

June 4, 2018

Jeff Sessions  
Attorney General  
950 Pennsylvania Ave NW  
Washington, DC 20530

CC:

Alan Hanson  
Principal Deputy Assistant Attorney General, Office of Justice Programs

Darlene Hutchinson Biehl  
Director, Office for Victims of Crime

Dear Attorney General Sessions,

We write today urging you to allow FY18 grant funds to be used for the representation of trafficking victims on vacatur and expungement matters. We have been pleased to collaborate with you in the fight against human trafficking in the United States, and we trust you will address this issue.

Through the Trafficking Victims Protection Act and its reauthorizations, Congress has authorized important grant programs to ensure that trafficking victims receive services to help them heal from exploitation. In May 2018, the Department of Justice released three requests for applications for grant programs under the following categories: the FY 2018 Specialized Human Trafficking Training and Technical Assistance; FY 2018 Specialized Services for Victims of Human Trafficking; and FY 2018 Comprehensive Services for Victims of All Forms of Human Trafficking. We were alarmed to find that in the program descriptions for each of these grant programs, the following note was included: "Direct representation on vacatur or expungement matters through court filings or through other litigation services, is NOT an allowable cost under this cooperative agreement or with FY 2018 funds." This policy would create a glaring gap in services for trafficking victims across the country, and would prevent proper healing and recovery.

Victims of trafficking are oftentimes forced to engage in many kinds of activities for the benefit of their traffickers. They can subsequently be charged with crimes such as prostitution, conspiracy, money laundering, drug handling, and related offenses as a direct result of being trafficked. Victims are not always recognized by police and prosecutors, and are sometimes pressured into pleading guilty without fully understanding the consequences of their charges. These charges are then attached to them for the duration of their lives. Arrests, incarceration, convictions, and criminal records create tremendous barriers to finding employment, education, and housing.

We have an obligation to help survivors of trafficking get back on their feet, including those survivors who have criminal records for non-violent crimes that they were forced to commit. No victim of trafficking should be criminalized for the horrific experiences and exploitation they have endured. Hindering access to representation for vacatur or expungement matters prevents recovery, increases the financial burden on the state, and can lead to revictimization. Moreover, state vacatur

laws provide important guidelines and boundaries for vacatur and expungement at the state level, and we support the use of these laws.

We urge you to swiftly remove this restriction before the upcoming grant application deadlines in order to ensure that victims of trafficking have access to the critical services they need.

Thank you,

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Ann Wagner