

Oklahoma



The letter grades reflect Polaris' evaluation of existing laws designed to provide survivors of human trafficking with a realistic pathway to clear their criminal records. For more information on the criteria graded, please read [here](#) and examples of model legislation for each criteria can be found [here](#). If you have any questions or issues, please contact policy@polarisproject.org.

GOOD FOR SURVIVORS:

Trafficking Nexus:

The nexus or connection to trafficking the survivor must prove in Oklahoma is currently "as a result" of trafficking. This is less restrictive than other states and will allow more survivors to access relief.

Time Limitations and Wait Times:

Oklahoma has no time limit, restriction, or wait time for survivors to clear their criminal records.

Arrests and Adjudication Relief:

Oklahoma allows trafficking survivors to clear their criminal record of non-prosecuted cases, arrests, adjudications, convictions, any information related to an arrest, and incident reports.

NEEDS IMPROVEMENT:

Absence of Other Charges:

In Oklahoma, survivors cannot clear their records of the charges they incurred while being trafficked if they have any other charges pending, a separate criminal record in the state, or are in the process of trying to clear records in another state. Many survivors have a long history of arrests and convictions connected to their victimization. States should consider survivors' circumstances and experiences and eliminate these restrictions, which serve no purpose other than to delay relief that a person is entitled to under the law.

Offenses Covered:

The narrow scope of offenses currently covered by the criminal record relief statute in Oklahoma is inadequate because relief only applies to prostitution-related offenses - yet the range of offenses for which survivors are arrested and prosecuted is much broader. Ideally, legislators in Oklahoma would expand the statute to include all offenses so more survivors are eligible for relief.

Satisfaction of Restitution Paid:

Oklahoma requires that a survivor pays in full the restitution ordered for any offense before they can apply for relief to clear that offense from their record. This condition ignores that the conviction should not have happened in the first place.

Hearing Requirement:

Oklahoma requires a hearing in all instances for any petition for relief. However, hearing requirements can be time-consuming, expensive, and traumatizing for survivors. Ideally, hearings would not be required. A better middle ground would be to make the hearing conditional upon objection by other stakeholders.

