

**Montgomery County Commission for Women  
21 Maryland Avenue, Suite 330, Rockville, MD 20850**

**Summary of Discussion**

**May 8, 2014**

**7:00 p.m.**

**Attending:**

Chandra Walker Holloway, President  
Karmen Rouland  
Natalia Farrar  
Nick Martinez  
Heather Reichardt  
Safia Qadri  
Debra Bright Harris  
Lorna Forde  
Katie Smith  
Barbara Mintz  
Farah Nageer-Kanthor

**Absent:**

Manar Morales  
Linda Amendt  
Maliha Ilias

**Staff:**

Judith Vaughan-Prather, Executive Director

**Guests:**

Delegate Kathleen Dumais  
Lt. Kenneth Penrod, MCPD

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**I. Call To Order.....President Walker Holloway**  
The meeting was called to order at 7:07 p.m. and Delegate Kathleen Dumais, who serves on the state Child Custody Decision Making Task Force (CCDMTF), was introduced. In addition to her work as a delegate to the Maryland General Assembly, Ms. Dumais is also a family lawyer.

**II. Guest Speaker .....Delegate Kathleen Dumais**  
Delegate Dumais was invited to brief the CFW on the work of the CCDMTF. She said that legislation is introduced almost every year proposing that “shared legal custody” and shared physical custody be the presumption in divorce cases involving children. She said that this proposal may sound reasonable; however, the issue is generally more complicated.

About 85% of family law cases end up settling out of court. In those cases, most find some form of accord on shared custody of the children. The problem with the proposed presumption is that in contested cases, where the couples cannot find agreement, this will present a huge source of legal battles.

Maryland has no custody statute – all guidance is in case law and the cases can be very expensive to litigate. Many people already try to handle their own cases to avoid or reduce their attorney fees, but they won’t know how to find the case law that prevails in the absence of statute.

The Family Law Bar Association believes that Maryland needs a custody statute and does not support a presumption of joint legal or physical custody.

The state established the CCDMTF in 2013 to study the issues, and the task force has been conducting a complete analysis, to determine:

- What can be learned from a literature review of the social science research on this issue?
- What will a statute review tell us about how other states handle this issue?
- What is currently happening in the various jurisdictions around the state?
- What does the public say?

The task force held five hearings around the state, in Allegheny, Prince George’s and Harford Counties, on the Eastern Shore and in Baltimore City.

The task force members have learned a great deal, including how this issue differs depending on the jurisdiction, the socio-economic status and marital status of the parents, the age of the children, the involvement of the parents with the children prior to the request for legal custody, etc.

In addition, other issues that surfaced including the length of time it takes to get into court, and visitation schedule enforcement.

The task force divided into subcommittees and still has much work to do. Its final report is due in December 2014. It is anticipated that it will recommend that Maryland adopt a custody statute that will take into account all the various factors currently in case law.

Decisions are made by majority vote, and it is possible that there will be a majority report and a minority report at the conclusion of the task force’s work.

Commissioner Farrar asked if the task force is looking into ways for people who cannot afford extensive legal battles but cannot resolve their issues out of court. Del. Dumais replied that the task force is considering this, but that there is also another commission that is examining the “civil right to counsel.”

CFW President Walker Holloway thanked Del. Dumais for her very informative presentation and for all her hard work on behalf of Maryland’s families. She invited Del. Dumais to stay for the next briefing.

**III. Guest Speaker.....Sgt. Kenneth Penrod, MCPD**

Sgt. Penrod, of the police department’s Vice and Intelligence Unit, was invited to brief the CFW on the issue of human trafficking in Montgomery County. He has been very helpful to the CFW Executive Director in developing the proposal for the county’s human trafficking task force, and in fact, presented a briefing on this topic to the heads of the departments to be included in the new task force just this afternoon.

Sgt. Penrod began by thanking Del. Dumais for her work supporting the recently passed legislation on asset forfeiture for individuals convicted on human trafficking.

