

Ohio House Criminal Justice Committee
Thursday, April 11, 2019
Proponent Hearing for Senate Bill 5

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. Although the focus of our work is on domestic violence, we also become involved with other violence-related issues, including human trafficking.

Senate Bill 5, sponsored by Senators Stephanie Kunze and Matt Dolan, would modify the penalties for the offense of promoting prostitution by expanding the circumstances in which it is a third degree felony and by enacting a circumstance in which it is a second degree felony.

My testimony is in support of the passage of Senate Bill 5, because it strengthens the ability of prosecutors to hold responsible the individuals who often entice victims of abuse into engaging in illegal sexual activities, such as prostitution or human trafficking. Those same individuals who entrap victims also seek to benefit financially from victims' engagement in the sex industry and the experience typically results in victims' entrapment in a lifestyle that is degrading and dehumanizing.

Ohio has been recognized as a crossroads for human traffickers and the sex industry as the whole country has awakened to the sex trade business that has grown through the development and expansion of social media. Governor John Kasich created a Human Trafficking Task Force that developed a series of recommendations. The Governor also appointed an Anti-Human Trafficking Coordinator. Ohio legislators responded by introducing a series of landmark bills to address the growing needs to hold individuals responsible for benefiting from the victimization of unknowing juveniles and adults. Local or regional groups established rescue & restore coalitions to work on the issue throughout Ohio. In addition, courts have developed new approaches and responses as Ohio laws have changed.

Senate Bill 5 will provide another remedy within the criminal justice system to enable appropriate punishment for the offenders who benefit from the sexual abuse of vulnerable groups, such as child or teen runaways, especially victims of incest and rape, and battered women whose partners seek to cash in on their victims.

Under existing Ohio law, promoting prostitution is a fourth degree felony, which is subject to increased penalties in specified circumstances. Senate Bill 5 modifies the specified circumstances and the offense becomes a third degree felony when

- A prostitute in the brothel involved in the offense, or the prostitute whose activities are supervised, managed, or controlled by the offender, or the person transported, induced, or procured by the offender to engage in sexual activity for hire, is a minor, whether or not the offender knows the minor's age;
- The offender previously has been convicted of promoting prostitution or a substantially similar offense under a law of another state or the United States, or;
- The offender also is convicted of a drug trafficking offense under the Drug Offenses Law.

(Currently, the offense is a third degree felony only if the circumstance described in the 1st bullet applies.)

In addition, with the passage of Senate Bill 5, the offense of promoting prostitution is a second degree felony if the offender previously has been convicted of two or more offenses of promoting prostitution,

or two or more substantially similar offenses under a law of another state or the United States. (Current law does not include a second degree felony charge.)

Please support passage of Senate Bill 5 and provide Ohio prosecutors with greater penalties for promoting prostitution. It is time to provide stronger penalties for human traffickers who degrade and abuse vulnerable victims, many of whose lives are unalterably damaged, if not lost as homicide victims.

Thank you for your consideration of our viewpoint.

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SB 5 Proponent Testimony 4-11-19