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Senate Judiciary Committee
HB 431 – Proponent Testimony
Michael Rodgers, Ohio Attorney General’s Office
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Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Judiciary Committee—thank you for allowing me the opportunity to provide proponent testimony for HB 431. Please allow me to also pass along the Attorney General’s very sincere regret that a prior meeting with law enforcement officials in Hamilton County prevented his attendance today. I am eminently aware that I am not the Attorney General, but I will do my very best to convey his strong support for this legislation.

HB 431 is an important part of the Attorney General’s overall strategy of fighting human trafficking on multiple fronts in Ohio. We currently have legislation targeting pimps and traffickers by providing additional tools to tie these suppliers of sex to existing prostitution and human trafficking offense. HB 431 takes a different tack and focuses on the demand for sex in Ohio.

So long as there is an endless stream of “customers” in Ohio, pimps and traffickers will continue to meet this overwhelming demand by providing a supply consisting largely of women and children. While many of the customers purchasing sex in Ohio may be unaware that the person on the other side of the transaction is a victim of human trafficking, purchasing sex in Ohio is and remains illegal.

One of the problems HB 431 intends to address, is the relative anonymity most prostitution offenders are able to retain even after being caught purchasing sex. In many cases, these offenders are simply ordered to pay a fine, and after doing so, return home to unsuspecting spouses and family. HB 431 would shine a light on this existing criminal behavior, hopefully creating an additional incentive for someone on the fence about buying sex, to consider that if they are caught, their conviction will be easily and publicly available.

To accomplish this, HB 431 establishes the Sexual Exploitation Database within the office of the Attorney General. When a prostitution offender pleads guilty or is convicted of a prostitution offense as defined in the bill, the clerk of courts will send that information to our office to be included in the database. The information to be included will include the name, last known address, the offense (without reference to specific division), the date of the offense, the location it occurred, and a color photograph if one is available.

Once entered into the database, an individual is automatically removed after five years assuming no subsequent violations within this time period. The bill also states that should a prostitution offender’s conviction be overturned, sealed, or expunged, that our office be notified by the relevant clerk of court to remove them from the database.

In addition to the sexual exploitation database, HB 431 also contains the provisions of SB 13—a bill that removes the legal distinction between human trafficking victims who are 16 and 17-year-old minors, as opposed to children younger than 16. Simply put, the language makes the elements of trafficking equal for all victims under the age of 18. Ohio is the only state that continues to make a distinction between these groups of minors.

Attorney General Yost remains a strong proponent for SB 13, and applauds Senator Fedor and this committee's previous support of this legislation.

Ohio has the fourth-highest rate of reported human trafficking in the United States. HB 431 is neither intended nor represented to be a panacea for human trafficking and prostitution in Ohio. Instead, HB 431 asks a novel question: if there are fewer customers for sex in Ohio, would there be fewer women and children lured and trafficked here? We think the answer is yes. By upping the ante that purchasers of sex may be caught and their deeds publicly available to anyone curious enough to look, we believe some prostitution offenders may decide the risk is simply too high to purchase sex in Ohio.

I cannot thank Representatives Carfagna and Representative Abrams enough for their diligent work and leadership on this bill. They believe this bill will make a difference, and we do too. I would be happy to take any questions you may have at this time.