baltimore to place a notice regarding the human-trafficking prevention hotline in certain locations. The businesses that would fall under the purview of these requirements include: construction contracts in excess of \$5,000 made by the Board of Estimates or on its behalf; tax increment financing projects approved in excess of \$10,000,000; and service contracts, as defined in section 26 – 1 (e) of this article.

26A-4. Penalties for Failure to Post Signage.

(A) In General.

(1) Prerequisite to Issuance.

A citation under this section may only be issued after the issuance of a written warning and a failure to correct the violation within 30 days of the date of the warning.

(2) Authorization to Issue.

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an Environmental Citation under City Code Article 1, Subtitle 40.

The Environmental Citation under Subtitle 40 would make it a \$50 fine for failure to comply this law.

Additional Information

Information Source(s):

Analysis by: Samuel Johnson
Analysis Date: August 31, 2021

Direct Inquiries to: (410) 396-1091

**CITY OF BALTIMORE
COUNCIL BILL 21-0095
(First Reader)**

Introduced by: Councilmembers Burnett, Cohen, Dorsey, Bullock

Introduced and read first time: June 8, 2021

Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Baltimore Police Department, Mayor’s Office of Neighborhood Safety and Engagement, Health Department, Mayor’s Office of Homeless Services

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Labor Trafficking – Notice Requirements**

3 FOR the purpose of requiring certain contractors with the City of Baltimore to place a notice
4 regarding the human-trafficking prevention hotline in certain locations; providing that certain
5 contractors may obtain the required human-trafficking notices from the United States
6 Department of Homeland Security’s Blue Campaign website; providing for certain penalties;
7 and generally relating to labor trafficking notice requirements for city contractors.

8 BY adding

9 Article 5 - Finance, Property, and Procurement
10 Sections 26A-1 through 26A-5, to be under the new subtitle,
11 “Labor Trafficking Notice Requirements”
12 Baltimore City Code
13 (Edition 2000)

14 BY repealing and re-ordaining, with amendments,

15 Article 1 - Mayor, City Council, and Municipal Agencies
16 Section 40-14(e)(.5a)
17 Baltimore City Code
18 (Edition 2000)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
20 Laws of Baltimore City read as follows:

21 **Baltimore City Code**

22 **Article 5. Finance, Property, and Procurement**

23 **SUBTITLE 26A. LABOR TRAFFICKING NOTICE REQUIREMENTS**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 21-0095

§ 26A-1. APPLICABILITY.

THE REQUIREMENTS OF THIS SUBTITLE APPLY TO:

(1) CONSTRUCTION CONTRACTS, INCLUDING:

(I) CONTRACTS IN EXCESS OF \$5,000 MADE BY THE BOARD OF ESTIMATES, OR ON ITS BEHALF, WITH ANY PERSON, FIRM, OR CORPORATION FOR THE CONSTRUCTION, RECONSTRUCTION, ERECTION, CONVERSION, INSTALLATION, ALTERATION, REPAIR, MAINTENANCE, RENOVATION, RAZING, DEMOLITION, MOVING, REMOVING, GRADING, PAVING, REPAVING, CURBING, FILLING, EXCAVATION, OR ANY OTHER OPERATION OR WORK TO BE DONE OR PERFORMED IN, ON, UPON, OR IN CONNECTION WITH ANY BUILDING, BRIDGE, VIADUCT, TUNNEL, TOWER, STACK, OR OTHER STRUCTURE, AIRPORT, LAND, HIGHWAY, PIER, WHARF, SEWER, DRAIN, MAIN, CONDUIT, MACHINERY, OR MECHANICAL, ELECTRICAL, OR OTHER EQUIPMENT;

