



4/10/2024

Chairman Manning,
Senate Judiciary Committee
Ohio Senate 1 Capitol Square Columbus, Ohio 43215

Thank you for the opportunity to provide written testimony in favor of Senate Bill 214. CATCH Court has advocated for the rights of human trafficking survivors since 2009 and are in profound support of expanding our current expungement statute.

When CATCH was first established in 2009, we required defendants to have a solicitation conviction to access the program. In working closely with victims, we have learned that most who enter the criminal legal system do not enter with a solicitation conviction, but rather a variety of other chargers. For this reason, we expanded our criteria for admission into the docket to accept most criminal offenses, including felonies. Currently, over half of our docket is women who have felony offenses, many of which do not have a soliciting offense.

As CATCH has evolved, so has Ohio and how the state handles prostitution. The Ohio revised code uses the language "*engaging in sexual activity for hire*" in the solicitation code as well as the human trafficking code; there is no clear and fast way to know if someone engaging in sexual activity for hire is a sex worker or a human trafficking victim. Because of this nuance, The Attorney General's Office has been adamant about increasing end demand efforts and shifting the focus of criminal liability from the sellers of sex to the buyers of sex. Due to this shift in focus, sellers of sex are being offered resources and treatment options at prostitution/human trafficking stings much more often than being taken into custody. Over the past 5 years I have had the opportunity to work with my colleagues to educate law enforcement and other legal stakeholders such as prosecutors, judges, and defense counsel on the complex nuances of human trafficking within our state. Over time we have seen the fruit of that work through the humanization of women who work in the sex trade. Whether individuals are in sex work through coercion or agency, police have been offering women resources instead of incarceration. If they are charged, defense counsel can often argue the prostitution related offense down to a lesser charge or avoid a conviction all together. While this is incredible for the women we serve, under our current expungement bill, this act removes their ability to pursue expungement due to their lack of the predicate offense. As a result, this creates barriers for victims to pursue the life they could have had prior to their exploitation.

As our program and our state continue to learn more about the needs of survivors and victims, it requires adjustments to our legislation. In the State of Ohio, specifically our jurisdiction, law enforcement has evolved, our legal responses have evolved, specialized dockets and other

resources for this population have evolved. The predication of expungement on a solicitation conviction is unintentionally reductive and exclusionary to an enormous number of survivors. Amending the current expungement bill to be more inclusive of identified trafficking victims, regardless of the criminal offense, represents a critical step in combating human trafficking in the state of Ohio. By supporting a survivor's desire to reintegrate into society through employment that will earn a livable wage, access to stable housing, and the ability to pursue all avenues of education, we are decreasing their vulnerabilities that could potentially lead back to exploitation. Ohio has been a pioneer in our nation for our awareness, education, and responses to human trafficking. This is another opportunity for our great state to be trailblazers in the effort to combat this critical issue.

Recently a prior graduate of CATCH Court reached out to me asking if the human trafficking detective that found her 5 years ago could retrospectively charge her with soliciting so that she could access expungement. Since graduation, this woman has juggled full time motherhood, work, and college. However, she has also been denied employment repeatedly, and was extremely limited on her area of study due to what kind of job she could get with her felony convictions. The detective that found her successfully identified this woman as a trafficking victim and as such he correctly didn't charge her with solicitation. However, his correct action is now negatively impacting her life and the life of her children, as she cannot escape the other criminal charges that were incurred during her time being exploited. In another instance, this past year in CATCH we had two women with felonies in our docket who were identified as victims on separate federal human trafficking cases. Their testimonies were utilized to put these traffickers behind bars. Despite their cooperation on the case and the bravery they demonstrated these women cannot access expungement. They cannot fully live the life they deserve because of their criminal records. The reasoning to expand this bill is incredibly clear. In order to best support the success of trafficking victims following their victimhood, we must prioritize expungement of charges that occur during their victimization. These survivors support our legal system in the prosecution of State and Federal human trafficking cases through their testimony and cooperation. In turn, they are often denied access to expungement. We cannot acknowledge survivors' victimhood for a conviction of traffickers and then denounce their victimization for the purposes of expungement. Our state must rectify this juxtaposition and this bill will do just that.

Thank you for your consideration in support of the effort.

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