



Representative Kent Smith

Ohio House District 8

Criminal Justice Committee Testimony on HB 232

October 31, 2019
State Rep. Kent Smith, 8th District

Chairman Lang, Vice Chairman Plummer, Ranking Member Leland and members of the House Criminal Justice Committee.

I greatly appreciate the opportunity to provide sponsor testimony in support of HB 232. As was explained by Rep. Schaffer, this legislation will increase the likelihood of jail time if a defendant is convicted of Importuning. I think it is appropriate that we talk about this type of crime on Halloween as this is a crime of deceit, perpetrated by child predators who mask their identity behind a computer screen, as they attempt to groom under-age victims.

My personal interest in this legislation stems from my prior work as a member of the Ohio Internet Crimes Against Children (ICAC) Task Force or the Ohio ICAC for short.

Ohio ICAC Background

The United States Department of Justice fights child pornography and online child exploitation through a task force strategy. There are 61 ICAC Task Forces across the United States. These Task Forces are funded by the Office of Juvenile Justice and Delinquency Prevention through the U.S. Department of Justice.

In Ohio that Task Force is led by the Cuyahoga County Prosecutors Office which is where I worked between 2004 - 2012. I had four assignments during my seven plus years at the Prosecutor's Office, one of which was with the Ohio ICAC Task Force.

The Ohio ICAC has 366 law enforcement partners across Ohio and it is the largest Task Force in the nation. The Ohio ICAC and its affiliate partners do a variety of things including: conduct investigations; go under cover on social media; track down collectors, distributors and manufacturers of child pornography; it conducts sting operations to catch would be child predators and follows up on Cyber Tips submitted to the National Center for Missing and Exploited Children. Since 2003, the Ohio ICAC has arrested more than 1,425 travelers and made over 2,875 arrests.

Importuning is a criminal offense that involves a person who tries to engage a minor into sexual activity. Sometimes referred to as solicitation of a minor, importuning encompasses various soliciting acts and conduct. In short it is the action of approaching minor and requesting or offering sexual services. Ohio ICAC officers often encounter the crime of Importuning when they are conducting undercover investigations to keep our children safe.

Recent Importuning Cases

Between January 1, 2014 and Tuesday (October 29, 2019) the Cuyahoga County Prosecutor's Office has convicted 95 individuals of Importuning. Of those 95, 75 have been sentenced. Less than a 25% of those 75 received jail time. That ratio of jail time is consistent regardless if the victim was an actual child or an undercover police officer working an ICAC investigation.

If there is no jail time for Importuning offenders, it is the fear of Senator Schaffer and myself, that these individuals will continue to seek child victims within the borders of our state.

To illustrate the threat that HB 232 is attempting to prevent, let me share some details from the Christopher Schroeder ICAC investigation from 2015.

You might remember, in late 2015, hearing news reports of a missing 15-year-old Ohio girl who was found in Missouri after having been taken out of state by a 41-year-old male who had befriended her on-line. The 15-year-old victim was thankfully rescued by authorities on December 1, 2015. On November 8, 2015 (4 years ago next week) she had been picked up, by Christopher Schroeder, near her Brooklyn, Ohio home, and he drove her to his house in Missouri. He destroyed her cell phone so she could not contact anyone. Schroeder sexually assaulted the teen and videotaped some of those assaults.

Ohio ICAC investigators were able to trace the teen's interactions with Schroeder prior to her disappearance. They tracked Schroeder down and notified Missouri law enforcement who arrested Schroeder and rescued our 15-year-old Ohio victim. Christopher Schroeder was sentenced to 15 years in prison for his assaults.

The difference between Christopher Schroeder and the other 95 recent Importuning defendants is Ohio children were lucky enough that law enforcement encountered the 95 defendants before they found their Brooklyn, Ohio victim.

That is the threat that HB 232 addresses. HB 232 would send these child predators to jail and help protect our kids.

I would like to thank Rep. Schaffer for his commitment to protect Ohio children from these on-line child predators. I would politely ask this committee to support this legislation. I am happy to answer any questions to committee might have.

LINK TO ARTICLE ABOUT THE SCHROEDER CASE:

http://www.cleveland.com/brooklyn/index.ssf/2015/12/missouri_man_held_found_brookl.html

Ohio ICAC online:

www.ohioicac.org

www.facebook.com/OhioICAC