

Introduced by: Councilmember Burnett, Henry Bullock *DORSEY, SUBED, chair*

Prepared by: Department of Legislative Reference

Date: January 8, 2019

Referred to: JUDICIARY AND LEGISLATIVE INVESTIGATIONS Committee

*Purcell
Schleier,
Young
Middleton
Stokes
Clarke
Jute
Reisinger*

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0323

A BILL ENTITLED

Paul G. Jones

AN ORDINANCE concerning

Hotels – Anti-Human Trafficking Training

FOR the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

BY repealing and reordaining, with amendments
Article 15 - Licensing and Regulation
Section 10-6
Baltimore City Code
(Edition 2000)

John F. Kelly

*Mayor Paul Cat
R. Dorsey*

Bill [unclear]

Robert Stokes

Sharon [unclear]

[unclear]

Edward [unclear]

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input checked="" type="checkbox"/>	Baltimore City Public School System	<input checked="" type="checkbox"/>	Baltimore Development Corporation
<input checked="" type="checkbox"/>	City Solicitor	<input checked="" type="checkbox"/>	Comptroller's Office
<input checked="" type="checkbox"/>	Department of Audits	<input checked="" type="checkbox"/>	Department of Finance
<input checked="" type="checkbox"/>	Department of General Services	<input checked="" type="checkbox"/>	Department of Housing and Community Development
<input checked="" type="checkbox"/>	Department of Human Resources	<input checked="" type="checkbox"/>	Department of Planning
<input checked="" type="checkbox"/>	Other: <i>Department of Social Services</i>	<input checked="" type="checkbox"/>	Other: <i>Department of Social Services</i>
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Board of Estimates	<input type="checkbox"/>	Board of Ethics
<input type="checkbox"/>	Board of Municipal and Zoning Appeals	<input type="checkbox"/>	Comm. for Historical and Architectural Preservation
<input type="checkbox"/>	Commission on Sustainability	<input type="checkbox"/>	Employees' Retirement System
<input type="checkbox"/>	Wage Commission	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Environmental Control Board	<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Labor Commissioner	<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Planning Commission	<input type="checkbox"/>	Wage Commission
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____

Boards and Commissions

<input checked="" type="checkbox"/>	Department of Public Works	<input checked="" type="checkbox"/>	Department of Real Estate
<input checked="" type="checkbox"/>	Department of Recreation and Parks	<input checked="" type="checkbox"/>	Department of Transportation
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Health Department
<input checked="" type="checkbox"/>	Mayor's Office of Employment Development	<input checked="" type="checkbox"/>	Mayor's Office of Human Services
<input checked="" type="checkbox"/>	Mayor's Office of Information Technology	<input checked="" type="checkbox"/>	Office of the Mayor
<input checked="" type="checkbox"/>	Police Department	<input checked="" type="checkbox"/>	Police Department
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Other: _____

CITY OF BALTIMORE
ORDINANCE **19-241**
Council Bill 19-0323

Introduced by: Councilmembers Burnett, Henry, Bullock, Dorsey, Sneed, Cohen, Pinkett,
Schleifer, President Young, Councilmembers Middleton, Stokes, Clarke, Reisinger, Scott
Introduced and read first time: January 14, 2019
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: March 11, 2019

AN ORDINANCE CONCERNING

Hotels – Anti-Human Trafficking Training

FOR the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; every two years; clarifying existing requirements for new hotel employees; conforming and correcting related provisions; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article 15 - Licensing and Regulation

Section 10-6

Baltimore City Code

(Edition 2000)

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

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 10. Hotels

§ 10-6. Anti-trafficking training required.

(a) *Hotel employees to be trained* ~~ANNUALLY.~~

[(1)] Any person who owns or operates a hotel within the City must provide [to all {new} hotel employees], within 30 days of hire,] ~~ANNUAL~~ training on how to identify human trafficking activities and human trafficking victims.;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 19-0323

1 (1) TO ALL NEW HOTEL EMPLOYEES, WITHIN 90 DAYS OF HIRE; AND

2 (2) TO ALL HOTEL EMPLOYEES, AT LEAST ONCE EVERY TWO YEARS.

3 [(2) Any person who owns or operates a hotel within the City must provide training to
4 all existing hotel employees on how to identify human trafficking activities and
5 human trafficking victims by August 1, 2016.]

6 (b) Training to be approved by Health Commissioner.

7 The anti-trafficking training program required by this section must be approved by the
8 Health Commissioner as appropriate for training employees on how to identify human
9 trafficking activities and human trafficking victims.

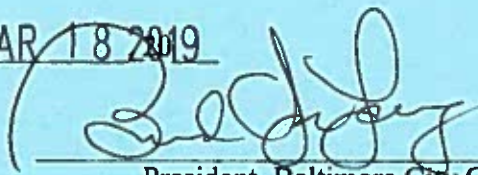
10 (c) Certification required.

11 Beginning in calendar year [2016] 2020, any person who owns or operates a hotel within
12 the City must annually certify to the Housing Commissioner, no later than [August 1]
13 DECEMBER 31 of each year, that all hotel employees have completed the training required
14 by this section.

15 SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance
16 are not law and may not be considered to have been enacted as a part of this or any prior
17 Ordinance.