(II) EACH AND EVERY PROJECT APPROVED BY THE MAYOR AND CITY COUNCIL ON OR AFTER JANUARY 1, 2021, RECEIVING FUNDS FROM TAX INCREMENT FINANCING IN EXCESS OF \$10,000,000 IN THE AGGREGATE TO THE EXTENT THOSE FUNDS ARE USED IN WHOLE OR IN PART FOR THE CONSTRUCTION, RECONSTRUCTION, ERECTION, CONVERSION, INSTALLATION, ALTERATION, REPAIR, MAINTENANCE, RENOVATION, RAZING, DEMOLITION, MOVING, REMOVING, GRADING, PAVING, REPAVING, CURBING, FILLING, EXCAVATION, OR ANY OTHER OPERATION OR WORK TO BE DONE OR PERFORMED IN, ON, UPON, OR IN CONNECTION WITH ANY BUILDING, BRIDGE, VIADUCT, TUNNEL, TOWER, STACK, OR OTHER STRUCTURE, AIRPORT, LAND, HIGHWAY, PIER, WHARF, SEWER, DRAIN, MAIN, CONDUIT, MACHINERY, OR MECHANICAL, ELECTRICAL, OR OTHER EQUIPMENT; AND

(2) SERVICE CONTRACTS, AS DEFINED IN § 26-1(E) OF THIS ARTICLE.

§ 26A-2. REQUIREMENTS.

(1) THE PRIME CONTRACTOR MUST POST A SIGN THAT STATES THE FOLLOWING:

“LABOR TRAFFICKING 101

LABOR TRAFFICKING INCLUDES RECRUITING, HARBORING, TRANSPORTING, PROVIDING, OR OBTAINING PEOPLE FOR FORCED OR COERCED LABOR.

THE COERCION COULD BE THREATS DIRECTED AT THE VICTIM OR SOMEONE ELSE. LABOR TRAFFICKING IS OFTEN LINKED WITH EXPLOITATION OF A WORKER. TO LEARN MORE, VISIT WWW.MDHUMANTRAFFICKING.ORG.

IF A WORKER...

(1) LACKS POSSESSION OF THEIR OWN IDENTIFICATION AND TRAVEL DOCUMENTS,

(2) LIVES AT THEIR PLACE OF WORK AND IN ISOLATED CONDITIONS,

Council Bill 21-0095

1 (3) EXPERIENCES VERBAL OR PHYSICAL ABUSE FROM THEIR EMPLOYER OR
2 SUPERVISOR,

3 (4) IS MADE TO WORK IN UNSAFE CONDITIONS, PREVENTED FROM TAKING
4 ADEQUATE BREAKS, OR FORCED TO MEET DAILY QUOTAS

5 ...THEY MAY BE A VICTIM OF LABOR TRAFFICKING.

6 FOR IMMEDIATE ASSISTANCE
7 CALL THE NATIONAL HUMAN TRAFFICKING HOTLINE

8 **+1 (888) 373-7888 OR TEXT “BeFREE” TO 233733”**

9 (2) THE SIGN MUST:

10 (I) BE AT LEAST 16 BY 20 INCHES IN SIZE;

11 (II) CONTAIN THE TEXT REQUIRED UNDER SUBSECTION (1) OF THIS SECTION IN ENGLISH,
12 SPANISH, AND ANY OTHER LANGUAGES REQUIRED BY THE FEDERAL VOTING RIGHTS
13 ACT FOR VOTING MATERIALS IN BALTIMORE CITY; AND

14 (III) DRAW ATTENTION TO THE PHONE AND TEXT NUMBERS OF THE NATIONAL HUMAN
15 TRAFFICKING RESOURCE CENTER HOTLINE BY SHOWING THE PHONE AND TEXT
16 NUMBERS IN BOLD TYPE.

17 (3) THE PRIME CONTRACTOR MAY MEET THE REQUIREMENTS OF THIS SECTION BY CREATING
18 THEIR OWN SIGNS USING A FONT SIZE OF NOT LESS THAN 30 POINTS FOR THE HOTLINE AND
19 TEXT NUMBERS AND A FONT SIZE OF NOT LESS THAN 12 POINTS FOR THE BODY TEXT, OR
20 USING COPIES OF THE SIGNS CREATED AND MADE AVAILABLE ONLINE BY THE UNITED
21 STATES DEPARTMENT OF HOMELAND SECURITY’S BLUE CAMPAIGN WEBSITE.

