

## Central Ohio Rescue & Restore Coalition: Legislative Advocacy Committee

### House Bill 461: Apply Same Human Trafficking Offense to All Victims Under 18

House Criminal Justice Committee  
Chairman Manning  
Tuesday, May 22, 2018, 1:00 pm  
Ohio State House, Room 114



Good afternoon Chairman Manning, Vice Chair Rezabek, Ranking Member Celebrezze, and members of the Ohio House Criminal Justice Committee. Thank you for taking the time today to consider this important bill that will better protect child victims of human trafficking.

I am here today representing the Legislative Advocacy Committee of the Central Ohio Rescue and Restore Coalition (CORRC). CORRC is a central Ohio network of organizations fighting human trafficking in different roles and different sectors. Our mission is to provide a collaborative, comprehensive community response to human trafficking in central Ohio through education, services, advocacy, and prosecution. (You can find out more about our work at [www.centralohiorescueandrestore.org](http://www.centralohiorescueandrestore.org).)

In 2012, Gov. Kasich signed H.B. 262, creating the Ohio Safe Harbor Law, legislation dedicated to protecting child survivors of human trafficking caught up in the criminal justice system. Building upon this statutory framework, juvenile courts in Franklin County, Summit County, and elsewhere have set up specialty dockets, much like the drug courts that you may be familiar with, but for child survivors of human trafficking who have been arrested and pulled into the criminal justice system. Building upon years of expertise from the judges and magistrates who run these innovative programs,, H.B. 461 makes a number of updates and changes to the Safe Harbor Law to provide for better protection of these juveniles.

For example, the bill will require that, once a juvenile delinquent is identified as a human trafficking victim, the Ohio Juvenile Court must appoint a guardian ad litem to protect the child's best interests. As we have seen first-hand, child victims of human trafficking are severely traumatized when they first enter the criminal justice system. By appointing a guardian ad litem earlier in the process to monitor their progress, H.B. 461 will make a child victim's road to recovery safer.

H.B. 461 also aims to update Ohio law to reflect what Ohio prosecutors have learned over the past eight years while prosecuting child trafficking cases since our human trafficking statute was enacted in 2010. Under current Ohio law, if a victim is 16 or older, the prosecution must prove that the victim was compelled into sex trafficking. When prosecutors need to prove a child, age 16 and 17, was compelled into trafficking, they often must rely on the child's testimony to prove compulsion, which places the child in a position to become re-traumatized by reliving the horrific events that occurred during their time in the sex trade.

In order to avoid re-traumatizing child victims, Ohio prosecutors are stuck with the frustrating task of getting federal jurisdiction in cases with 16 and 17 year old victims and handing over those case to

federal prosecutors. Under federal law, prosecutors only need to prove that the victim was compelled into sex trafficking if the victim is 18 or older. This allows federal prosecutors to put child sex traffickers behind bars without re-traumatizing their victims. H.B. 461 ultimately empowers Ohio prosecutors to protect child victims of sex trafficking by clarifying that a minor is a minor, regardless if they are 11 years old or 17 years old. If a victim is a child, it is our duty to take extra precautions to protect them and ensure that they can seek justice in the safest way possible.

Thank you for your support of this critical piece of legislation and thank you for your continued dedication to survivors of human trafficking.

In Solidarity,

*Sean R. McGuigan*

*Legislative Advocacy Co-Chair*

[m McGuigan592@gmail.com](mailto:m McGuigan592@gmail.com); (440) 714-3091

*Tabitha M. Woodruff*

*Legislative Advocacy Co-Chair*

[tabitha.woodruff.jd@gmail.com](mailto:tabitha.woodruff.jd@gmail.com); (419) 575-7044