18 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 180th
19 day after the date it is enacted.

Certified as duly passed this ____ day of MAR 18 2019



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this ____ day of MAR 18 2019




Chief Clerk

Approved this 22nd day of April, 2019

Approved For Form and Legal Sufficiency

This 17th Day of April 2019

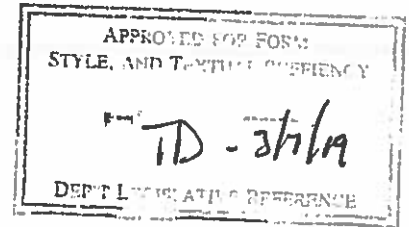


Chief Solicitor



Mayor, Baltimore City

AMENDMENTS TO COUNCIL BILL 19-0323
(1st Reader Copy)



By: Judiciary and Legislative Investigations Committee

Amendment No. 1

On page 1, in line 4, strike “on an annual basis;” and substitute “every two years; clarifying existing requirements for new hotel employees;”; on that same page, in line 18, strike “ANNUALLY”; on that same page, in line 19, before “to”, insert an opening bracket; on that same page, in line 20, strike the opening and closing brackets around “new”; on that same page, in line 20, strike the opening bracket after “employees”; on that same page, in line 20, strike “ANNUAL”; on that same page, in line 21, strike the period and substitute with a semi-colon; and, on that same page, after line 21, insert:

“(1) TO ALL NEW HOTEL EMPLOYEES . WITHIN 90 DAYS OF HIRE; AND

(2) TO ALL HOTEL EMPLOYEES . AT LEAST ONCE EVERY TWO YEARS .”.

ADOPTED

**BALTIMORE CITY COUNCIL
JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE
VOTING RECORD**

BILL#: CC-19-0323

DATE: 3/5/19

TITLE: Hotels - Anti-Human Trafficking Training

MOTION BY: Clarke SECONDED BY: Stokes

FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	7	0	0	0

CHAIRPERSON: *E. Costello*

COMMITTEE STAFF: Matthew L. Peters, Initials: *MLP*



Catherine Pugh
Mayor

BALTIMORE POLICE DEPARTMENT



Michael Harrison
Interim Police Commissioner

March 4, 2019

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

Attention: Natawna Austin, Executive Secretary

**Re: City Council Bill No. 19-0323
Hotels- Anti-Human Trafficking Training**

Dear Council President Young and Members of the City Council:

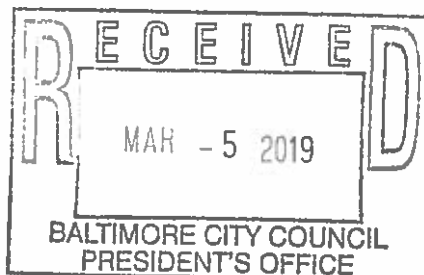
The Baltimore Police Department (BPD) has reviewed Council Bill 19-0323. This legislation is for the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

The BPD supports this bill. Requiring all new hotel employees' annual training to identify signs of human trafficking within their workplace assists the BPD in our pursuit to decrease human trafficking in our City. Annual training that is approved by the Health Commissioner insures that all Baltimore City hotel employees are trained correctly and cohesively. Implementing awareness measures to aid in preventing human trafficking within our City is always good policy.

Thank you for the opportunity to comment. The BPD looks forward to working with the City Council on this matter.

Sincerely,

Danielle Butcher
Office of the Police Commissioner



According to the National Human Trafficking Hotline Data Report, hotels and motels are the most frequent venues for sex trafficking.⁴ The concerning prevalence of human trafficking incidents at hotels has prompted various states and hotel chains to mandate similar human trafficking training programs. For example, Minnesota requires all hotel and motel employees to participate in a 40 minute training that focuses on identifying warning signs of trafficking.⁵ Marriot International, one of the world's largest hotel chains, began a mandatory human trafficking training program in 2017, and has since trained over 500,000 employees in spotting signals of trafficking.⁶

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 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.⁷ Another study found that almost half of adolescent female victims in the sample reported having acquired a sexually transmitted disease as a result of trafficking and nearly a third reported pregnancy.⁸ Educating key groups like hotel employees on how to spot, prevent, and report 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. It will have minor operational, and no 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 #19-0323.

⁴ National Human Trafficking Hotline. (2017, September). *2016 National Hotline Annual Report*. <https://humantraffickinghotline.org/sites/default/files/2016%20National%20Report.pdf>

⁵ Temblador, A. (2018, November 4). Sex Trafficking Training Required for all Minnesota Hotels. Travel Pulse. <https://www.travelpulse.com/news/hotels-and-resorts/sex-trafficking-training-required-for-all-minnesota-hotels.html>

⁶ Hotel Business. (2019, January 19). Marriot has Trained 500,000 Workers to Recognize Human Trafficking Signs. Hotel Business. <https://www.hotelbusiness.com/marriott-has-trained-500000-workers-to-recognize-human-trafficking-signs/>

⁷ 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>

⁸ Ibid.



