



April 11, 2019

To: Criminal Justice Committee

George F. Lang, Chair

Robert R. Cupp

Phil Plummer, Vice Chair

Tavia Galonski

David Leland, Ranking Member

Sara LaTourette

Jim Butler

Don Manning

Jeffrey A. Crossman

John M. Rogers

Bill Seitz

J. Todd Smith

Thomas West

Greetings Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee. I urge you to support S.B. 5 so that perpetrators who victimize and exploit Ohio's women, men, and children cannot continue to do so with little to no consequences.

I submit this testimony on behalf of the Northeast Ohio Human Trafficking Law Clinic, a nonprofit law clinic whose mission is to advocate for sex-trafficking victims. The clinic has represented many victims of sex trafficking and advocates for survivors in their efforts to attain justice, reintegrate in society, and restore their lives. I am the Director of the NEO Human Trafficking Law Clinic and am also a member of the Legislative Sub-Committee of the Human Trafficking Commission, the CORE Committee for Northeast Ohio chapter of S.O.A.P. ("Save our Adolescents from Prostitution"), and the Education Committee of the Cleveland's Coordinated Response to Human Trafficking. I also serve on Cuyahoga County Juvenile Court's Safe Harbor Advisory Board and Summit County's RISE Human Trafficking Court's Advisory Board.

Prior to founding and Directing the Northeast Ohio Human Trafficking Law Clinic at the Renee Jones Empowerment Center, I was the co-founder and co-Director of the Human Trafficking Law Project at Case Western Reserve University School of Law. I ran a clinic devoted to providing pro bono legal services to juvenile and adult human-trafficking survivors. I also created and taught a Human Trafficking Lab course, which examined many legal issues surrounding human trafficking. I have developed expertise in state and federal human trafficking statutory and case law and their effects on victims.

Background

Human trafficking, in particular sex trafficking, is the fastest-growing crime in the United States and worldwide. It is a \$150 billion industry that's growth is attributed to many factors, including the increasing drug epidemic and the spread of internet and social-media usage. Ohio ranks fourth in the number of human-trafficking cases reported to the national hotline. Northeast Ohio has seen a significant increase in the number of sex-trafficking victims

in the past few years. More pointedly, once victims are identified, many are unable to get the physical, legal, psychological, and financial services they need to stay “out of the life” and begin the restorative process. Indeed, many victims end up going back to the same traffickers and “pimps” who victimized them because their perpetrators serve short jail times and the victims have few or no other options.

S.B. 5 Solves Significant Problems

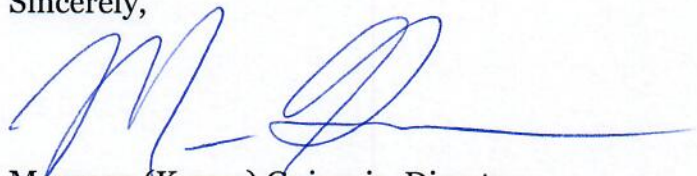
Senate Bill 5 is crucially important for Ohio’s trafficking victims because *many* traffickers and exploiters will plead to promoting prostitution to avoid a trafficking charge. To date, regardless of how many times a perpetrator is convicted of a promoting prostitution charge, the perpetrator is only guilty of a fourth-degree felony.

This is problematic for two reasons. First, a fourth-degree felony does not represent the serious nature of this crime, particularly for those who are repeat offenders, i.e., for those who repeatedly sexually exploit others for their own profit. Second, limiting this to a fourth-degree felony regardless of how many times a perpetrator commits the crime allows these criminals to return to the scene of their crimes swiftly and re-offend, often with the same victims.

During my years of representing victims of human trafficking, I have worked with clients who have been re-victimized by the same offenders who have been in jail for short terms (such as six to twelve months provided by the current promoting prostitution statute). Increasing the penalties against these criminals is essential to ensure that victims remain safe from their offenders and have a chance to rebuild their lives.

I am available for questions at the email address below.

Sincerely,



Maureen (Kenny) Guirguis, Director

Northeast Ohio Human Trafficking Law Clinic

Renee Jones Empowerment Center

1340 West 65th St., Front

Cleveland, Ohio 44102

mguirguis@rjecneolaw.