



**Testimony for House Bill 319**  
**State Representative Tracy Richardson, District 86**  
**House Criminal Justice Committee**

**March 3rd, 2022**

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Good morning, Chair LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee. Thank you for the opportunity to provide sponsor testimony for House Bill 319, the Expanding Human Trafficking Justice Act, which will give human trafficking victims the opportunity to expunge certain criminal records and fully reintegrate into society. Also present is my joint sponsor, Representative Galonski.

The State of Ohio has a significant problem with Human Trafficking. In fact, Ohio is among the top five states across the nation for reported human trafficking cases. Frequently, victims of human trafficking are compelled by their traffickers, to commit crimes. Typically, the most common offences include shoplifting, drug trafficking, credit card theft, cashing bad checks and other financial crimes. Under current law, these types of crimes committed by victims are not eligible for application for expungement.

Human trafficking victims are just that: victims. Traffickers compel their victims to commit crimes using threats of violence, substance abuse, and threats to the loved ones of victims. Even though these victims of human trafficking are often times forced to participate in illegal activity, their records are often permanently marred. HB 319 will broaden the application of expungement for human trafficking victims, giving victims that were coerced into committing crimes the best chance at fully reintegrating into society.

Currently under the Ohio Revised Code, victims of human trafficking are only eligible for expungement if they were convicted of soliciting, loitering or prostitution. HB 319 opens up expungement to victims of human trafficking that committed any offense other than aggravated murder, murder, and rape. However, this bill will also keep safeguards in place to prevent serious

offenses from being expunged. A victim must still apply for expungement and a court must determine whether expungement is appropriate. Prosecutors from a human trafficking case can also still object to the expungement being granted.

According to the bill, victims of human trafficking have the opportunity to demonstrate to the court that their participation in the offense was the result of being trafficked. If the interests of applicant (victim) are not outweighed by the needs of the government to maintain a record of conviction, then the court shall grant the expungement. HB 319 does not change the process of expungement, rather it simply expands who can apply for expungement.

Moreover, the bill would not eliminate the sentencing for these individuals. They would still need to face penalties for their crimes, and are only able to have their records expunged after serving their sentence. However, the bill gives them a chance to expunge records in an effort to re-introduce these victims to society.

Having a criminal record can be a major roadblock to gainful employment, stable housing, and so much more. By expanding the application for expungement, we have the ability to grow an untapped workforce at a time when employers are trying to reopen and rebuild.

The Prison Policy Initiative, estimates the cost of employment losses among workers with records at an annual loss of \$87 billion. The Brennan Center, a nonpartisan law and policy institute, found that “people who have been incarcerated see their subsequent earning reduced by an average of 52 percent, with an average lifetime earnings loss of nearly half a million dollars; in the aggregate, people with criminal convictions face lost wages in excess of \$372 billion every year.”

HB 319 sends a clear message to victims of human trafficking. We, the Ohio House can demonstrate our solidarity with victims by passing this bill. While many victims have lived difficult lives, this bill, the Expanding Human Trafficking Justice Act, will open doors for survivors while strengthening our economy, families, and communities.

Thank you again for the opportunity to present sponsor testimony. I will be followed by my joint sponsor, Representative Galonski.