22 **§ 26A-3. SIGN LOCATION.**

23 A COPY OF THE LABOR TRAFFICKING SIGN REQUIRED BY §26A-2 {“REQUIREMENTS”} OF THIS
24 SUBTITLE SHALL BE POSTED BY THE CONTRACTOR AT THE SITE OF THE WORK IN A CLEAR AND
25 CONSPICUOUS PLACE WHERE IT CAN BE EASILY SEEN AND READ BY THE WORKERS. EXAMPLE
26 AREAS INCLUDE BREAK ROOMS, LOCKER ROOMS, CAFETERIAS, AND OTHER SIMILAR
27 LOCATIONS.

28 **§ 26A-4. PENALTIES FOR FAILURE TO POST SIGNAGE.**

29 (A) *IN GENERAL.*

30 (1) *PREREQUISITE TO ISSUANCE.*

31 A CITATION UNDER THIS SECTION MAY ONLY BE ISSUED AFTER THE ISSUANCE OF A
32 WRITTEN WARNING AND A FAILURE TO CORRECT THE VIOLATION WITHIN 30 DAYS OF
33 THE DATE OF THE WARNING.

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

AGENCY REPORTS



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

August 26, 2021

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

RE: City Council Bill #21-0095
Labor Trafficking- Notice Requirements

Dear Council President Mosby and Members of the City Council:


The Baltimore Police Department (BPD) has reviewed Council Bill 21-0095 for the purpose of requiring certain contractors with the City of Baltimore to place a notice regarding the human-trafficking prevention hotline in certain locations; providing that certain contractors may obtain the required human-trafficking notices from the United States Department of Homeland Security's Blue Campaign website; providing for certain penalties; and generally relating to labor trafficking notice requirements for city contractors.

The BPD has no objections to City Council Bill 21-0095. Thank you for allowing us to comment on this piece of legislation.

Sincerely,

Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Natasha Mehu, Director of Mayor's Office of Government Relations
Nina Themelis, Special Assistant and Legislative Liaison, MOGR
Eric Melancon, BPD Chief of Staff
Andrew Smullian, BPD Deputy Chief of Staff

F R O M	Name & Title	Dr. Letitia Dzirasa, Health Commissioner	Health Department AGENCY REPORT	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21202		
	Subject: Position:	21-0095 – Labor Trafficking Notice Requirements FAVORABLE		

To: President and Members
of the City Council
c/o 409 City Hall

August 27, 2021

The Baltimore City Health Department (BCHD) is pleased to have the opportunity to review City Council bill #21-0095, entitled “Labor Trafficking- Notice Requirements.” This legislation will require certain contractors with the City of Baltimore to place notice regarding a human-trafficking prevention hotline in certain locations and to obtain human-trafficking notices from the United States Department of Homeland Security’s website.

In 2015, the Mayor and City Council enacted comprehensive human trafficking prevention legislation, City Council bill #14-0464. The bill, in part, required that all hotels provide a certified training course to all new employees within 30 days of their hire on how to identify human trafficking activities and human trafficking victims. In 2016, seeking a need to communicate information to potential victims of trafficking, Council Bill 16-0661 was passed requiring signage to be placed in adult entertainment venue restrooms. Notice requirements were further extended to other businesses, such as hotels and restaurants in Council Bill 18-0296.

The present bill seeks to further extend notice requirements to contractors of the City of Baltimore such as construction, installation, maintenance, and repair contractors.

