



February 27, 2019

To: Judiciary Committee

John Eklund, Chair

Matt Huffman

Cecil Thomas

William P. Coley

Teresa Fedor

Teresa Gavarone

Nathan H. Manning, Vice Chair

Peggy Lehner

Rob McColley

Sean O'Brien

Greetings Chairman Eklund, Vice Chair Manning, and members of the Judicial Committee. I urge you to support S.B. 5 so that perpetrators who victimize and exploit Ohio's women, men, and children cannot continue to do so with little to no consequences.

I submit this testimony on behalf of the Northeast Ohio Human Trafficking Law Clinic, a nonprofit law clinic whose mission is to advocate for sex-trafficking victims. The clinic has represented many victims of sex trafficking and advocates for survivors in their efforts to attain justice, reintegrate in society, and restore their lives. I am the Director of the NEO Human Trafficking Commission, the CORE Committee for Northeast Ohio chapter of S.O.A.P. ("Save our Adolescents from Prostitution"), and the Education Committee of the Cleveland's Coordinated Response to Human Trafficking. I also serve on the Advisory Board for Cuyahoga County Juvenile Court's Safe Harbor Court and Summit County's RISE Human Trafficking Court.

Prior to founding and Directing the Northeast Ohio Human Trafficking Law Clinic, I was the Co-Director of the Human Trafficking Law Project at Case Western Reserve University School of Law. I ran a clinic devoted to providing pro bono legal services to juvenile and adult human-trafficking survivors. I also created and taught a Human Trafficking Lab course which examined many legal issues surrounding human trafficking. I have developed expertise in state and federal human-trafficking statutory and case law and their effects on victims.

Background

Human trafficking, in particular sex trafficking, is the fastest-growing crime in the United States and worldwide. It is a \$150 billion industry that's growth is attributed to many

factors, including the increasing drug epidemic and the spread of internet and social-media usage. Ohio ranks fourth in the number of human-trafficking cases reported to the national hotline. Northeast Ohio has seen a significant increase in the number of sex-trafficking victims in the past few years. More pointedly, once victims are identified, many are unable to get the physical, legal, psychological, and financial services they need to stay “out of the life” and begin the restorative process. Indeed, many victims end up going back to the same traffickers and “pimps” who victimized them because their perpetrators serve short jail times and the victims have few or no other options.

S.B. 5 Solves Significant Problems

Senate Bill 5 is crucially important for Ohio’s trafficking victims because *many* traffickers and exploiters will plead to promoting prostitution to avoid a trafficking charge. To date, regardless of how many times a perpetrator is convicted of a promoting prostitution charge, the perpetrator is only guilty of a fourth-degree felony.

This is problematic for two reasons. First, a fourth-degree felony does not represent the serious nature of this crime, particularly for those who are repeat offenders, i.e., for those who repeatedly sexually exploit others for their own profit. Second, limiting this to a fourth-degree felony regardless of how many times a perpetrator commits the crime allows these criminal to return to the scene of their crime swiftly and re-offend, often with the same victims.

During my years of representing victims of sex-trafficking, I have worked with victims who have been re-victimized by the same offenders who have been in jail for short terms (such as six to twelve months provided by the current promoting prostitution statute) and then got out of jail to re-offend against these victims. Increasing the penalties against these criminals is essential to ensure that victims remain safe from their offenders and have a chance to rebuild their lives.

I am available for questions at the email address below.

Sincerely,



Maureen (Kenny) Guirguis, Director

Northeast Ohio Human Trafficking Law Clinic

Renee Jones Empowerment Center

1340 W. 65th St., Front

Cleveland, Ohio 44102

mguirguis@rjecneolaw.org