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HB 427 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 House Bill 427. This bill is an important step in prosecuting the monsters who victimize others for their own profit through human trafficking.

There are currently two human trafficking charges in the Revised Code that require a prosecutor to show that the defendant “compelled” their victim. These two charges are Trafficking in Persons and Compelling Prostitution. Both code sections define the term ‘compel’ as “the victim's will was overcome by force, fear, duress, intimidation, or fraud.” While this definition was probably intended to include all forms of compulsion when it was written, it does not fully encompass the realities of the human trafficking industry in Ohio today.

Last week, Ohio announced the results of Operation Ohio Knows, the largest joint human trafficking sting ever conducted in Ohio. That sting, and many other smaller operations often involving taskforces operating under my office’s Organized Crime Investigations Commission (OCIC) tend to see some of the same fact patterns over and over again—victims caught up in human trafficking who are held not by force, fear, duress, intimidation, or fraud, but instead are held through substance addiction.

Drug addiction is one of the most common ways trafficking victims are controlled, whether they were addicted when they met their trafficker, or the trafficker introduced them to the drugs later. Members of our Human Trafficking Task Forces have worked countless cases where traffickers withhold drugs or even clean needles until certain quotas are met, leaving their victims in a debilitating state of “dope sickness” that becomes all consuming.

Because of the current definition of “compel,” prosecutors are often forced to shoehorn these fact patterns as uses of force, fear, duress, intimidation or fraud. HB 427 would expand the current definition of compelling a victim to include the use of a “controlled substance or manipulation of a controlled substance addiction.” This creates more clarity for juries, and removes the defense that drug use does not constitute compelling a victim.

I want to publicly commend Representatives Andrea White and Susan Manchester for their commitment to the victims of human trafficking in this bill. Chairman LaRe and members of the committee, thank you again for allowing me to provide proponent testimony today. I would be happy to take any questions at this time.