



Governor's Advisory Council for Exceptional Citizens (GACEC)
516 West Loockerman St., Dover, DE 19904
302-739-4553 (voice) 302-739-6126 (fax) <http://www.gacec.delaware.gov>

MEMORANDUM

DATE: May 1, 2019

TO: The Honorable Members of the Delaware General Assembly

FROM: Ann C. Fisher, Chairperson
GACEC

RE: **House Bill No. 102 Criminal Record Relief for Survivors of Human Trafficking**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed **House Bill No. 102**, which allows a person who is arrested or convicted of any crime, except a violent felony, which was a direct result of being a victim of human trafficking to file an application for a pardon, an expungement or make a motion to vacate judgment. Council **endorses** the proposed legislation since it will help survivors of trafficking avoid the far-reaching consequences of a criminal record and help maximize their ability to secure independence and stability.

Victims of human trafficking are often forced to commit a wide range of crimes by their traffickers. Even if survivors manage to escape their traffickers, having a criminal record can cause profound harm and keep them from achieving stability in their lives. A criminal record can prevent a survivor from securing employment, finding housing, furthering education, applying for a loan, obtaining immigration relief, and more. People with disabilities face increased risk of human trafficking. The Office for Victims of Crime Training and Technical Assistance Center has outlined the factors that make individuals with disabilities particularly vulnerable to being trafficked. Those factors include people with disabilities being sought out for access to their Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits; individuals with intellectual disabilities or mental health diagnoses being targeted because it may be difficult for them to report abuse; and exploitation by caregivers.

Council would also ask that the number of members on the Human Trafficking Interagency Coordinating Council be revisited as we were only able to find 15 members rather than the 16 mentioned in line 51.

Thank you for your time and consideration of our endorsement and comments. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.