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Senate Bill 4
Sponsor Testimony
February 8, 2017
Senate Judiciary Committee

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Ohio Senate Judiciary committee. Thank you for allowing us to present sponsor testimony on Senate Bill 4, legislation that if enacted into law, would establish a procedure where victims of human trafficking can apply to the courts for a fresh start as they begin to rebuild their lives. Lingering convictions, which resulted from compelled prostitution, often make it impossible for victims to pass background checks or find permanent housing.

As you are all aware, Ohio has taken significant steps to address the problem of human trafficking. Notably, we have recognized the conditions under which people often become involved in prostitution, and have sought to give individuals who are forced to engage in those acts justice through the courts. Despite the progress the state has made in the last few years, our legal system still creates the possibility of compounding the harm to victims. Because a defendant's information is still accessible as a court record after a dismissal or finding of not guilty, the potential exists for the victim to suffer significant harm if a potential employer or landlord should discover the record as part of a background check.

This measure, if enacted into law, would allow for a victim of compelled prostitution to apply to the court for intervention in lieu of conviction. Victims of human trafficking are currently permitted to make this application, and this bill would extend that same option to a victim of compelled prostitution. Courts currently have multiple options for prosecuting the perpetrators of these crimes and extending the application for intervention in lieu of conviction to victims of compelled prostitution would add another tool to the court's toolbox for providing adequate victim protection and services.

If this legislation sounds familiar to you, it is a reintroduction of Senate Bill 284 from the 131st Ohio General Assembly that was unanimously passed by the Ohio Senate 33-0, with 26 members signing on as co-sponsors. It was amended in the Senate Criminal Justice committee to allow multiple offenses to be expunged in one application. However, the court would have to consider each of the charges separately and take into consideration the statute of limitations. Another amendment was adopted that clarified that to be eligible for expungement, the offense must be related to the time in which the person was trafficked. A final amendment was also accepted without objection to exclude the crimes of murder, aggravated murder, and rape from expungement eligibility under the bill.

The bottom line to remember about this legislation is:

- Senate Bill 4 is about redemption and recovery;
- All too often, victims of human trafficking are forced to engage in a life of crime while coerced into selling their bodies for money;
- This life is not one anyone seeks out; it is abusive, and filled with force and duress;
- Women who escape the abusive and cruel world of forced prostitution should not be responsible for crimes they committed when a criminal gave them a choice between their life or theft;
- Senate Bill 4 establishes a plan where victims of human trafficking may apply to the court to have their criminal record cleared when they show the crimes committed resulted from forced prostitution;
- As they begin to rebuild their lives, a clean slate can allow victims of human trafficking to find safe housing and a stable job.

Chairman Bacon and members of the Ohio Senate Judiciary committee, thank you for allowing us to present sponsor testimony on Senate Bill 4. We are happy to answer any questions that the committee might have.