Dear Senators Gillibrand and Portman and Representatives Wagner, Gabbard, and Jolly:

The Alliance to End Slavery & Trafficking (ATEST) and undersigned organizations are proud to support the **Trafficking Survivors Relief Act** (S. 3441 and H.R. 6292) Human trafficking victims are often forced to commit crimes by their traffickers as part of their trafficking experience. Human traffickers can use explicit threats or psychological coercion to manipulate their victims. This legislation is an important step towards removing barriers that prevent victims from having the chance to rebuild their lives.

We know that trafficking victims with criminal convictions often encounter substantial obstacles as they attempt to rebuild their lives. These hurdles include barriers to employment, housing, public benefits, and other supportive systems. Former trafficking victims are also often stigmatized as criminals. As one survivor aptly puts it, “Even after I was freed I still feel the invisible bonds of criminal convictions.”

Trafficking victims in the United States have suffered enough. The Trafficking Survivors Relief Act takes critical steps to eliminate the barriers that criminal arrests and convictions create for trafficking survivors. The Act also puts in place a comprehensive system to ensure that trafficking survivors – both sex and labor, adults and children – are able to clear their federal criminal records so that they can leave their trafficking experience behind them.
Important provisions in the Post-Conviction Trafficking Act include:

- A person convicted of non-violent federal offenses may petition a court to vacate the arrests and/or convictions if the person’s participation in the offense was the direct result of having been a victim of trafficking;

- If a court grants the motion to vacate, the court vacates the arrest and/or conviction, enters a judgment of acquittal, and expunges the record;

- The trafficking victim’s identity is protected; no officer or employee may make public any document or image that identifies the victim; and

- Specified procedural processes to ensure that trafficking victims can establish eligibility for this provision by providing certified criminal or immigration court proceedings or law enforcement records demonstrating that the individual was a victim of trafficking at the time they were charged with the trafficking-related offense. If this information is not available, other testimony and sworn statements can also establish eligibility as many trafficking victims will not have official documentation because of the nature of human trafficking crimes.

Criminal convictions for trafficking victims create insurmountable barriers to the very support systems that survivors need to recover. A survey by the National Survivor Network (NSN) published in 2016 indicated that 80% of trafficking survivors surveyed had lost or not received employment because of their criminal convictions and 50% had suffered from barriers to accessing housing. As the NSN survey demonstrates, criminal convictions that stem from trafficking leave scars that follow victims later in life and affect them educationally, occupationally, financially, and psychologically.

For these reasons ATEST and the undersigned organizations strongly endorse the Trafficking Survivors Relief Act, which provides hope and a clearer pathway for trafficking survivors seeking a new and brighter future.

Sincerely,

Coalition of Immokalee Workers (CIW)
Coalition to Abolish Slavery & Trafficking (CAST)
End Child Prostitution and Trafficking – USA (ECPAT-USA)
Free the Slaves
Futures Without Violence
International Justice Mission (IJM)
National Domestic Workers Alliance (NDWA)
National Network for Youth (NN4Y)
Polaris
Safe Horizon
Solidarity Center
Verité
Vital Voices Global Partnership

ATEST is a U.S.-based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world. ATEST member organizations include: Coalition to Abolish Slavery and Trafficking (CAST), Coalition of Immokalee Workers (CIW), ECPAT-USA, Free the Slaves, Futures Without Violence (FUTURES), International Justice Mission, National Domestic Workers Alliance (NDWA), National Network for Youth (NN4Y), Polaris, Safe Horizon, Solidarity Center, Verité, and Vital Voices Global Partnership. ATEST is a project of Humanity United Action.