

Franklin County



Municipal Court

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INTERESTED PARTY TESTIMONY
The Ohio Senate Judiciary Committee
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Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide interested party testimony for Senate Bill 183. My name is Jodi Thomas and I am a Judge at the Franklin County Municipal Court as well as the new presiding Judge over the CATCH Program. The CATCH Program is a specialized docket for women exiting prostitution and/or those identified as victims of human trafficking. I also preside over the expungement hearings that are filed in the Franklin County Municipal Court under the current language of R.C. 2953.38 Expungment of certain crimes for victims of human trafficking.

When the CATCH program first began in 2009, women requesting to be in the program were required to have a soliciting, loitering, or a prostitution charge. As we continue to learn more about this population over time, we have become more acutely aware that these women are incurring other charges while being trafficked such as theft offenses, drug possession, even traffic violations. The program has evolved to accept any criminal charge as long as we can hear the legal elements of trafficking criteria in the person's experience around their criminal charges, or if they have experience in soliciting even if they were never charged. Currently, about half of the participants in CATCH have cases that were transferred over from the Franklin County Common Pleas Court which means they were felony cases to start, or they are on felony probation and completing CATCH is a condition of that community control. These women do not qualify under the current statute to have their charges expunged even though they have been identified as victims of human trafficking.

Over the two years that the participants spend in CATCH, they are not only learning who they are as women and healing from their trauma, but they are working on how to further their education, gain vocational skills so they can work, acquire stable and safe housing, reunify with their children, and feel accepted within their community. Watching this transformation is one of

the most rewarding parts of my job. Unfortunately, I have seen too many times the feelings of hopelessness for these women when they are repeatedly denied an apartment, a new job or financial assistance for school because of their criminal charges. This is why expungement is a necessary opportunity for victims of human trafficking. Without it, they are often denied resources such as employment and housing which create further vulnerabilities that can be used to exploit them. All victims deserve the opportunity to build a life for themselves and their children, not only those who have been criminally charged with soliciting- ALL victims.

Furthermore, we have to be honest about the possibility of those engaging in sexual activity for hire NOT having criminal charges brought at all. It has become evident in the community that there is a movement to end charging individuals for soliciting as a whole. If this is done at some point, which is anticipated given the momentum for sex work in our nation, it does not mean that human trafficking will cease. It will continue and individuals will not be charged with soliciting or any form of it that is currently required for expungement. Further, there are several jurisdictions in the State of Ohio that do not charge individuals with soliciting. For these women, unless they are moved to a county that does charge, they will not be eligible for expungement.

The Franklin County Municipal Court is the busiest municipal court in the State of Ohio. It is important to recognize that there are hundreds of individuals that come through the criminal justice system that never make their way to the CATCH Program or participate in programs that could help them identify that they are victims of human trafficking. Franklin County Municipal Court is fortunate to have the Self-Help Resource Center that has been nationally recognized for working with individuals on record sealing and expungements. Since 2018, about 108 victims of human trafficking have used their services and applied to have their records expunged. About 40% of this number were women that were not involved with the CATCH program and did not see themselves as victims or even understand human trafficking. The Self-Help Resource Center was able to identify red flags and have these women talk to CATCH staff or a social worker to find resources while they worked through the expungement application process. The expansion of the statute would create more opportunities for these conversations to happen and help even more individuals that walk through those doors.

There is some concern around this bill passing and creating opportunities for individuals to manipulate the court system and be granted expungements on false pretenses. As a Judge that is currently handling the expungement hearings, I would find it extremely difficult for this to happen based on the procedures put in place by the Prosecutor's office, the nature of the interrogation and the evidence that must be provided. Working closely with victims of human trafficking for so many years, and now presiding over the very hearings that allow a victim to truly regain their freedom is something I take very seriously. I am continuing to learn the most up to date best practices when working with victims of human trafficking and evolving our

programs to go along with these principals. I have hope for these survivors that they will one day have that blank slate to create the life that they deserve.

Thank you for this opportunity to provide testimony today. I am happy to answer any questions you may have.