

Tuesday May 22nd, 2018
House Criminal Justice Committee
Proponent Testimony | S.B. 4

Chairman Manning and members of the House Criminal Justice Committee, I thank you for this opportunity to testify as a proponent on behalf of She Has A Name about House Bill 4. She Has A Name (SHAN) is a community of abolitionists that exists to fight human trafficking through education, collaboration, and survivor care.

I am Courtney Schmackers, Development Director at SHAN. SHAN's staff and advocates have reviewed S.B. 4 and would like to express its support for this bill, which will allow survivors of sex trafficking to expunge criminal records resulting from being trafficked. S.B. 4 passed unanimously in the Senate and is now under your review. I urge you to vote for the version of S.B. 4 that passed the Senate, because human trafficking survivors deserve a meaningful opportunity to reclaim their lives.

The survivors of human trafficking we work with at SHAN are towards the end of their formal journey toward healing. To date every survivor who has completed our workforce development programming has experienced some kind of obstacle to what they are striving towards: safe housing, family reunification, educational pursuits and more. While some of these blocks are emotional or physical from the trauma they received, but other barriers can be eliminated through efforts like the expungement proposed in S.B. 4.

The 2012 Safe Harbor Act offered a new expungement process, R.C. 2953.38, to reverse the damage created by arresting victims of trafficking. Still, we must address several gaps and ambiguities in the law to truly achieve the goals of Safe Harbor. Many courts, such as those in Franklin County and Hamilton County, are already interpreting R.C. 2953.38 as permitting expungement of any offenses; but, some courts believe that expungement is available only for convictions of prostitution, loitering to solicit, and solicitation. If only three convictions can be expunged, survivors may be left with dozens of records that create the very barriers that the Safe Harbor Act was meant to erase. S.B. 4 clarifies this ambiguity.

Thankfully, the state of Ohio is at the forefront of appropriately and proactively responding to the issue of human trafficking. In 2017 we remained fourth in the nation for the number of cases reported through the National Human Trafficking Hotline. But we are one of few states with established governmental (The Governor's Ohio Human Trafficking Task Force), organizational (The Central Ohio Rescue and Restore Coalition), and community-based collaborative efforts. Each of these collaborative spaces pursues a "restorative justice" model that interrupts the cycle from street prostitution, arrest, and incarceration by providing alternative resources for those impacted.

We (the non-profit sector) carry the same hope as the legislative and judicial systems: to see all those impacted by human trafficking restored into society, welcomed in the workplace, and thriving in community. (This also includes lowering rates of opioid overdoses, solicitation arrests, and jail time, all of which are intertwined with the reality of this form of modern day slavery.) One key piece toward this end is the expungement of any criminal convictions that resulted from being a victim of human trafficking.

Thank you for this opportunity to testify on SB 4, I'm happy to answer any questions you may have.



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