The definition of human trafficking includes coercion by threat, force, or fraud for both sex and labor trafficking. However, most arrests in this county have been for sex trafficking. In Maryland, the law is a little broader than the federal law and includes pandering and pimping. The

penalties are very severe when the victim is a minor in this state, so the number of these cases has declined as traffickers have moved their businesses to other states with lesser penalties. In the past, it was typical to prosecute the victims of human trafficking, but as a society we are moving beyond that perspective.

In 2007, there was only one arrest for human trafficking, but in 2012, there were 16 arrests in this county. This is partly because of an increase in the incidence, but also because law enforcement is more aware of the issue, has better training and better laws. But it is also due to the traffickers' use of the internet in their business – for advertising, and scheduling, and to move the business quickly between jurisdictions. Police have now learned to use the internet as well to identify and track traffickers.

Human trafficking isn't about sex, it's about money. The relative prosperity of this region has attracted more and more traffickers. The majority of trafficking ads in this are posted on the websites Eros.com and Backpage.com.

In addition, Acupressure and Reflexology salons are very often fronts for trafficking. These businesses are not required to be licensed and are not regulated the way true Massage parlors are. They are often, in reality, sex sweatshops, exploiting poor and immigrant women and girls brought to the U.S. specifically to be trafficked. Most of these businesses are actually organized crime, many operating out of New York State. What we commonly think of as prostitution – someone who has decided to sell his or her own sexual favors, maybe with the protection of a manager – is actually very rare. In most cases, what we perceive as prostitution is actually human trafficking. It is very rare to find an independent sex worker.

The women/victims have been made to be so reliant on the traffickers that they have no choice but to do as they are told. Many speak no English, are not paid, and were brought here on forged VISAS.

In a recent case, a notorious trafficker operating in multiple sites in Towson was also found operating the business in Montgomery County. This woman brings young woman into Flushing, NY, and buses them to Baltimore from where they are distributed to her various business locations. She uses a series of Acupressure businesses, made millions of dollars, even created fraudulent energy companies to lauder the money, while the young women were sleeping on the floor or her "salons" or the basement of her home, eating nothing but Ramen noodle soup. She had been arrested numerous times in Baltimore County, and was in the process of negotiation her settlement of federal charges (for \$800,000), when MCPD caught her operating her business in a motel in Gaithersburg.

Sgt. Penrod reported that you young women were brought in on work Visas, and promised jobs working at Chinese restaurants, but were instead sent to trafficking sites all up and down the East Coast.

In this case, MCPD was the first to use the new Maryland Asset Forfeiture law – and was able to seize her assets, even the money in the banks in this country.

MCPD views these operations as criminal organizations and models its investigations and arrests after the approach used to investigate organized crime. He stressed that it is a preventable crime and that a coordinate effort among all departments involved will help.

President Walker Holloway thanked Sgt. Penrod for the presentation and for his good work in protecting the safety of everyone who lives and works in Montgomery County.

At this point, the commissioners took a 5-minute break and then reconvened, approving the agenda for the remainder of this evening's meeting, and the minutes of the April meeting.

**IV. Executive Committee Report .....President Walker Holloway**

President Walker Holloway reconvened the meeting and opened by thanking Commissioner Rouland for so very generously sponsoring dinner for the commissioners this evening.

**A. Human Trafficking Task Force Proposal**

On April 10, the CFW wrote to the County Executive recommending that he establish a Human Trafficking Task Force, with the goal of developing interagency coordination of strategies for response and prevention. The Executive has not responded formally yet, but has indicated his intent to establish the task force. A meeting was held in his conference room earlier today with representatives of the affected departments for a briefing and to discuss the structure of the proposed task force.

**B. Fair Pay Legislation**

The County Executive introduced local legislation similar to that proposed by President Obama nationally to address the gender wage gap. A press conference was held in his conference room on May 6 to announce the introduction of the bill. President Walker Holloway attended, along with Commissioner Amendt and Director Vaughan-Prather who reported that Ms. Walker Holloway's remarks during the press conference were very insightful. She reported on the CFW's long history on the issue of pay equity, and she was quoted in the news article covering the conference at [Gazettenet.com](http://Gazettenet.com).

**C. CFW President Election**

President Walker Holloway reported that Commissioner Bright Harris has submitted her intent to run for the office of CFW President for 2014-2015. She called for nominations from the floor. None were received. The election will take place at the CFW's June meeting.