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner *MB*

Date: March 1, 2019

Re: **City Council Bill 19-0323, Hotels – Anti-Human Trafficking Training**

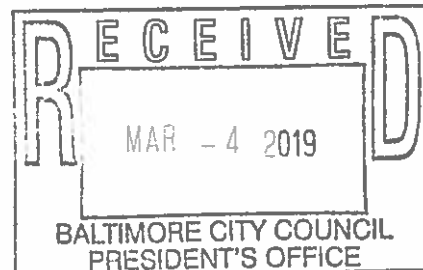
The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0323, for the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

Currently hotels are only required to provide training to new employees. Requiring an annual training is intended to help hotel employees remain cognizant of the warning signs of human trafficking and ensure that they are aware of how to properly respond in the event they encounter said signs. The training course is administered online, and DHCD believes that requiring hotels to provide it annually will not create an undue burden on the hotels or their employees.

DHCD supports the passage of City Council Bill 19-0323.

MB:td

cc: Mr. Jeffrey Amoros, *Mayor's Office of Government Relations*





MEMORANDUM

DATE: February 5, 2019
TO: Judiciary and Legislative Investigations Committee
FROM: William H. Cole, President and CEO
POSITION: Support
SUBJECT: **City Council Bill 19-0323 – Anti-Human Trafficking Training**

INTRODUCTION

I am herein reporting on City Council Bill Hotels – Anti-Human Trafficking Training (19-0323), introduced by the Council President.

PURPOSE

This Bill will allow for conforming and correcting related provisions and provide a special effective date, as it relates to annual training of hotel employees on how to identify human trafficking.

BRIEF HISTORY

The City's existing regulations regarding anti-human trafficking training for hotel employees was effective beginning of calendar year 2016. This Bill would extend that date to the beginning of calendar year 2020.

FISCAL IMPACT

As a result of this corrective bill, no fiscal impact is expected.

AGENCY POSITION

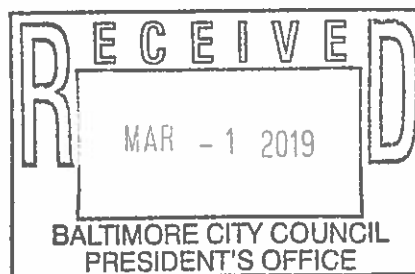
The Baltimore Development Corporation supports City Council Bill Anti-Human Trafficking Training (19-0323) as long as it does not put a burden on hotels.


If you have any questions, please do not hesitate to contact Kim Clark at 410-837-9305 or at kclark@baltimoredevelopment.com.

cc: Jeffrey Amoros

[JP]

F



FROM	NAME & TITLE	Robert Cenname, Budget Director <i>RC</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Finance Room 454, City Hall (410) 396-4940		
	SUBJECT	City Council Bill #19-0323 Hotels – Anti Human Trafficking Training		

DATE:

TO

The Honorable President and
Members of the City Council
Room 400, City Hall

February 12, 2019

The Department of Finance is herein reporting on City Council Bill #19-0323, introduced for the purpose of amending Article 15. Subtitle 10-6 by adding language requiring hotels to provide anti-human trafficking training annually and removing obsolete language.

Impact/ Analysis

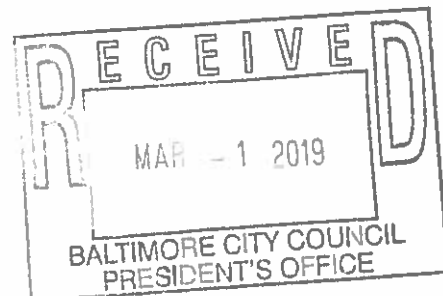
Article 15. Subtitle 10-6 seeks to prevent human trafficking in Baltimore City hotels. Enacted in 2014, Article 15 10-6 requires hotels to provide employees with annual training on human trafficking identification, define terms pertaining to human trafficking, and provide for penalties connected to human trafficking in City hotels. City Council Bill #19-0323 amends Article 15. Subtitle 10-6 by requiring annual anti-human trafficking training.

Finance Department has reviewed this bill and does not anticipate any impact to the City's budget.

Conclusion

The Bureau for Budget and Management does not object to City Council 19-0323.

cc: Jeffrey Amoros



Does not obj

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

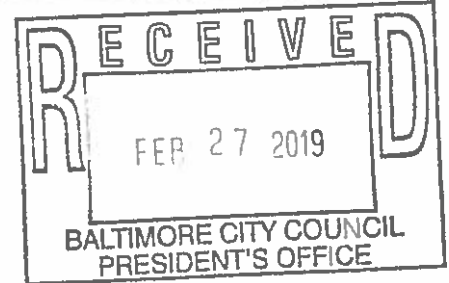


MAYOR'S OFFICE OF HUMAN SERVICES

711 Redwood Street, 5th Floor
Baltimore, Maryland 21202

February 15, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202



Re: City Council Bill 19-0323 Hotels – Anti-Human Trafficking Training

Dear President and City Council Members:

The Mayor's Office of Human Services ("MOHS") has reviewed City Council Bill 19-0323, entitled, Hotels – Anti-Human Trafficking Training. This legislation would require hotels to provide all hotel employees with anti-human trafficking training on an annual basis.

