

Trafficking Victims & Survivors Law Center

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May 13, 2019

TO: House Judiciary Committee
RE: written testimony of Joel Shapiro, Executive Director, Trafficking Law Center, in support of SB 597-A

Chair Williamson and Members of the House Judiciary Committee:

The Trafficking Law Center supports SB 597-A. The Trafficking Law Center works to support human trafficking victims and survivors by providing *pro bono* legal services, raising awareness, and educating the public and policymakers on human trafficking issues.

In keeping with the rights accorded to crime victims in Article 1, Section 42, of the Oregon Constitution, SB 597-A would help protect the privacy, safety, and mental health of victims of sex crimes by allowing the identity of those victims to be protected during grand jury proceedings and any subsequent public disclosure of records from those proceedings.

The crimes within the ambit of SB 597-A include offenses relevant to sex trafficking cases, such as purchasing sex with a minor (ORS 163.413), trafficking in persons (ORS 163.266), compelling prostitution (ORS 167.017), and promoting prostitution (ORS 167.012).

Victims of sex trafficking have usually experienced severe trauma, and having to publicly disclose their identity at the early stages of a criminal prosecution is an overwhelming and likely re-traumatizing prospect. In order to both protect the rights and interests of victims, as well as to facilitate their participation in the criminal justice system, in keeping with the purpose of holding offenders accountable in part to prevent and deter future offenses against other victims, it is sensible public policy to afford victims this minimal privacy protection.

Victims of crime, of course, do not choose to become victims; yet they are called upon to sacrifice their privacy and to put themselves through trauma-inducing circumstances in order to substantiate the criminal offenses to which they were subjected. This is as it must be to ensure that criminal defendants are afforded their full rights. So it is worth noting that SB 597-A would not deprive criminal defendants of the right to know of witnesses against them. It would only shield the identity of sex crime victims from public disclosure.

The Trafficking Law Center believes SB 597-A appropriately balances the interests set forth in Article 1, Section 42: “to accord crime victims due dignity and respect and to ensure that criminal and juvenile court delinquency proceedings are conducted to seek the truth as to the defendant’s innocence or guilt, and also to ensure that a fair balance is struck between the rights of crime victims and the rights of criminal defendants in the course and conduct of criminal and juvenile court delinquency proceedings[.]”

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