



Chair Lang, Vice Chair Plummer, Ranking Member Leland, and members of the Ohio House Criminal Justice Committee, thank you for this opportunity to testify on and express support for Senate Bill 5. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

Ohio has prioritized the eradication of human trafficking and made several strides to that effect over the last several years. Ohio gains high ratings from the Polaris Project, maintains high quality awareness strategies, and provides training and support for professionals serving survivors. These achievements and recognitions are the result of a constantly evolving understanding of the complex nature of human trafficking. OAESV sees Senate Bill 5 as the natural and productive next step in Ohio's effort to combat human trafficking.

Continued efforts to detect human trafficking networks and rehabilitate survivors are critical, but Ohio will not meaningfully reduce human trafficking until it increases penalties for traffickers and eliminates the demand for illegal prostitution. Review of numerous provisions within Chapter 2907 of the Ohio Revised Code demonstrate that repeat trafficking offenses do not qualify for increased felony/misdemeanor classifications, and thus do not qualify for more severe penalties. Under the current law, for example, a perpetrator of § 2907.22 Promoting Prostitution is eligible for the same prison term, 6-18 months, no matter how many prior § 2907.22 violations are on their record. Because enhanced sentences provided by human trafficking specifications are tied to the underlying felony classification, repeat offenses may not be penalized with increased severity even when it is the second, third, or fourth offense tied to a human trafficking specification.

As this committee is aware, Senate Bill 5 seeks to create increasing felony classifications and thus increasing penalties for repeat offenses. Specifically, under SB 5, the following penalties would apply to § 2907.22 Promoting Prostitution offenses.

| Offense | Victim Status | Felony Classification | Penalty |
|---|-----------------------------|--|---|
| No Sentencing Specifications or Qualifying Drug Trafficking Convictions | | | |
| 1 st | Victim is an Adult | 4 th Degree Felony | 6-18 Months |
| 2 nd | Victim is an Adult | 3 rd Degree Felony | 9 Months-3 Years |
| 3 rd & Subsequent | Victim is an Adult | 2 nd Degree Felony | 2-8 Years |
| 1 st & 2 nd | Victim is a Minor | 3 rd Degree Felony | 9 Months-3 Years |
| 3 rd & Subsequent | Victim is a Minor | 2 nd Degree Felony | 2-8 Years |
| Additional Qualifying Drug Trafficking Conviction | | | |
| 1 st & 2 nd | Victim is an Adult or Minor | 3 rd Degree Felony | 9 Months-3 Years |
| 3 rd & Subsequent | Victim is an Adult or Minor | 2 nd Degree Felony | 2-8 Years |
| Human Trafficking Specification | | | |
| 1 st | Victim is an Adult | 4 th Degree Felony | MM 18 Months |
| 1 st | Victim is a Minor | 3 rd Degree Felony | MM 3 Years |
| 2 nd & Subsequent | Victim is an Adult or Minor | 2 nd offense = 3 rd Degree Felony 3 rd offense = 2 nd Degree Felony | MM 3 Years (Human Trafficking MM same for 2 nd and 3 rd degree felonies) |

The increased penalties for persons facing a subsequent offense reflect the nature of trafficking and create a path towards more effective judicial disruption of existing trafficking systems. Additionally, the heightened penalty when the perpetrator is also

convicted of a drug trafficking offense reflects the fact that many traffickers also compel victims to engage in other crimes, such as theft, battery, and drug sales, use, and possession. Accompanying drug charges are particularly relevant, as traffickers impose addiction or select addicted victims and use their ability to provide drugs as a means of control. Because SB 5 addresses repeat trafficking offenses in a manner reasonably calculated to properly address minimization of trafficking opportunity and demand, OAESV wholeheartedly supports its passage.

Thank you for the opportunity to provide testimony on Senate Bill 5. I am available for any questions from committee members via email or phone at ccrary@oaesv.org or 216-357-1828.