



**Testimony submitted to the Ohio Senate Criminal Justice Committee  
Senate Bill 284  
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Chair Eklund, Vice Chair Obhof, Ranking Member Thomas and members of the Ohio Senate Criminal Justice Committee, thank you for this opportunity to testify on and express support for Senate Bill 284. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

OAESV recognizes and applauds the substantial progress Ohio has made in its efforts to address human trafficking over the last several years. We are proud to live and work in a state that gains high ratings from the Polaris Project<sup>1</sup>, maintains high quality awareness strategies, and provides training and support for professionals serving survivors. Ohio's inspiring response is the result of a constantly evolving<sup>2</sup> understanding of the complex nature of human trafficking. OAESV sees Senate Bill 284 as the natural and hugely productive next step in this area.

Like most states, Ohio first worked to combat human trafficking by detecting organized systems and prosecuting traffickers.<sup>3</sup> With the passing of the Safe Harbor Law<sup>4</sup> a few years later, the focus expanded to include victim rehabilitation. Though Ohio's Safe Harbor Law, which permits survivors of this heinous crime to expunge solicitation, loitering to solicit, and prostitution convictions, was an excellent start, we now know that traffickers frequently compel victims to commit a host of other crimes. Common charges include theft, battery, burglary, compelling prostitution of other victims, child abuse and neglect, delinquency, and drug sales, use and possession.<sup>5</sup> Drug charges are particularly prevalent, as traffickers impose addiction or select addicted victims and use their ability to provide drugs as a means of control.

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<sup>1</sup> *2013 Analysis of State Human Trafficking Laws*, The Polaris Project, available at <https://polarisproject.org/sites/default/files/2013-State-Ratings-Analysis.pdf>

<sup>2</sup> *Criminalization of Trafficking Victims*, International Women's Human Rights Clinic, City University of New York Law School and Trafficking Victims Advocacy Project, Legal Aid Society of New York, available at <http://www.law.cuny.edu/academics/clinics/iwhr/publications/Criminalization-of-Trafficking-Victims.pdf>

<sup>3</sup> See Steve Marcin, *Prostitution and Human Trafficking: A Paradigm Shift*, FBI Law Enforcement Bulletin, March 2013, available at <https://leb.fbi.gov/2013/march/prostitution-and-human-trafficking-a-paradigm-shift>

<sup>4</sup> Ohio Revised Code § 2953.38(B)

<sup>5</sup> See, e.g., *Human Trafficking Victims as Criminal Defendants*, Center for Public Policy Studies, November 2013, available at [http://www.htcourts.org/wp-content/uploads/HT\\_Victims\\_asCriminalDefendants\\_v01.pdf?InformationCard=HT-Victims-as-Criminal-Defendants](http://www.htcourts.org/wp-content/uploads/HT_Victims_asCriminalDefendants_v01.pdf?InformationCard=HT-Victims-as-Criminal-Defendants); Amanda Walker-Rodriguez and Rodney Hill, *Human Sex Trafficking*, FBI Law Enforcement Bulletin, March 2011, available at <https://leb.fbi.gov/2011/march/human-sex-trafficking>.

If the legislative intent behind the Safe Harbor Law was to avoid punishing victims for crimes they were forced to commit by traffickers, Senate Bill 284 is a logical and much needed extension. Further, Senate Bill 284 has the potential to make huge improvements in helping survivors achieve independence and avoid returning to a life of victimization. When traffickers force addiction, compel theft, battery, or child abuse, for example, they leave their victims with a criminal record that precludes later financial independence. Even if a victim is rescued and substantially rehabilitated, a record of tangential offenses nearly automatically eliminates employment prospects and leads the victim straight back to the only method of survival he or she knows. For that reason, Senate Bill 284 is an absolutely essential mechanism for providing victims with a realistic chance at obtaining and maintaining employment.

Further impressive, Senate Bill 284 extends this protection and the ability to seek intervention in lieu of conviction to victims of Ohio Revised Code § 2907.21 Compelling prostitution. Expanding this protection recognizes that human trafficking comes in many forms. It does not have to involve smuggling, transportation, or kidnapping. Sometimes, the force involved is difficult to distinguish, and fits more comfortably within the confines of § 2907.21. Senate Bill 284's proposition is valuable not only in that it extends protection, but also because it recognizes and promotes a stronger community understanding of the varying forms of forced sexual slavery.

Finally, OAESV strongly favors Senate Bill 284's addition to the expungement of records related to dismissed charges or not guilty findings. Background check findings of dismissed charges related to human trafficking or prostitution cause their own damage by association, and this provision truly provides human trafficking victims with breathing room for a fresh start.

I have had the opportunity to review Senate Bill 284 and feel that it is highly necessary to Ohio's continued progress in fighting forced sexual slavery and other forms of human trafficking. If passed, this bill has the capacity to substantially improve capabilities for long-term victim rehabilitation and sustainable financial security, increase awareness of the vast forms of recruitment and abuse, and improve recognition of trafficking and compelled prostitution victims during charging for tangential crimes.

Thank you for the opportunity to testify on Senate Bill 284. In addition to my testimony today, I am available for any questions from committee members via email or phone at [ccrary@oaesv.org](mailto:ccrary@oaesv.org) or 216-658-1381.