Human trafficking is a serious issue in Maryland, with Baltimore City at its epicenter. According to their most recently available data, the National Human Trafficking Hotline (Hotline) reported that 187 human trafficking cases were identified in Maryland in 2019.¹ As of December 2019, the Hotline received 533 calls. Through those calls, 127 cases of sex trafficking and 36 cases of labor trafficking were identified.² Mapping of the call data showed a concentration in Baltimore City.

According to the National Human Trafficking Hotline Data Report, labor trafficking has increased in the last 5 years (2015-2019) and contact with victims increased 19% from 2018-

¹ National Human Trafficking Hotline. (2020). Maryland Spotlight 2019. <https://humantraffickinghotline.org/state/maryland>

² National Human Trafficking Hotline. (2020). Maryland Spotlight 2019. <https://humantraffickinghotline.org/state/maryland>

2019 through the Hotline.³ The concerning prevalence of labor trafficking incidents is most notable in recent migration or relocation of persons entering the labor field. The Trafficking Hotline has created new methods of reaching out such as text, web chat, and online reporting. Text is the fastest growing means of reporting labor trafficking.

Human Trafficking is a severe violation of human rights and its end should be a moral imperative. The physical and emotional trauma sustained as a result of trafficking can follow victims for the rest of their lives. According to a study of commercial sex trafficking victims in the United States, 47% of youth victims reported previous suicide attempts and nearly 4 in 5 youth met criteria for post-traumatic stress disorder.⁴ Providing victims a means of reporting labor trafficking is an important step in getting survivors the support they need and deserve.

Considering the lasting, severe health effects of trafficking, a more coordinated and effective public health response is needed. This bill is an important part of bolstering this response by opening another channel of communication to potential victims. Passage of the bill will not have operational or fiscal impact on the Baltimore City Health Department. It will, however, further the mission of BCHD by expanding knowledge about human trafficking, promoting identification and reporting of trafficking incidents, and helping to increase the use of victim services.

For the above reasons, BCHD urges a **favorable report** on City Council bill #21-0095.

³ National Human Trafficking Hotline. (2020). *2019 National Hotline Annual Report*. <https://humantraffickinghotline.org/sites/default/files/Polaris-2019-US-National-Human-Trafficking-Hotline-Data-Report.pdf>

⁴ Greenbaum VJ (2017) Child sex trafficking in the United States: Challenges for the healthcare provider. *PLoS Med* 14(11): e1002439. <https://doi.org/10.1371/journal.pmed.1002439>



August 30, 2021

Honorable President and Members of the Baltimore City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, Maryland 21202

**RE: City Council Bill 21-0095
Labor Trafficking - Notice Requirements**

Dear Council President Mosby and Members of the City Council:

The Mayor's Office of Neighborhood Safety and Engagement (MONSE) has reviewed Council Bill 21-0095. It is the understanding of the Agency that this bill requires certain contractors with the City of Baltimore to post information about labor trafficking and the national human trafficking hotline, which can be found on the US Department of Homeland Security's Blue Campaign website.

Agency Position: Support

MONSE supports the passage of Council Bill 21-0095. The legislation builds upon a 2019 bill which required signs promoting the human-trafficking prevention hotline in all hotel rooms in the city, as well as a bill passed earlier this year requiring the hotline to be posted in city-owned and city-occupied buildings. This bill is another valuable step in raising awareness of the hotline and available services. If this requirement helps even one individual escape being trafficked, it should be considered a success. Thank you for allowing us to express our support today.

Respectfully submitted,

A handwritten signature in black ink that reads "Nick Wilson". The signature is written in a cursive, slightly slanted style.

Nick Wilson
Associate Director of Policy, Planning, and Coordination
Mayor's Office of Neighborhood Safety and Engagement

cc: Shantay Jackson, Director, Mayor's Office of Neighborhood Safety and Engagement
Sunny Schnitzer, Deputy Mayor, Public Safety
Nina Themelis, Legislative Liaison, Mayor's Office of Government Relations
Natasha Mehu, Director, Mayor's Office of Government Relations