



# DAVE YOST

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**House Criminal Justice Committee  
Dave Yost, Ohio Attorney General  
February 13, 2020**

Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the Criminal Justice Committee—thank you for allowing me to provide testimony today on HB 415 and HB 431, legislation that will greatly aid in my office’s efforts to combat the scourge of human trafficking.

Ohio has the fourth-highest rate of sexually trafficked people in the United States. According to Shared Hope International’s 2019 Report Card, Ohio scored lower than any of our surrounding states and in the bottom third of states nationally based on laws to end sex trafficking. We can and we must do better.

Any business, whether legitimate or unlawful, requires two things to operate smoothly: supply and demand.

HB 415 takes aim at the supply side of the problem. The bill gives law enforcement an important tool to tie traffickers to the sexual activity for hire that occurs at their behest, but often outside their presence.

Creating an offense for knowingly receiving the proceeds from sexual activity for hire will allow law enforcement to charge and arrest pimps and traffickers without re-traumatizing victims who are often fearful of testifying. This new charge would operate much like the current receiving stolen property charge. While I may not be able to prove that you came into my home and stole my television, if I can prove that you possessed my television, I can bring a charge for receiving stolen property.

Even as we make progress targeting and disrupting trafficking rings in Ohio, if we cannot address the overwhelming demand to purchase sex, new bad actors will continue to rush in to meet this demand and profit from it.

HB 431 aims to drive down demand. Currently, most convicted ‘johns’ are ordered to pay a fine, and after doing so they return home to their unsuspecting families. Would they commit this crime if they thought there was a high likelihood that their mother might find out?

HB 431 seeks to bring these individuals out of the shadows and expose their illegal activity by establishing the Sexual Exploitation Database within the office of the Attorney General. This registry will include anyone convicted of or pleading guilty to soliciting to buy sex or promoting prostitution. The database would include the photo, name, and address of the offender as well as the type and location of the offense. Most of this information already gets published in media

outlets after arrests. However, this legislation will help expand this practice by requiring clerks of courts statewide to forward this information to the attorney general's office for posting. Offenders who do not reoffend will automatically be removed from the registry after five years, and the legislation includes language that would allow for an earlier removal due to an expungement or an overturned conviction.

No one accidentally buys sex from a prostitute. This activity is not the romanticized interaction between consenting adults as portrayed by Hollywood. The difference between prostitution and human trafficking is simple: two verses three.

In human trafficking, the client walks home to their families and the trafficker walks away with the profit. The victims are women and underage girls who are coerced and abused by a third party.

As a society, we must not walk away from these victims—we must run toward them. HB 415 and HB 431 help us to do this by shining a spotlight on buyers, and slapping handcuffs on abusers.

I commend Representatives Abrams, Carfagna, and Powell for their leadership on these issues.

In closing, I would be remiss if I didn't urge this committee to also strongly consider SB 13 which is pending before this committee today. My office has submitted a letter of support for the legislation and believe it is another needed step to protect children from sex trafficking. Thank you again Chairman and members of the committee. I would be happy to take your questions on either bill at this time.



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Honorable George Lang, Chairman  
House Criminal Justice Committee  
77 South High St., 13<sup>th</sup> Floor  
Columbus, OH 43215

Honorable David Leland, Ranking Member  
House Criminal Justice Committee  
77 South High St., 10<sup>th</sup> Floor  
Columbus, Ohio 43215

Dear Chairman Lang and Ranking Member Leland,

I write today to offer my support for Senate Bill 13, The Protect Trafficked Minors Act. The bill makes important changes to the current “Safe Harbor Law” and eliminates the distinction between victims who are minors.

Senate Bill 13 meaningfully advances Ohio law in the fight against the trafficking of children. Under current law, the requirement to appoint guardian ad litem only applies when the court specifically suspects human trafficking and if the charge is related to the child’s victimization. Senate Bill 13 would first require a guardian to be appointed if the court suspects any prostitution-related charge or human trafficking at any time, whether it relates to the current charge or not.

Senate Bill 13 would also remove the legal distinctions between human trafficking victims who are under 16, and those who are 16 or 17 years old. Simply put, the language makes the elements of trafficking equal for all victims under the age of 18. Ohio is the only state that makes a distinction between these groups of minors. Predators who victimize our children at any age should be punished equally, and to the fullest extent of the law.

This need for change was recently recognized by the national anti-trafficking organization Shared Hope, which gave Ohio a “C” letter grade for our human trafficking laws. Senate Bill 13 will correct this blemish on Ohio’s efforts to curb human trafficking.

I commend Senator Teresa Fedor for her continued leadership on this issue and for championing Senate Bill 13. I would be happy to discuss this bill with you or any member of your committee.

Yours,

**Dave Yost**  
Ohio Attorney General

cc: Senator Teresa Fedor