From a Human Services perspective, Council Bill 19-0323 represents a plan for educating hotel staff about issues related to human trafficking, its broad impact would be working to identify and reporting instances of human trafficking and the importance of linking victims to help and to supportive services. There is intersectionality with youth who experience homelessness and sex trafficking. MOHS works closely with providers and advocates to address issues related to youth homelessness and we believe this bill has the potential to provide many benefits.

Research has shown young people experiencing homelessness are particularly vulnerable to Exploitation and trafficking and LGBTQ youth are at particularly high risk.

- 2017 Youth REACH MD Report: A survey of unaccompanied homeless youth in Maryland found 1,690 unaccompanied homeless youth in Baltimore City. Of the youth who completed the survey question (536), 8% of unaccompanied homeless youth in Baltimore City reported exchanging sex for money/rent/etc.
- National studies on youth and human trafficking: From two recent studies, almost 1 in 5 young people experiencing homelessness experienced some form of trafficking.

HUD has emphasized the intersections of homelessness and human trafficking and has taken steps to align homeless service policy and planning to better serve victims of human trafficking. In particular examining policy development and implementation. The links below serve as a resource guide for information and awareness.

<https://www.hudexchange.info/news/from-our-federal-partners-look-beneath-the-surface-human-trafficking-awareness-campaign-materials-available/>

<https://www.acf.hhs.gov/archive/otip/initiatives/federal-plan>

<https://www.hudexchange.info/news/snaps-in-focus-addressing-the-needs-of-human-trafficking-victims/>

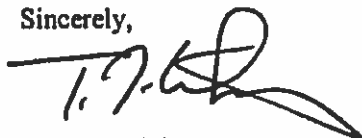
F

MOHS believes trainings should be appropriately designed and standardized with input from experts in the field and should require the use of best practices. Additionally, people with lived experience of homelessness and sex trafficking should be involved in the policy design and implementation process to ensure its effectiveness and identify potential unintended consequences.

Lastly, consideration should be given to how this policy may inadvertently criminalize or otherwise disadvantage vulnerable populations. This policy and subsequent trainings and interventions should not lead to increased arrests or incarceration of individuals who are trafficked or engaged in sex work.

Council Bill #18-0296 provides a reasonable framework for expanding public education on human trafficking, it is likely to lead to increased reporting and help with those looking for a way out. For these reasons, the Mayor's Office of Human Services recommends a favorable report on City Council Bill 19-0323.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. F. Hickey', with a long, sweeping underline.

Terry F. Hickey
Director

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

February 27, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0323 Hotels – Anti-Human Trafficking Training

Dear President and City Council Members:

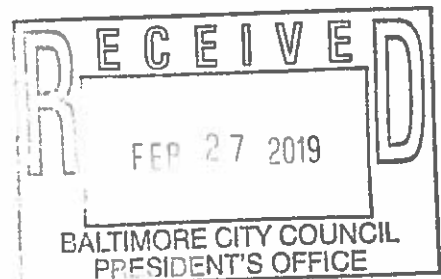
The Law Department has reviewed City Council Bill 19-0323 for form and legal sufficiency. The bill would require hotels to provide all hotel employees with anti-human trafficking training on an annual basis and provides for a special effective date.

Requiring annual training ensures that the latest research and tactics regarding the prevention of human trafficking are being utilized in hotels in the City. Under Article II, Section 17 of the Baltimore City Charter, the City has the general power to regulate all businesses within its jurisdiction. This regulation is an exercise of the City's police powers found in Article II, Section 27 of the City Charter. Police powers can be legitimately exercised when the regulations are rationally related to preserving the public health, safety, morals or general welfare of the public. See City Charter, Article II, Section 47. When such justification is present, the City is entitled to "great deference" in determining how it addresses its problems. *New Orleans v. Dukes*, 427 U.S. 297, 303-304 (U.S. 1976).

Therefore, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Ashlea H. Brown
Assistant Solicitor



cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations

Jeff Amoros, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Judiciary and Legislative Investigations

Tuesday, March 5, 2019

10:20 AM

Du Burns Council Chamber, 4th floor, City Hall

19-0323

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member Eric T. Costello, Member Mary Pat Clarke, Member Leon F. Pinkett III, Member John T. Bullock, Member Edward Reisinger, Member Brandon M. Scott, and Member Robert Stokes Sr.

ITEM SCHEDULED FOR PUBLIC HEARING

19-0323

Hotels - Anti-Human Trafficking Training

For the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

Sponsors: Kristerfer Burnett, Bill Henry, John T. Bullock, Ryan Dorsey, Shannon Sneed, Zeke Cohen, Leon F. Pinkett, III, Isaac "Yitzy" Schleifer, President Young, Sharon Green Middleton, Robert Stokes, Sr., Mary Pat Clarke, Brandon M. Scott, Edward Reisinger

A motion was made by Member Clarke, seconded by Member Stokes, Sr., that this Ordinance be Recommended Favorably with Amendment. The motion carried by the following vote:

Yes: 7 - Member Costello, Member Clarke, Member Pinkett III, Member Bullock, Member Reisinger, Member Scott, and Member Stokes Sr.

