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Honorable Cindy Abrams, Chair
House Criminal Justice Committee
77 S. High St., 13th Floor
Columbus, Ohio 43215

Dear Chairwoman Abrams,

I write to you today to express my support for SB 214, which expands the eligibility of human trafficking survivors to have criminal convictions expunged.

Once the nightmare of human trafficking is over, many individuals begin another battle – putting their lives back together and starting over. They fight inner battles involving drug addiction and attempt to process their own victimization with accrued mental trauma. The journey of recovery is made even more difficult when they are barred from employment, housing, or education because of their past involvement with trafficking. Traffickers oftentimes force their victims to commit a host of violent and non-violent crimes while under their control – burglary, breaking and entering, possessing and dealing drugs. A victim may also be arrested because of physically defending themselves against a “john.”

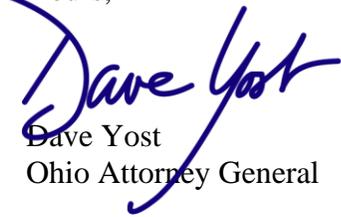
Current law allows for the expungement of most criminal offenses committed by victims of trafficking, but only if there is a predicate charge of Solicitation, Loitering to Solicit, or Soliciting with HIV. These predicate charges exclude both sex trafficking victims who have never been convicted of those specific crimes, as well as labor trafficking victims who would not have solicitation charges. The statute also ignores the modernization of traffickers, who increasingly use the internet and cell phones to commit their crimes. Charges such as loitering to solicit are becoming less relevant. There are many deserving survivors who otherwise qualify to have their records expunged but are unable to because of this requirement.

SB 214 eliminates the predicate offense requirement for all misdemeanors, along with fourth- and fifth-degree felonies – non-violent crimes. The bill language also increases the needed level of evidence for those expungements to clear and convincing evidence. This allows courts to ensure that the offenses were due to the applicant’s victimization. The current process and the predicate offense requirement would remain for high-level felonies. My office and the interested parties have worked extensively to come to an agreement on this language.

With a clean record, survivors have a much better chance of rebuilding their lives and creating healthy community ties. SB 214 removes barriers to recovery for many sex and labor trafficking victims, and would create an on-ramp to the ‘Highway of Hope’ we want to build for all survivors.

I thank Senator Stephanie Kunze for her years of leadership and continued advocacy on this issue. I would be happy to discuss this bill with you or any members of the committee at their convenience.

Yours,

A handwritten signature in blue ink that reads "Dave Yost". The signature is stylized with a large, sweeping initial "D" and a long, horizontal flourish extending to the right.

Dave Yost
Ohio Attorney General