



House Bill 539 (S. Thompson)

Related to expanding orders of nondisclosure for survivors of human trafficking

Proposed Policy Change: Many survivors of human trafficking were forced to commit crimes while being trafficked. This criminal record follows survivors long after they escape trafficking. Current Texas law shields some crimes but not all, making it hard to restart your life after trafficking. Orders of nondisclosure should be expanded to include limited additional forms of drug possession, theft, robbery, forgery, and unauthorized acquisition of private information. By expanding orders of nondisclosure, we can ensure that many more survivors have the chance to obtain housing, employment, basic needs, and a new start at life.

Background:

Human trafficking survivors have extensive trauma, career gaps, and other challenges that inhibit them from leaving a life of commercial exploitation. Once they do leave that life, their criminal record is a big barrier to finding housing, a job, and providing for themselves. Society has failed these survivors once, and we owe it to them to give them the chance they deserve for a second chance.

Currently, orders of nondisclosure for human trafficking victims are only available for a very limited number of offenses: prostitution, marijuana possession, and petty theft. However, criminal traffickers force human trafficking survivors to commit a wide range of crimes. Traffickers use their victims as a shield to escape any risk of criminal penalties, called a “trick roll.” As a result, many trafficking victims have criminal records that go far beyond simple prostitution charges. (Roe-Sepowitz, D. et. al. (2020, January). [*Trick Roll Study: Forced criminality in sex trafficking situations*](#). Other [crimes often found to be committed forcefully](#) include shoplifting, theft, pickpocketing, selling of stolen items, document forgery, shoplifting and organized retail theft.

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