

Senate Judiciary Committee
Senate Bill 183—Sponsor Testimony
Tuesday, October 19, 2020

Thank you, Chair Manning, Vice Chair McColley, Ranking member Thomas and members of the Senate Judiciary committee. Thank you for the opportunity to provide written sponsor testimony on senate bill 183, The Expanding Human Trafficking Justice Act.

I am writing to you as a representative of the Anti-Trafficking Advocacy Team at Case Western University School of Law. We are a group of law students dedicated to helping victims of human trafficking using the legal field to advocate for victims of Human Trafficking.

As law students, we often help evaluate whether someone is eligible for expungement. The current statute dedicated to providing expungement for human trafficking victims, O.R.C. 2953.38, requires that someone be convicted of certain offenses to prove their victimhood.

We believe the current statute is fundamentally unjust. Victims should not have to be criminalized to be eligible for expungement of crimes they were forced to commit while they were being trafficked. This prohibits some victims from being able to get their record expunged and it also creates an unjust incentive to criminalize victims. Ohio is also a state that does not provide an affirmative defense to trafficking victims charged with crimes. This leaves victims of human trafficking to be charged and convicted of crimes that they were forced to commit by their traffickers. The expungement statute is their only means of justice after being convicted and punished for crimes they committed while being under the control of traffickers.

Expungement access is vitally important for survivors to be able to rebuild their lives and obtain employment, safe housing, and so much more. We respectfully ask that you advance the rights of Human Trafficking victims and give them back the justice they deserve by passing Senate Bill 183.

Sincerely,

Margaret Kinkopf
President of Anti-Trafficking Advocacy Team
Case Western School of Law