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**House Criminal Justice Committee  
Proponent Testimony for S.B. 214  
June 18, 2024**

Maria York, Policy Director  
Ohio Domestic Violence Network

Chair Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee:

My name is Maria York, and I am the Policy Director for the Ohio Domestic Violence Network. Thank you for the opportunity to provide support for S.B. 214, survivor-centered legislation that will allow victims of human trafficking more opportunities to expunge eligible offenses related to their victimization.

The Ohio Domestic Violence Network (ODVN) is Ohio's federally designated domestic violence coalition, representing 76 local domestic violence organizations throughout the state. In calendar year 2023, ODVN programs sheltered 9,707 survivors, including 3,743 children, and provided 98,143 survivors and their children with housing, legal advocacy, and other supportive services.<sup>1</sup> Ohio's domestic violence programs have been serving human trafficking survivors since their inception.

Human trafficking and domestic violence are not occurring in silos; rather, there is a marked overlap in the pattern of behaviors that both abusers and traffickers use to exert power and control over a victim.<sup>2</sup> Traffickers prey on vulnerabilities, and those experiencing domestic violence are particularly susceptible. Traffickers also might initially pose as intimate partners, using the guise of a romantic relationship to gain trust and establish control before exploiting their victims.

As part of the power and control dynamic, abusers might coerce or force survivors to commit criminal acts or participate in the crimes committed by the abuser. In a recent survey of 457 human trafficking survivors, 90 percent of those who had a criminal record reported that some

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<sup>1</sup> Available from [https://www.odvn.org/wp-content/uploads/2024/04/ODVN\\_FactSheet\\_April2024.pdf](https://www.odvn.org/wp-content/uploads/2024/04/ODVN_FactSheet_April2024.pdf)

<sup>2</sup> The Intersections of Domestic Violence and Human Trafficking. 2017. Available from [https://nnedv.org/latest\\_update/intersections-domestic-violence-human-trafficking/](https://nnedv.org/latest_update/intersections-domestic-violence-human-trafficking/)



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or all of their records were related directly to their exploitation.<sup>3</sup> The reality is that these criminal convictions serve as significant barriers to meaningful employment, safe housing, custody of their children, and more for human trafficking survivors.

Current law allows human trafficking survivors to apply for expungement for a small list of related offenses, such as soliciting, loitering, or prostitution, using the preponderance of the evidence standard of proof. While S.B. 214 as written expands the list of related offenses a survivor can apply for expungement, the bill changes the burden of proof to clear and convincing evidence. ODVN recommends and would be very supportive of an amendment to keep the current language in Section 2953.36 (D)(1)(b) that uses the "preponderance of the evidence" standard for expungement given that the applicant's participation in the offense was a result of the applicant having been a victim of human trafficking.<sup>4</sup> Given the complexities and challenges that exist for human trafficking survivors, this burden of proof gives each survivor more accessibility to rebuild their lives without being unduly burdened by a higher standard of proof.

On behalf of the Ohio Domestic Violence Network and our 76 member programs, I would like to thank Senator Kunze for continuously championing survivor-centered legislation such as S.B. 214. The bill is a significant step towards providing a pathway for survivors to reclaim their lives, restore their dignity, and secure a future free from harm.

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<sup>3</sup> In Harms Way: How Systems Fail Human Trafficking Survivors. 2023. Available from <https://polarisproject.org/wp-content/uploads/2023/07/In-Harms-Way-How-Systems-Fail-Human-Trafficking-Survivors-by-Polaris-modified-June-2023.pdf>

<sup>4</sup> Current ORC available from <https://codes.ohio.gov/ohio-revised-code/section-2953.36>