ADJOURNMENT



HEARING NOTES

Bill: 19-0323

Hotels - Anti-Human Trafficking Training

Committee: Judiciary and Legislative Investigations

Chaired By: Councilmember Eric Costello

Hearing Date: March 5, 2019

Time: 10:20 AM to 10:30 AM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~45

Committee Members in Attendance:

Eric Costello	Mary Pat Clarke	Brandon Scott	
Leon Pinkett	Robert Stokes	Edward Reisinger	John Bullock

Bill Synopsis in the file? yes no n/a
Attendance sheet in the file? yes no n/a
Agency reports read? yes no n/a
Hearing televised or audio-digitally recorded? yes no n/a
Certification of advertising/posting notices in the file? yes no n/a
Evidence of notification to property owners? yes no n/a
Final vote taken at this hearing? yes no n/a
Motioned by: **Councilmember Clarke**
Seconded by: **Councilmember Stokes**
Final Vote: **Favorable as Amended**

Major Speakers

(This is not an attendance record.)

N/A

Major Issues Discussed

1. Chairman Costello opened the proceedings.
2. Councilman Burnett discussed the problem of human trafficking and the need for hotel employees to stay up to date on the current best practices for identifying and responding to suspected trafficking. He also explained a proposed amendment to the bill that would require training for new hotel employees within 90 days of hire and training for all hotel employees at least once every two years.
3. Agency representatives confirmed the recommendations stated in their written reports.
4. A lobbyist representing City hotels testified in favor of the bill with Councilman Burnett's amendments.
5. Councilwoman Clarke asked how someone can identify human trafficking and what they should do if they suspect trafficking is occurring. Councilman Burnett suggested that members of the Council take training, and noted that anyone who witnesses suspected human trafficking should call the police and the National Human Trafficking Hotline to report.
6. The Committee considered and adopted the amendment proposed by Councilman Burnett.

Further Study

Was further study requested?

Yes No

If yes, describe. N/A

Committee Vote

E. Costello: Yea
M. Clarke: Yea
J. Bullock: Yea
L. Pinkett: Yea
E. Reisinger: Yea
B. Scott: Yea
R. Stokes: Yea

Matthew Peters
Matthew L. Peters, Committee Staff

Date: March 5, 2019

cc: Bill File
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: Judiciary and Legislative Investigations

Chairperson: Eric Costello

Date: March 5, 2019

Time: 10:20 AM

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Hotels - Anti-Human Trafficking Training

CC Bill Number: 19-0323

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Sharon	Sharon		HCD			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Ari	Plant	108	Law offices of Frank Basha	21211	FBostonlaw@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	ASML		ASML			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	SSSA		HCD			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

AMENDMENTS TO COUNCIL BILL 19-0323
(1st Reader Copy)

By: Councilmember Burnett

{To be offered to the Judiciary and Legislative Investigations Committee}

Amendment No. 1

On page 1, in line 4, strike “on an annual basis;” and substitute “every two years; clarifying existing requirements for new hotel employees;”; on that same page, in line 18, strike “*ANNUALLY*”; on that same page, in line 19, strike beginning with “to” through and including “ANNUAL” in line 20; on that same page, in line 21, strike “.”, and substitute “.”; on that same page, after line 21, insert:

“(1) TO ALL NEW HOTEL EMPLOYEES, WITHIN 90 DAYS OF HIRE; AND

(2) TO ALL HOTEL EMPLOYEES, AT LEAST ONCE EVERY TWO YEARS.”.



Bernard C. "Jack" Young
Council President
Baltimore City

Bill Synopsis

100 Holliday Street, Room 400 Baltimore, MD 21202
Office: 410-396-4805 | Fax: 140-839-0647

Subject | 19-0323 Hotels – Anti Human Trafficking Training

Prepared by | Kimberly Rubens, Fiscal Legislative Analyst, Office of the Council President

Date | March 4, 2019

Policy Objectives

- Amends City Council Bill 14-0464 to require all new hotel employees to complete an anti-human trafficking training within 90 days of hire, instead of 30 days
- Creates a requirement that all hotel employees to complete an anti-human trafficking training every 2 years
- Creates a requirement that all hotels to submit an annual affidavit to the Housing Commissioner affirming compliance with the 90-day training requirement and a bi-annual affidavit affirming compliance with the all employee requirement
- Changes mandatory yearly reporting date from August 1st of each year to

Summary

City Effect: It is unlikely that the City would recognize any real fiscal impact from this legislation. Hotels are already required to submit annual affidavits that new employees receive this training. This legislation would require the Housing Commissioner to add one more checkbox to their form. This was confirmed by a fiscal note submitted to the Finance Department in 2014. This bill does not make substantive administrative changes to city policy established in 2014.

Local Business Effect: Likely minimal, there are free training videos approved by the Department of Health that would satisfy the requirements of the law. This law would affect 75 hotels operating in Baltimore.¹

Current Law

In 2014, Councilmember James Kraft introduced and passed 14-0464, Human Trafficking Prevention. City Council Bill 14-0464 outlines the following mandates for hotel operators:

¹ Visit Baltimore testimony, City Council Bill 18-0293

- Prohibits hotels for renting rooms for less than ½ day
- Requires all new employees to participate in human trafficking awareness and identification training within 30 days of hire
- Requires hotels to “prominently display a sign stating that the facility has provided training to all employees”
- Penalties: failure to comply results in a misdemeanor with a penalty up to \$1,000 or imprisonment for up to 12 months, after initial notification of violation, each day “constitutes a separate violation”
- The training for new employees must be approved by the health commissioner

Fiscal Analysis

There are currently several trainings available to hotel staff that comply with the mandates of this legislation.

