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House Ways and Means Committee
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Sponsor Testimony
House Bill 405

Chairman Butler, Vice-Chair Manning, Ranking Member Stinziano, and members of the House Judiciary Committee, thank you for the opportunity to present sponsor testimony on House Bill 405.

I would like to thank Rep. Kent Smith for coming on as a joint sponsor. Rep. Smith was a member of the Ohio Internet Crimes Against Children task force when he worked at the Cuyahoga County Prosecutor's Office. He can speak with first-hand experience as to why this legislation is necessary and you will hear from him after I finish my brief remarks.

House Bill 405 is nearly identical to House Bill 208, which this committee unanimously supported earlier this year.

Just like House Bill 208, House Bill 405 will amend the penalties for the offense of importuning.

The difference is that House Bill 405 calls for a "10 year rule" in a certain circumstance, specifically when the victim is 13-16 years old. If the offender is 10 or more years older than a 13-16 year old victim, the offender will receive a mandatory prison term. If the offender is less than ten years older than a

victim who is 13-16, the “presumption that a prison term shall be imposed” that is in current law will be retained.

This is the only change to the legislation that you all have already voted in favor of. It is a compromise intended to provide some flexibility in sentencing in certain cases.

It is important to note that just like House Bill 208, House Bill 405 will impose mandatory prison time for any offender who preys on a victim who is less than 13.

It is time that we show these dangerous sexual predators that we will not stand by as they hide behind a computer screen and attempt to molest our most vulnerable population: our children. If these criminals do not see a strong deterrent, they will not stop and they will continue to commit more serious and disturbing crimes.

Thank you again, Mr. Chairman, for the opportunity to present House Bill 405. I will now hand the podium to Rep. Smith. We will answer any questions after his testimony.