



**CITIZENS FOR  
COMMUNITY VALUES**

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September 1, 2020

To: Chair John Ecklund  
Vice Chair Nathan Manning  
Ranking Member Cecil Thomas  
Members of the Senate Judiciary Committee

From: Rachel Citak  
Legal Counsel, Citizens for Community Values

Re: Proponent for HB 431, Establishing a Sexual Exploitation Database

Chair Ecklund, Vice Chair Manning, Ranking Member Thomas, and Members of the Senate Judiciary Committee:

My name is Rachel Citak and I am Legal Counsel for Citizens for Community Values, Ohio's Family Policy Council. At CCV, we advocate for policy that supports justice and eradicating horrendous epidemics like human trafficking in our state, even more so as we see that COVID-19 has increased opportunities for sexual exploitation, especially across the internet. The Center for Missing and Exploited children recently reported a 93.3% increase in reports of "online enticement" attempts from January - June of this year as compared to last year.

So again, I want to thank Representative Abrams, Representative Carfagna, and the office of the Ohio Attorney General for taking the time and effort to advocate for women and girls who are too often overlooked, misused, and cast aside. The business of sexual exploitation is made up of supply and demand. Supply comes from traffickers and pimps while johns are the typical source of demand. HB 431 directly confronts the demand side of prostitution. It also provides accountability and destroys the anonymity for johns engaging in the sexual exploitation of women.

I am here today to advocate for the justice that HB 431 will provide. I graduated Xavier as an inductee into the PsiChi Honors Society for psychological studies. I concentrated most of my law school education in criminal law and prosecution. I am an attorney as well as a volunteer house mom at a nonprofit rehabilitation and housing program for juvenile human trafficking victims.

The legal theories of punishment include deterrence, retribution, and rehabilitation.



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Today I will address why our state has come to a point where:

- (1) current forms of retribution are insufficient to combat the demand for sexual exploitation;
- (2) retribution and deterrence are necessary to defeat demand for sexual exploitation; and
- (3) rehabilitation for convicted johns can only come by way of establishing accountability and removing the cloak of anonymity.

**(1) Current forms of retribution are insufficient to combat the demand for sexual exploitation.** Solicitation is a third degree misdemeanor sex crime with penalties in the Ohio code of up to 60 days in jail and/or a fine of up to \$500, meaning that judges are granted great discretion. I spent two years interning in prosecution and I can attest that the most frequent punishment for the men engaged in solicitation is fines—that kind of punishment is a joke when we are dealing with men who can afford to *pay* for sex. I have even heard these fines blown off as “less than a parking ticket.” We are combatting a culture that commoditizes everything—including the bodies of women and children. It’s time to draw the line here at the dehumanization inflicted by sexual exploitation.

**(2) Retribution and deterrence are necessary to defeat the demand for sexual exploitation.**

Post-Traumatic Stress Disorder is just one psychological symptom among many that prostitutes and sex trafficking victims face, even long after they get off the streets. There is real trauma that occurs when these women and children have been purchased, used, sexually abused and discarded day in & day out like shameful trash.

But the shame is not theirs to bear. It is time for that burden to be shifted to the men who perpetuate and make that pain possible.

In 2007, Melissa Farley, Ph. D. published a research article<sup>1</sup> where she discusses interviews with women trapped in prostitution and the men who pay for sex but have not been arrested yet. I’d like to give you some chilling quotes from inside the minds of active, uncaught johns:

“One trick graphically explained what he did in prostitution as “*renting an organ for ten minutes.*” In his definition of prostitution, the trick removed her humanity, depersonalizing her,

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<sup>1</sup> Melissa Farley, Ph. D., “Renting an Organ for Ten Minutes: What Tricks Tell us about Prostitution, Pornography, and Trafficking” in D. Guinn (ed.) *Pornography: Driving the Demand for International Sex Trafficking*. (Los Angeles, Captive Daughters Media: 2007).



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disappearing her name and identity. Women in prostitution become “something for him to empty himself into, acting as a kind of human toilet.” Her self and those qualities that define her as an individual are systematically attacked and destroyed in prostitution.

[...]

There is a massive power imbalance in prostitution, where johns have the social and economic power to hire women, adolescents, girls or boys

[...]

In prostitution, another trick explained, “She gives up the right to say no” during the time that he has paid for. Another man told us that he clarifies the nature of his relationship to the women he buys, “*I paid for this. You have no rights. You’re with me now.*” Another trick explained to us: *Guys get off on controlling women, they use physical power to control women, really. If you look at it, it’s paid rape. You’re making them subservient during that time, so you’re the dominant person. She has to do what you want.*

Many of the tricks expressed unveiled hostility toward women.<sup>2</sup>

If we are to properly combat sex without consent for all women, we have to recognize the reality of *survival sex*. Women and children engaging in sexual exploitation are often under the influence of drugs or under the threat of harm to their families, beatings, or going without food and shelter. Sex for the purpose of survival is not true consent. This is men taking advantage of our most vulnerable segments of society without a thought for that person’s age or circumstances. The act of sex with another human is being merited more than money. And Ohio’s women deserve better.

### **(3) Rehabilitation for convicted johns can only come by way of establishing accountability and removing the cloak of anonymity.**

In her research article, Dr. Farley also says this:

“What effect does the trick’s anonymity have on prostituted women? The social invisibility of indoor prostitution may actually increase its danger for women.”

[...]

“It is impossible to accurately estimate how many men in the world have bought women for sex: they hide. Representative samples of customers of prostitutes do not exist. Even where prostitution is legal, most of tricks’ behaviors are carefully concealed from public view... They are all ages and from all social classes. Most are married or partnered.”

[...]

“The word trick refers to the multitude of ways that men trick women into performing more or different acts of sexual exploitation than the men pay for, or the way that men sexually exploit women in prostitution and then refuse to pay, cheating or tricking the women. Other words for them might be sex predators... Tricks travel everywhere, and they are all over the Internet.”

It is time to attack human trafficking and prostitution by directing efforts at the source of the problem that fuels this industry. By holding johns accountable and keeping track of them, we have another valuable tool to attack the problem at the source. Every single day, the women they pay are being discarded as dirty secrets when really these women and children are the victims and survivors of a monstrous exchange. If their actions

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<sup>2</sup> *Id.*



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continue to remain a secret from their community, their family, their sexual partners, and their wives, then there is often no impetus for change or rehabilitation to occur.

In conclusion, as with any industry, supply and demand run the industry of human trafficking and prostitution. Without a demand, there would be no incentive to create a supply. Johns create the demand for trafficking victims and directly fuel the epidemic of human trafficking that enslaves and exploits countless victims.

I urge the Senate Judiciary Committee to vote yes and pass HB 431 to establish the Sexual Exploitation database. Thank you for your time and consideration.

*Citizens for Community Values (CCV) is a non-profit, non-partisan organization that endeavors to create an Ohio where God's blessings of life, family, and religious freedom are treasured, respected, and protected.*

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