



THE CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

SHERIFF CLIFFORD PINKNEY

THE JUSTICE CENTER 1215 West 3rd Street, Cleveland, Ohio 44113

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and distinguished members of the Judiciary Committee, I greatly appreciate the opportunity to provide proponent testimony on Senate Bill 5. I became involved in the investigation and prosecution of human trafficking in November 2008 when I was assigned as a Task Force Officer detailed to the Innocence Lost Task Force under the Federal Bureau of Investigations. I then had the opportunity to become involved with the Cuyahoga Regional Human Trafficking Task Force that was established in November 2016 under the State of Ohio, Attorney General's Office, Organized Crime Investigations Commission. I have been qualified as a subject matter expert in this area since 2014.

The mission of the task force is to identify victims of sex and labor exploitation as well as to prosecute the offenders. Our task force is comprised of two special agents from Homeland Security Investigations, two Cuyahoga County Sheriff Department detectives, one Cuyahoga County Sheriff Department Sergeant, one investigator from the Cuyahoga County Prosecutor's Office, and one Cuyahoga County Missing Persons liaison. This task force is focused on reducing the impact and effects of Trafficking in Persons and Compelling Prostitution as well as Promoting Prostitution. Our investigations target individuals who use recognized tactics to control victims in the commercial sex industry. These perpetrators are arrested and prosecuted to the fullest extent of the law to not only protect the victims but also society at large.

Many of the cases investigated by the Task Force involve conduct that fits the pattern for human trafficking behavior, however, some of the essential elements to prosecute the offenders under the Trafficking in Persons statute, R.C. § 2905.32, are not met. Thus, the individuals are charged with the lesser offense of Promoting Prostitution, R.C. § 2907.22. The differences in the conviction for these offenses are drastic. Trafficking in Persons is a felony of the first degree carrying a potential sentence of a mandatory 10 to 15 years of incarceration whereas Promoting Prostitution is a felony of the fourth degree which carries a potential term of incarceration of up to 18 months.



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Since November 2008, I have encountered numerous examples of cases involving repeat offenders of Promoting Prostitution. Since November 2016 at the inception of The Cuyahoga Regional Human Trafficking Task Force, there are many examples of cases involving similar patterns of offenders in which the instant investigation was not the individual's first conviction for Promoting Prostitution. The Judiciary Committee has been introduced, through previous testimony, of Anthony Hawkins also known as Shakim Allah. Anthony Freeman is the most prevalent repeat offender that I have investigated.

Freeman's criminal history reflects that he has been charged with 16 felony Indictments since 1977 including 72 felony offenses including but not limited to: counts of rape, kidnapping, abduction, numerous trafficking in drugs, drug possession, aggravated burglary, and notice of change of address. According to public court filings, Freeman was indicted for prostitution related offenses in 1994, 2001, 2003, 2013 and 2017. In the 2003 case, Freeman was charged with 10 counts of Promoting Prostitution and 10 counts of Compelling Prostitution. After pleading to 4 counts of each, Freeman was sentenced to serve 4 years in prison.

I was the detective responsible for investigating and presenting the information to the Grand Jury which resulted in the 2013 Indictment against Freeman. One of his victims was a former Miss Teen Seven Hills pageant winner that had struggled with a minor substance abuse issue prior to meeting Anthony Freeman. Unfortunately, under his control, she became a severe heroin addict prostituted by Freeman. This victim ultimately succumbed to her addiction while Freeman was serving his 3 year sentence for a Promoting Prostitution conviction.

Upon his release in October 2016 Freeman registered as a Sexual Offender providing the address of a homeless shelter and obtained employment for a rail company. In December of 2016, Westlake Police Department contacting me due to my extensive experience in this area to determine if I had any knowledge of an Anthony Freeman who was at an area hotel in their jurisdiction with a prostitute. Members of the Task Force collaborated with Westlake Police Department to initiate surveillance of the hotel and individuals coming in contact with the specified room. After observing an individual who appeared to have engaged in a sexual encounter for hire depart the premises, a traffic stop was initiated and information was obtained that he had solicited the female occupying the hotel room. The internet advertisement was



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located. Surveillance continued until Anthony Freeman returned to the hotel when he was apprehended. Further search of Freeman incident to arrest uncovered heroin in twenty-four individual use packets prepared for distribution. The victim disclosed that she was working for Anthony Freeman as a commercial sex worker and he provided as well as administered to her heroin. The heroin was her only compensation as Freeman kept all the financial proceeds of her acts.

The subsequent investigation of Freeman lead to many charges to include Promoting Prostitution for multiple victims, Freeman entered a plea of guilty to one count of Promoting Prostitution and one count of Failure to Notify Change of Address and received 18 months for both charges to run consecutive to each other for a total of 3 years of incarceration. The most telling statement provided by one of the victims was Freeman's admission that "this is all I know how to do and this is all I will ever do," another strong indicator that this man will victimize more of society's most vulnerable members.

SB 5 increases penalties for those found to be guilty of promoting prostitution. This legislation levies increased penalties on repeat offenders as well as those found to be committing additional offenses. The escalated penalties will assist society to reduce the recidivism rate of these offenders, more stringent penalties will deter future crimes, the impact on victims may be minimized and future victims protected. Tangentially, the opioid addiction rate may be reduced due to the lack of offenders introducing narcotics to these victims or exacerbating a pre-existing addiction.

Under the proposed changes in SB 5, with the four previous convictions of Promoting Prostitution, at the time of Freeman's sentencing on July 20, 2017 he would have been facing a term of incarceration for a second degree felony, subjecting him to a prison term ranging from 2 to 8 years, which would prevent him from exploiting more victims.

These provisions will allow not only a more appropriate response to these devastating criminal enterprises by providing longer periods of incapacitation but also lends to the principles of felony sentencing of punishing the offender as well as perhaps an avenue for rehabilitation during lengthier periods of incarceration similar to sexual offender programming available at the Ohio Department of Corrections.



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By providing the means to adequately penalize offenders, these increased penalties are necessary changes the justice system needs to counter this cruel industry. Thank you, Chairman Eklund and members of the committee, for allowing me to speak to this legislation.