



State Senator Stephanie Kunze
Ohio's 16th Senate District

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Sponsor Testimony
Senate Bill 5
Senate Judiciary Committee
April 4, 2019

Chairman Lang, Vice Chair Plummer, Ranking Member Leland and members of the Ohio House Criminal Justice committee. Thank you for the opportunity to present sponsor testimony on Senate Bill 5, legislation that seeks to amend the penalties for promoting prostitution.

In November 2016, the Cuyahoga Regional Human Trafficking Task force was established under the State of Ohio, Attorney General's Office, Organized Crime Commission. This task force is involved with the arrest and prosecution of several individuals for Human Trafficking and Promoting and/or Compelling Prostitution.

Many of the cases investigated by the Task Force involving human trafficking behavior do not meet the prosecution threshold needed to charge and convict for the offense of Trafficking in Persons. However, the cases are usually prosecuted for violations of Promoting Prostitution. It is opined that providing stricter sentencing for repeat offenders of Promoting Prostitution will help in just one of the many challenges faced in combating the complex crime of human trafficking.

Since the inception of the Task Force, there are countless examples of cases involving repeat offenders in Cuyahoga County. One case in particular, focuses on Anthony Hawkins, who had previously been found guilty of promoting prostitution. Hawkins was charged with Promoting Prostitution that involved trafficking two adult victims. For this crime and his past criminal history, he only served three and half years in prison.

This legislation, if enacted into law, increases penalties for those found to be guilty of promoting prostitution. This legislation levies increased penalties on repeat offenders as well as those found to be committing additional offenses. The changes are as follows:

1. If the offender has previously been convicted of or pleaded guilty to a violation of this section, the penalty is increased from a fourth-degree felony to a third-degree felony.
2. If the offender is guilty of drug trafficking in addition to promoting prostitution, the penalty is increased from a fourth-degree felony to a third-degree felony.
3. If the offender has two or more prior convictions, the penalty is increased from a third-degree felony to a second-degree felony.

Under the proposed changes, with the two previous convictions of Promoting Prostitution, Hawkins' conviction on November 9, 2017 would have been an F2, subjecting him to a prison term ranging from two to eight years, and preventing him from victimizing more women.

This legislation is a reintroduction of Senate Bill 244 from the previous general assembly that was passed by the Ohio Senate 33-0 and had the support of the Ohio Prosecuting Attorneys Association; Cuyahoga Regional Human Trafficking Task Force and then Attorney General Mike DeWine. It received no opposition testimony in the Ohio Senate Judiciary committee.

In the current general assembly, Senate Bill 5 received proponent testimony from the Ohio Prosecuting Attorneys Association; the Cuyahoga County Sheriff's Department, Cuyahoga Regional Human Trafficking Task Force, Northeast Ohio Human Trafficking Law Clinic; Attorney General Dave Yost and Ron O'Brien, Franklin County Prosecuting Attorney. It also received interested party testimony from Out of Darkness Columbus and the Central Ohio Rescue and Restore Coalition.

It was reported from the Ohio Senate Judiciary committee 10-0 after three committee hearings and 32-0 from the Ohio Senate with 28 of our Senate colleagues signing on as co-sponsors to join us in this effort.

Chairman Lang and members of the House Criminal Justice committee. Thank you for the opportunity to present sponsor testimony on Senate Bill 5. We are happy to answer any questions that the committee might have.