



## State Representative Tavia Galonski

District 35

Sponsor Testimony, H.B. 319

House Criminal Justice Committee | March 3, 2022

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Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for giving Representative Richardson and I the opportunity to offer sponsor testimony on House Bill 319, the Expanding Human Trafficking Justice Act. As my joint sponsor mentioned, this legislation provides survivors of human trafficking a pathway to expungement of their criminal records for crimes that they committed as a result of being trafficked.

Current language in the Ohio Revised Code lists just three predicate offenses that a survivor *must* be convicted of in order to apply for record expungement: soliciting, loitering, or prostitution. This language is unnecessarily restrictive and excludes a sizable proportion of human trafficking survivors pursuing expungement. Some survivors were charged of a qualifying offense, but never convicted. Others were convicted of crimes outside of the three offenses listed in the O.R.C. that were committed as a result of their victimization. Trafficking survivors who committed a qualifying offense in another state are also ineligible for expungement under current law.

While sex trafficking constituted the majority of human trafficking cases in 2020, labor trafficking also constitutes thousands of cases each year. Under the current O.R.C. language, survivors of labor trafficking are unfairly excluded from expungement opportunities—even though they also may have been forced to commit crimes while being trafficked. Essentially, this narrow language only offers the opportunity for expungement if a trafficking survivor commits, and is convicted of, the “right” offense.

HB 319 provides *all* survivors of human trafficking with the opportunity to apply for expungement for crimes that they were forced to commit while being trafficked. It does not fundamentally change the existing application and hearing process for records expungement; it simply expands the list of individuals who are eligible to apply. In the event that a court determines an applicant “is or was a victim of human trafficking,” the court would be required to send a notice of an order of expungement to any public office or agency that may have an official record of the survivor’s conviction.

Additionally, I want to highlight that this bill does not remove existing safeguards in the O.R.C. that ensure that only human trafficking survivors benefit from this statute change. It will still require the courts to decide whether or not the offense in question resulted from an applicant’s

victimization. Moreover, this legislation will prevent the expungement of more serious offenses—such as murder, rape, and aggravated murder.

A clean criminal record allows survivors of human trafficking to access secure housing, social services, and better employment opportunities—all of which are key to healing and successfully reintegrating into our communities. Trafficking survivors should have the right to provide for themselves and their loved ones, and removing these expungement barriers will make it easier for them to do so.

It is time for the House to take meaningful steps to support survivors, who have been held back from making progress for far too long due to crimes they were forced to commit in a situation out of their control.

In short, the Expanding Human Trafficking Justice Act will give survivors of human trafficking the second chance that they rightfully deserve by opening a pathway to justice that has been inaccessible for so long.

Thank you again for the opportunity to testify in support of this important legislation this morning. At this time, we would be happy to answer any questions that you may have.