



Human Trafficking Advocates



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Human trafficking and Expungement



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Florida Statute 943.0583 Expungement Law

- ❖ Policy: “A person who is a victim of human trafficking may petition for the expunction of a criminal history record resulting from the arrest or filing of charges for an offense committed or reported to have been committed while the person was victim of human trafficking (Florida Legislature, 2018).”



A Criminal Record Impacts The Life of A Sex Trafficked Victim

- ❖ The director of a local agency in Chattanooga called Second Life of Tennessee stated that the survivor's arrest record unfortunately follows the survivor throughout their lifetime negatively affecting opportunities for them to improve their life (F. Robbins, personal communication, August 31, 2018).
- ❖ The director of the Coalition to Abolish Slavery and Trafficking, Stephanie Richard, explained the difficulty having a record creates, “Often, victims of sex trafficking will try to purge any and all state-level or federal convictions so they have a chance at a new life. A criminal record is often a barrier to housing, public benefits, financial aid, education, employment, and voting, making it far more difficult for a survivor to life out of poverty and easier to return to their trafficker” (Jercich & Scacia, 2018).



Historical Context

2000: Trafficking Victims Protection Act.

Focused on:

- ❖ Prevention:
- ❖ Protection
- ❖ Prosecution

(Human Trafficking Key Legislation)



2003: Washington Human Trafficking became a crime

- ❖ Washington was the first state to create laws that criminalized trafficking individuals for sexual or labor servitude.
- ❖ Since then every state has developed criminal charges for those who engage in human trafficking





2010: New York The first expungement Law

- ❖ New York's law only expunges prostitution charges
- ❖ Since then 36 other states have enacted expungement laws
- ❖ According to the Polaris project of the 36 states with Expungement laws 18 allow for most nonviolent charges to be expunged such as prostitution, drug, and theft charged. and the other 18 only allow prostitution charges to be erased.



(Bruno, 2018)



What is going on now?

- ❖ Politicians can also spread awareness about the expungement policy by speaking about it in their campaign as something they support. Politicians are the main ones who affect the work we can and can't do. While we work on the front lines they are able to bring awareness to what we're doing and promote us so that others also get involved.
- ❖ A bill was created called Trafficking Survivors Relief Act, which amends the federal criminal code to establish a process to vacate convictions and expunge arrests for criminal offenses committed by trafficking victims that directly result from or relate to having been a trafficking victim (Wagner, 2017).
- ❖ An article written by Julia Cusick (2018) providing an update on the Criminal Justice system wrote that as of "June 2018 a Bipartisan Clean Slate legislation was passed in Pennsylvania. Automated record-clearing for people who remain crime-free for a set period of time".
 - ❖ This is about removing barriers to opportunity and giving people a fair shot at a fresh start. States Chan Zuckerberg Initiative Head David Plouffe (Cusick, 2018).



What you propose in your advocacy plan – what change/support do you propose and why.



Propose Expungement Policy Change



- ❖ A policy change is desperately needed to expunge criminal records for trafficking survivors.
- ❖ Specifically, a federal/national law is needed, one policy that is the same across states.
- ❖ The Florida expungement policy was found to be direct and appropriate. Improving upon this law to become a federal policy will be a great change.

Why propose change?

Arguments that will move supporters



- ❖ The first argument is that the survivors will have difficulty reintegrating into society from being trafficked and they need all the support as well as resources to help them take back their life, this policy will help them get a fresh start in life.
- ❖ The second argument is that survivors will have difficulty going to school to further their education.
- ❖ The third argument is that jobs often run background checks before they hire someone and usually on the application it will also ask you, if you ever been arrested and what for.
- ❖ The fourth argument is that survivors find it difficult to obtain housing with an arrest record. Landlords and owners often run background checks on potential tenants and often do not accept someone if their background check came back with arrests on it.
- ❖ The fifth is argument is a moral one, if these survivors have been through the worst experiences that most people cannot fathom and they have so many other negative contributing factors they need to face in their life, why make their arrest record while they were a victim, another thing to hold them down.



Why is this policy needed for the survivors of human trafficking?

- ❖ Advocating for survivors of human trafficking to have a chance at a better life, starting with the expungement of non-violent crimes they commit while being trafficked.
- ❖ What is expungement? It's the clearing or removing of a conviction from permanent record.
- ❖ 95% of survivors have been forced to commit a crimes, if convicted it can prevent them from being able to apply for housing, food assistance, employment, and other basic necessities.
- ❖ On average around 403,000 people are experiencing modern slavery at this time.
- ❖ Supporting this cause will help push forward a nationwide policy to provide survivors with a new beginning.

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