

## **Senate Judiciary Committee**

**Dave Yost, Ohio Attorney General**

### **Senate Bill 13 March 20, 2019**

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing me to provide testimony in support of Senate Bill 13, The Protect Trafficked Minors Act. The bill makes important changes to the current “Safe Harbor Law” and eliminates the distinction between victims who are minors.

Currently, the requirement to appoint a guardian ad litem only applies when the court specifically suspects human trafficking, and if the charge is related to the child’s victimization. This creates too many opportunities for young victims to slip through the cracks of our justice system. Senate Bill 13 would first require a guardian to be appointed if the court suspects any prostitution-related charge or human trafficking at any time, whether it relates to the current charge or not.

Senate Bill 13 would also remove the legal distinctions between human trafficking victims who are under 16, and those who are 16 or 17 years old. The language makes the elements of trafficking equal for all victims under the age of 18. Ohio is the only state that makes a distinction between these groups of minors. Predators who prey on our children at any age should be punished equally, and to the fullest extent of the law.

I’d like to provide some additional context by sharing some real stories provided by the Central Ohio Human Trafficking Task Force team. The cases I am about to describe were prosecuted under federal law because these children were considered “too old” to be properly protected by Ohio’s law.

Local law enforcement officials in Ohio who want to pursue the maximum punishment for a predator must head to federal court. In the cases I will share, like many of those that have come before our courts, law enforcement could not prove coercion or that the victims were acted upon by an authority figure or guardian. Therefore the cases were taken to federal court, where there is no age distinction between minor victims, so that these criminals could be properly brought to justice.

For example, in 2015, a federal jury convicted Antonio Sibley of production of child pornography but was unable to reach a verdict on an additional charge of trafficking of a minor. Sibley had harbored a 17-year old girl in a motel room, taken explicit photos of her, and advertised her on the internet. The victim reportedly testified that she and Sibley, a 38-year-old,

had been in a relationship for 2 years. Through the use of federal law and our federal courts, this predator will serve a minimum of 15 years in prison on federal charges. State law was insufficient.

In January of 2014, Valerio Valentine Alexander pled guilty to one count of sex trafficking of a minor in federal court. The 16-year old victim reported that Alexander and a relative had forced her into prostitution. Alexander had taken suggestive photos of the victim, used them in internet advertisements, and forced her to meet a client at his apartment. As part of his federal plea agreement, Alexander is serving 15 years in prison for his crime. Again, federal law was used because Ohio's was insufficient.

Just two months ago, the General Assembly took a much-needed step to protect our children by voting overwhelmingly to raise the age of marriage consent to 18. Marriage is a consensual commitment, and if we are to believe that all minors are too impressionable to give legal consent to enter into marriage, it stands to reason that all minors should be extended equal legal protection against people who would seek to manipulate and harm them in a non-consensual way.

I'd also like to take this opportunity to express my desire and my commitment in working with this General Assembly to continue the meaningful reforms we have made in this area. We must work together, reaching across the aisle, to bring an end to this stain on our society. We are putting these predators on notice: We're coming after you, and we won't rest until you're behind bars, where you belong. I commend Senator Teresa Fedor for her continued leadership on this issue and for introducing Senate Bill 13. I would be happy to take your questions at this time.