



HB 276 Proponent Testimony
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Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the Criminal Justice Committee—thank you for allowing me to provide testimony today on HB 276, legislation that will greatly aid law enforcement's efforts to combat human trafficking.

Law enforcement officers often have difficulty identifying and linking the individuals that are trafficking others to the actual commission of the offense. Traffickers rely on a wide range of tactics to control their victims, rendering their physical presence unnecessary. This often results in prosecutors having to rely on victim testimony to prove the connection to the trafficker's activities. Many victims are often too scared or physically and mentally unable to do this, leaving law enforcement without a means to identify and charge the traffickers.

HB 276 seeks to address this evidentiary problem by providing a new tool to law enforcement so that they may more easily identify and prosecute these culprits. In this bill, a new offense is created called Receiving Proceeds of Prostitution, a felony of the third degree. If the victim is a minor, the charge is escalated to a felony of the second degree. For a violation of this new offense to occur, a person must receive money or some other thing of value, knowing that the proceeds were earned from sexual activity for hire or as a result of Section 2905.32 (Trafficking in Persons).

For someone to be convicted of this new offense, a prosecutor would have to show both:

- 1) That the person possessed the money or other thing of value from the sexual activity for hire or human trafficking, and
- 2) that they knew the money or other thing of value was earned from the commission of those crimes.

Notably, possession alone would not be enough. This means that the cashier at the fast food restaurant, the taxi driver, or even a family member could not be convicted under this offense unless they both possessed the proceeds, and knew the illegal conduct from which they came. In practicality, the new offense will be most effective during stings when law enforcement is using marked bills where they can quickly and easily trace the proceeds from the illicit behavior directly to the trafficker.

I want to thank the sponsors Representatives Powell and Schmidt for their diligent work on this bill, and I also want to thank the Ohio Prosecuting Attorneys Association, the Attorney General's Human Trafficking Commission, and law enforcement personnel who all provided feedback on

this measure. Legislation similar to HB 276 was introduced during the last General Assembly, and edits from that process were included in this bill including a provision explicitly stating that this new offense does not stack with other similar offenses.

Thank you, Chairman and members of the committee. I would be happy to take your questions at this time.