Marriott and Hilton have already developed trainings that comply with the legislation. These trainings are available for free to any Marriott or Hilton hotel or franchise.² The training was developed in partnership with two non-profits, ECPAT-USA and Polaris, that specialize in combatting human trafficking. Yearly licenses can be purchased for the 30-minute video. For a hotel with 249 employees or fewer, the annual license is \$5,000.³ The video has been translated from English into 16 other languages.⁴

Human Trafficking

Nationwide, it is estimated that 1.5 million people are victims of trafficking, “mostly for sexual exploitation.”⁵ Between December 2007 and February 2015, the Polaris Project’s National Human Trafficking Hotline received 1,434 cases of human trafficking and 294 cases of labor exploitation in hotels and motels.⁶ In 2014, the most recent year for which data is available, the Victims Services Committee of the Maryland Human Trafficking Task Force found 396 survivors of human trafficking, 124 of which were children.⁷

² <https://news.marriott.com/2019/01/marriott-international-has-trained-500000-hotel-workers-to-recognize-the-signs-of-human-trafficking/>

³ Information provided to the author via email by Amy Rohrer, President & CEO of Maryland Hotel Lodging Association. Link to purchase training video: <https://www.ahlei.org/Programs/Human-Trafficking/>

⁴ AHLEI <https://www.ahlei.org/Programs/Human-Trafficking/>

⁵ <https://www.reuters.com/article/us-usa-superbowl-trafficking/fighting-sex-trafficking-with-soap-at-the-super-bowl-idUSKCN1PQ3B0>

⁶ <https://polarisproject.org/initiatives/hotels>

⁷ “Maryland Safe Harbor Workgroup, Final Report, 2015”

<https://static1.squarespace.com/static/53d105bae4b009be345a11ba/t/56d7c165f85082043e3cd00c/1456980326547/Workgroup+to+Study+Safe+Harbor+Final+Report.pdf>

Other Jurisdictions

Statewide efforts

There are 24 states across the country that mandate some sort of anti-human trafficking training to institutions that (often unknowingly) commonly interact with human trafficking victims.⁸ For example, the state of California just passed Senate Bill 970, which requires hotels and motels to provide at least 20 minutes of training for all employees that regularly come in contact with guests within 6 months of hire.⁹

The state of Maryland received a Tier 1 rating from the Polaris Project, a national non-profit dedicated to combatting human trafficking in the United States. Maryland currently has a sex and labor trafficking provision in their state code, investigative tools to combat trafficking, lower burden of proof for sex trafficking of minors, posting requirements for human trafficking hotlines, and a process by which victims of sex trafficking can have their charges vacated.¹⁰ However, there is no statewide law mandating all hotels and motels comply with a training requirement for new or current employees.

Other Cities

Houston

- Provides a complimentary Anti-Human Trafficking training through the Hotel and Lodging Association of Greater Houston¹¹
- The state of Texas mandates anti-human trafficking training, although it is unclear what industries/sectors are required to complete the training. The city of Houston passed legislation to protect employees of massage and nail parlors.

New Orleans

- Falls under Louisiana state law passed in 2016 that requires all hotels and motels to post signage for a national human trafficking hotline in "employee signage areas"¹²

Stakeholders

- MD Lodging Association, supports with amendments

⁸ Polaris Project State Rankings, 2014 <https://polarisproject.org/sites/default/files/2014-State-Ratings.pdf>

⁹ <https://www.littler.com/publication-press/publication/california-enacts-two-laws-aimed-combating-human-trafficking>

¹⁰ Polaris Project State Rankings, 2014 <https://polarisproject.org/sites/default/files/2014-State-Ratings.pdf>

¹¹ <https://www.houstonhotels.org/human-trafficking-prevention/>

¹² <https://www.shreveporttimes.com/story/news/2016/07/22/new-law-seeks-prevent-hotels-remaining-hotspots-human-trafficking/87030344/>

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Judiciary and Legislative Investigations

Tuesday, March 5, 2019

10:20 AM

Du Burns Council Chamber, 4th floor, City Hall

19-0323

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEM SCHEDULED FOR PUBLIC HEARING

19-0323

Hotels - Anti-Human Trafficking Training

For the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

Sponsors:

Kristerfer Burnett, Bill Henry, John T. Bullock, Ryan Dorsey, Shannon Sneed, Zeke Cohen, Leon F. Pinkett, III, Isaac "Yitzy" Schleifer, President Young, Sharon Green Middleton, Robert Stokes, Sr., Mary Pat Clarke, Brandon M. Scott, Edward Reisinger

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Judiciary and Legislative Investigations

Bill 19-0323

Hotels - Anti-Human Trafficking Training

Sponsor: Councilmember Burnett, et al

Introduced: January 14, 2019

Purpose:

For the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

Effective: 180th day after the date it is enacted.

