



**Sarah Inskeep, she/her**  
**Opponent Testimony for House Bill 276**  
**Ohio House Criminal Justice Committee**  
**Wednesday, November 10, 2021**

Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for allowing me to provide testimony in opposition to House Bill 276.

My name is Sarah Inskeep and I'm the Ohio Policy and Movement Building Director with URGE: Unite for Reproductive and Gender Equity. URGE is a multi-state Reproductive Justice organization led by and for young Black and brown queer, transgender, and gender-nonconforming people in the South and Midwest. I also am a Columbus resident who lives in the Westside, in between Broad Street and Sullivant Avenue, which is an area that has and continues to be at the center of discussions around the sex trade.

As a Reproductive Justice organization dedicated to gender equity and bodily autonomy, URGE opposes policies such as House Bill 276, which seeks to increase the criminalization the sex trade. Law enforcement and other carceral-based responses are in direct conflict with URGE's values because they disproportionately cause harm to the most vulnerable and marginalized individuals – those who engage in street-based work, trans women, Black folks, and other people of color – while robbing them of opportunities for income and support in a system that otherwise denies them legal avenues of employment and social services.

As I've done in the past when testifying on similar measures to House Bill 276, it's important that I define the terms that I'll be referring to. Human trafficking is an egregious human rights violation involving the threat or use of force, abduction, deception, or other forms of coercion for the purpose of exploitation. Sex work is the exchange goods or money for consensual sexual services or erotic performances.<sup>1</sup> Sex workers are adults who receive money or goods in exchange for sexual services.<sup>2</sup> State and local elected officials continue to dangerously conflate human trafficking with adult consensual sex work. Language matters and the consistent incorrect usage of these terms reflects the deep misunderstanding and frankly refusal of some officials to acknowledge and accept the vast experiences and realities of people who are engaged in the sex trade.

If passed and enacted, House Bill 276 subjects an individual who accepts money or anything of value from someone they know is engaged in the sex trade to a third-degree felony under the newly created offense of "Receiving Proceeds for Prostitution". Meaning, a friend, family member, or support person who receives money or anything of value from someone they know

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<sup>1</sup> Sex Workers Outreach Project Behind Bars. *Understanding Sex Worker Rights Issues*.  
<https://www.swopbehindbars.org/about-new/>.

<sup>2</sup> Id.



is engaged in the sex trade – whether it consensually or coerced – could face jail time and steep penalties for either accepting support or providing it to someone they care about.

The vague language of House Bill 276 is concerning for multiple reasons, but specifically around the implementation of the policy and who all it could potentially impact. Could a young adult who knows their parent does erotic performances for income to support their family and accepts cash to help buy groceries be subject to a third-degree felony? What about a health care or other direct service provider that has a consultation with street-based sex worker who discloses the details of their sexuality activity as it relates to their work during their appointment and upon leaving pays for their visit – will they be subject to jail time and fines? Supporters of House Bill 276 assert that this would not be the case, however, the reality for people who are close to one another and look to their community for support because other legal, economic, and social safety nets are not accessible to them are often honest about their situation, their needs, and what sort of supports would be most beneficial to them. House Bill 276 will target these very support people, making those in the sex trade more vulnerable.

Over the past few years, the State of Ohio has deployed various so-called “supply and demand” strategies to address the sex trade. However, rather than eliminating human trafficking and improving the lives of those engaged in sex work, which are the stated goals of the supporters of this approach, such initiatives like House Bill 276 will only push people engaged in the sex trade deeper underground, into more dangerous and violent situations, and further away from community resources and safety.<sup>3</sup>

Supporters also assert that the new offense created under House Bill 176 will make sting operations more effective. Such tactics have and continue to prove often to be violent and ineffective. The Columbus Division of Police has in the past relied on the corrupt VICE Unit, deployed sting operations, raids, and constant surveillance of communities. These efforts have caused strained community relationships, violence, and death Donna Dalton Castleberry of the West Side of Columbus, which resulted in the indictment of former Columbus Police Officer Andrew Mitchell and the City of Columbus paying a settlement of one million dollars to her family.<sup>4</sup>

Castleberry’s case received national attention that led to subsequent investigations, demonstrating that both the State of Ohio and City of Columbus’ aggressive methodology isn’t translating in the successful “rescuing” of victims as the claim, but rather high numbers of arrests and incarceration. For example, WYSO ran an investigative piece in October that found concerning discrepancies among the press releases and reports from Attorney General Dave Yost’s office regarding that state’s sting operations. Of the 175 “victims of human trafficking” the Attorney General’s office reported that law enforcement had “rescued” in 2020, WYSO found

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<sup>3</sup> Krüsi A, Pacey K, Bird L, et al., Criminalisation of Clients: Reproducing Vulnerabilities for Violence and Poor Health Among Street-Based Sex Workers in Canada—A Qualitative Study, *BMJ Open* 2014.

<sup>4</sup> 10 WBNS TV. *Columbus City Council Approves Lawsuit Settlement of More Than \$1 Million In Case of Former Vice Officer*. <https://www.10tv.com/article/news/local/columbus-city-council-approve-lawsuit-settlement-of-more-than-1-million-in-case-of-former-vice-officer-andrew-mitchell/530-9d9acb64-18f5-4d52-b6ca-1d95efa7b658>.



that over 80% of them were either arrested or charged. Of the releases issued, only one explicitly states that a victim was arrested.<sup>5</sup> The report goes on to feature the story of Krystal Gibbons who was arrested for soliciting and the Attorney General’s office reported that she was “rescued” during a human trafficking sting despite her saying that she was not being coerced or trafficked – she was doing sex work to buy her kids Christmas presents and to secure reliable transportation. Because of her arrests, she served jail time and racked up high fines, pushing her back into the vicious cycle of using substances and not being able to financially provide for herself or her family.

Ohio communities don’t need more unequipped and dangerous police conducting raids and stings. Not all people engaged in the sex trade are victims need or need to be “rescued” as law enforcement and other officials like to assert. State resources and efforts that are being spent on policing and criminalizing the sex trade could be better used supporting drop-in centers, harm reduction collectives, access to free health care, and other critical safety net services.

I urge members of this committee to vote no on House Bill 276 and invest more time and resources in listening and understanding the vast experiences, needs, and wants of sex workers and survivors. Ohio needs elected officials and leaders to be willing to learn, unlearn, set aside judgments, and focus on policies that center agency, respect for individuals’ choices, and challenge the systems that oppress and silence marginalized communities – not stigma, shame, and criminalization. Thank you for your time and I’m happy to answer any questions you have.

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<sup>5</sup> WYSO. *Trafficked: The Ohio AG Says Sting Rescue Trafficking Victims. Often That Means They’re Arrested.* <https://www.wyso.org/local-and-statewide-news/2021-10-18/the-ohio-ag-says-stings-rescue-trafficking-victims-often-that-means-theyre-arrested>.