**D. Fair Elections Campaign Invitation**

The CFW was invited to endorse the "Fair Elections Maryland" campaign financing initiative. The CFW did not feel prepared to make an endorsement without further researching whether this issue falls within its purview.

**E. Kaur Foundation Invitation**

The CFW was invited to co-sponsor the Kaur Foundations annual conference and fund-raising gala. The conference will be held in DC, the gala in Montgomery County. The commissioners discussed the request and decided that while the program for the conference looks wonderful and the organization is very worthy, the CFW cannot sponsor it at this time. Commissioner Martinez so moved and Commissioner Smith seconded the motion which passed unanimously.

**V. Staff Report.....Executive Director Vaughan-Prather**

**A. Updating CFW Publications**

Work on this important but complicated and complex project continues. The staff is determined to complete the update and reprint of all the publications by the middle of June and to post the new editions on the CFW website. The *Guide for Surviving the Legal Process of Separation and Divorce* has been updated and republished in both English and Spanish. The *Violence in Relationships* brochure has been updated and republished in English and Spanish. The updates of the other four languages (French, Chinese, Korean and Vietnamese) are in process. It is anticipated that only the English and Spanish will be published in hard copy, with all six languages posted on the CFW website. The *Domestic Worker’s Employment Guide* – currently published in English, Spanish and French is being updated in all three languages. Unfortunately, for two of the brochures published in several languages, we do not have access to the original documents in Chinese, Korean and Vietnamese. The brochures have too much out-of-date information to keep them in service and the cost of re-doing them at this point is prohibitive. The company that did the work originally and had the materials closed years ago. Therefore, the *Employment Rights of Pregnant Women* brochure, which had been published in five languages, will now be published in English and Spanish only. The *Sexual Harassment in the Workplace* brochure, which had been published in six languages, will be published only in English, Spanish and French.

**B. Staffing Transitions**

Executive Director Vaughan-Prather announced that she has accepted the position of Executive Director of the Maryland state Commission for Women, and will retire from the County Government this summer. Her last day in the office will be June 20, and she begins her new job effective July 7.

After discussion, the commissioner decided to write to the County Executive asking that:

- An acting Executive Director be appointed immediately
- The position be filled permanently as soon as possible
- The CFW have a role in the selection of the Executive Director.

In light of the pending changes in leadership – both the current CFW president and the Executive Director leaving the CFW at the same time – Commissioner Smith proposed that the CFW consider electing its two Vice Presidents at the June meeting as well as its new president, so that its leadership for the coming year will be firmly in place. Commissioner

Bright Harris is the CFW's first vice president and if she is elected president, that position would be vacant. Commissioner Ilias is the CFW's second vice president, and she is completing her term on the CFW as well, so that office will also be vacant. The CFW's executive committee is made up of its three officers and the chairs of its committees. Right now, it has two committees: the WLB, chaired by Commissioner Bright Harris (so, again, that position would be vacant) and its Policy and Legislation Committee co-chaired by Commissioners Smith and Mintz. The CFW bylaws provide that the vice presidents are elected at the CFW's August meeting. After considerable discussion, it was decided that the CFW Executive Committee will review this issue at its next meeting and make a recommendation to the CFW at the June meeting.

## **VI. Unfinished Business**

### **A. New Commissioner Recruitment**

The County Executive's Appointments Office will advertise the openings on the CFW with a closing date of May 16 for applications. The CFW anticipates a total of seven positions to fill. Since there are three commissioners in expiring terms who are eligible for and are requesting reappointment, it is anticipated that four positions will actually become, or already are vacant. All four are for endorsed candidates. Those who want to be appointed to a second term must write to the County Executive before May 16. The Committee typically interviews all candidates on one day and will send nominations to the County Executive as soon as possible thereafter.

### **B. Bylaws update**

A clean copy of the bylaws incorporating the revisions discussed at last month's meeting was included in the packets for tonight's meeting. The proposed changes will be voted upon at the CFW's June meeting.

## **IV. Adjournment**

The Meeting was adjourned at 9:36 p.m.

Minutes Submitted by Judith Vaughan-Prather  
Executive Director