Hearing Date/Time/Location: March 5, 2019/10:20 a.m./Clarence "Du" Burns Chamber.

AGENCY REPORTS

City Solicitor	Favorable
Office of Human Services	Favorable
Department of Finance	No Objection
Baltimore Development Corporation	Favorable
Department of Social Services	
Police Department	
Department of Housing and Community Development	Favorable
Department of Health	Favorable

ANALYSIS

Current Law

Article 15, subtitle 10 of the Baltimore City Code governs the licensing and regulation of hotels.

Article 15, § 10-6 requires hotel owners and operators in the City to provide training to all new hotel employees, within 30 days of hire, on how to identify human trafficking activities and human trafficking victims. It further required anti-trafficking training for all existing employees by August 1, 2016. The anti-trafficking training program must be approved by the Health Commissioner.

Article 15, § 10-6 also requires hotel owners and operators within the City to certify to the Housing Commissioner, no later than August 1 of each year, that all hotel employees have completed the required anti-trafficking training.

Article 15, § 10-9 provides that any person who violates or who neglects or refuses to comply with any provision of the subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or imprisonment for not more than 12 months or both fine and imprisonment.

Bill Summary

The bill amends Article 15, § 10-6 to require hotel owners and operators in the City to provide annual training to all hotel employees on how to identify human trafficking activities and human trafficking victims. The new annual training requirement replaces the current requirement to provide anti-trafficking training to all new employees within 30 days of hire. As a result of the change, new hotel employees could have significantly longer than 30 days from the date of hire to complete the anti-trafficking training.

Beginning in 2020, the bill also changes the annual deadline for hotel owners and operators within the City to certify to the Housing Commissioner that all hotel employees have completed the required anti-trafficking training from August 1 to December 31 of each year. For 2019, hotel owners and operators in the City will still be required to certify that all hotel employees have completed the anti-trafficking training required under the current law by August 1.

Background

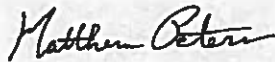
Human trafficking is the exploitation of an individual for financial gain through forced labor or commercial sex. From 2012 to 2018, of the cases reported to the National Human Trafficking Hotline from Maryland, hotels/motels were consistently one of the top venues for sex trafficking.

The Baltimore City Department of Health, in partnership with the American Hotel & Lodging Educational Institute and Polaris, currently offers an approved online anti-trafficking training video for Baltimore City hotels.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Baltimore City Code, Department of Health, National Human Trafficking Resource Center, Maryland Human Trafficking Task Force, American Hotel & Lodging Educational Institute, City Solicitor, Office of Human Services, Department of Finance, Baltimore Development Corporation, Bill 19-0323.



Analysis by: Matthew L. Peters
Analysis Date: March 1, 2019

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 19-0323
(First Reader)**

Introduced by: Councilmembers Burnett, Henry, Bullock, Dorsey, Sneed, Cohen, Pinkett,
Schleifer, President Young, Councilmembers Middleton, Stokes, Clarke, Reisinger, Scott
Introduced and read first time: January 14, 2019

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore Development Corporation,
Health Department, Department of Social Services, Police Department, Department of Housing
and Community Development, Department of Finance, Mayor's Office of Human Services

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Hotels – Anti-Human Trafficking Training**

3 FOR the purpose of requiring hotels to provide all hotel employees with anti-human trafficking
4 training on an annual basis; conforming and correcting related provisions; and providing for a
5 special effective date.

6 BY repealing and reordaining, with amendments

7 Article 15 - Licensing and Regulation

8 Section 10-6

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 15. Licensing and Regulation**

15 **Subtitle 10. Hotels**

16 **§ 10-6. Anti-trafficking training required.**

17
18 (a) *Hotel employees to be trained ANNUALLY.*

19 [(1)] Any person who owns or operates a hotel within the City must provide to all
20 [new] hotel employees[, within 30 days of hire,] ANNUAL training on how to
21 identify human trafficking activities and human trafficking victims.

22 [(2)] Any person who owns or operates a hotel within the City must provide training to
23 all existing hotel employees on how to identify human trafficking activities and
24 human trafficking victims by August 1, 2016.]

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

Council Bill 19-0323

1 (b) *Training to be approved by Health Commissioner.*

2 The anti-trafficking training program required by this section must be approved by the
3 Health Commissioner as appropriate for training employees on how to identify human
4 trafficking activities and human trafficking victims.

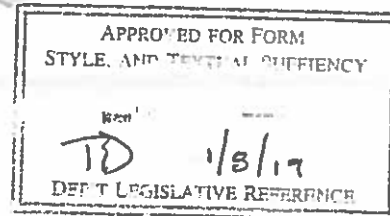
5 (c) *Certification required.*

6 Beginning in calendar year [2016] 2020, any person who owns or operates a hotel within
7 the City must annually certify to the Housing Commissioner, no later than [August 1]
8 DECEMBER 31 of each year, that all hotel employees have completed the training required
9 by this section.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
11 are not law and may not be considered to have been enacted as a part of this or any prior
12 Ordinance.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 180th
14 day after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Burnett

A BILL ENTITLED

AN ORDINANCE concerning

Hotels – Anti-Human Trafficking Training

FOR the purpose of requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

BY repealing and reordaining, with amendments

Article 15 - Licensing and Regulation
Section 10-6
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 10. Hotels

§ 10-6. Anti-trafficking training required.

(a) *Hotel employees to be trained ANNUALLY.*

- [(1)] Any person who owns or operates a hotel within the City must provide to all [new] hotel employees[, within 30 days of hire,] ANNUAL training on how to identify human trafficking activities and human trafficking victims.
- [(2)] Any person who owns or operates a hotel within the City must provide training to all existing hotel employees on how to identify human trafficking activities and human trafficking victims by August 1, 2016.]

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

(b) *Training to be approved by Health Commissioner.*

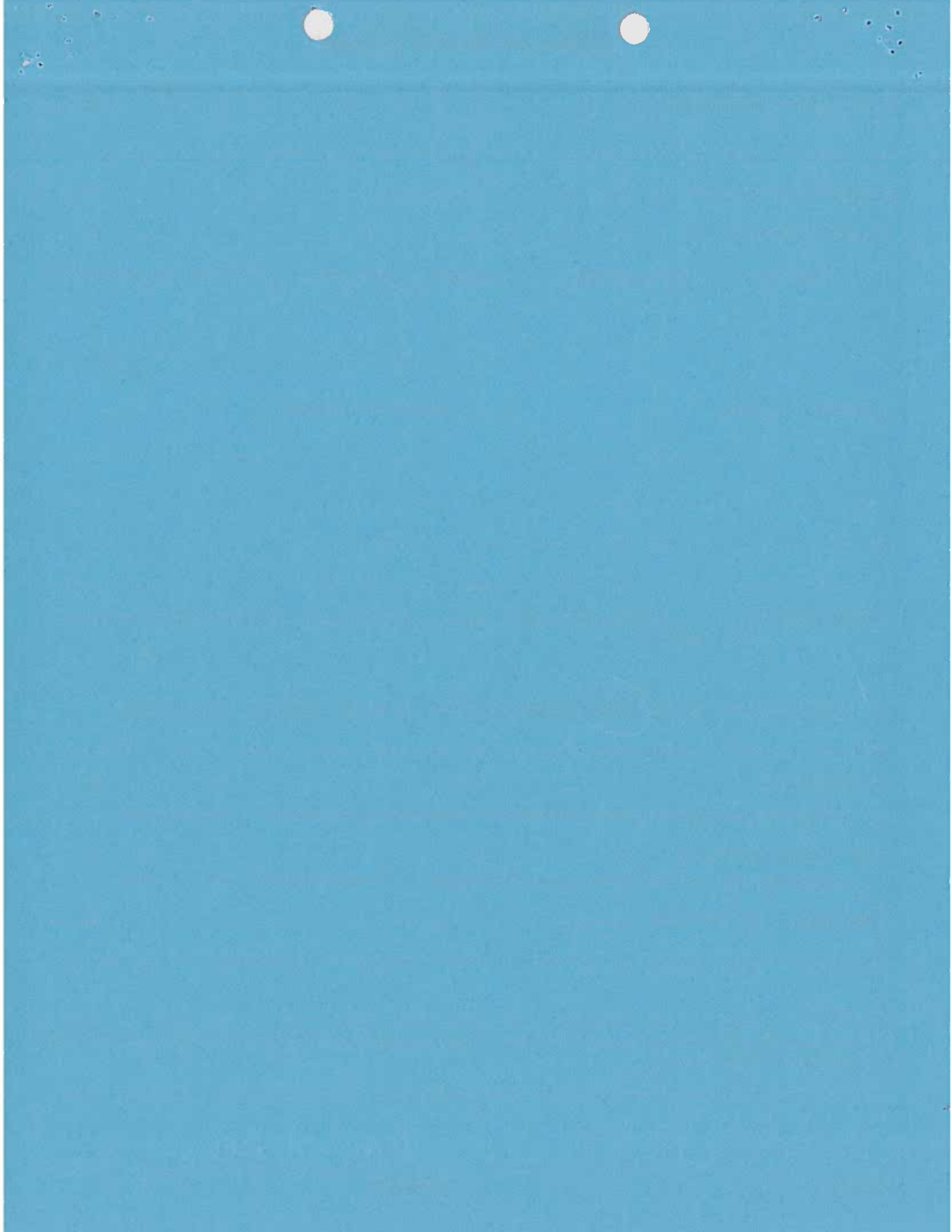
The anti-trafficking training program required by this section must be approved by the Health Commissioner as appropriate for training employees on how to identify human trafficking activities and human trafficking victims.

(c) *Certification required.*

Beginning in calendar year [2016] 2020, any person who owns or operates a hotel within the City must annually certify to the Housing Commissioner, no later than [August 1] DECEMBER 31 of each year, that all hotel employees have completed the training required by this section.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 180th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

JAN 14 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON March 5, 2019 _____ 20 _____

COMMITTEE REPORT AS OF March 11, 2019 _____ 20 _____

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

[Handwritten Signature]

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

MAR 11 2019

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

MAR 18 2019

THIRD READING _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Handwritten Signature]

President

[Handwritten Signature]

Chief Clerk