

**House Criminal Justice Committee**  
**House Bill 390 – Proponent Testimony**  
**Tuesday, February 15, 2022**

Chair LaRe, Vice Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for allowing me to provide proponent testimony for House Bill 390, Sexual Assault Exam Kits. I am Carolyn M. Kinkoph, mother and Legal Guardian of a human trafficking victim, Courtney M. Kinkoph (deceased). I strongly support H.B. 390 to amend section 2933.82<sup>1</sup> of the Ohio Revised Code to require testing of sexual assault examination kits in relation to investigations or prosecution of trafficking in persons, retention for 30 years, and to require law enforcement agencies to review records and reports along with submitting any sexual assault examination kits for testing pertaining to investigations or prosecution of trafficking in persons. Testing these kits can facilitate the prevention of further victimization and traumatization for survivors along with prosecuting offenders. Testing these kits can also empower living survivors with the ability to recover in a trauma-informed manner and can bring justice to assailants of all victims whether living, deceased or potentially at risk of dying as a result of their victimization.

My 29-year-old daughter, Courtney, suffered from mental trauma and poly-substance abuse issues. She was reported missing to police several times since 2016 and repeatedly victimized due to her vulnerabilities. On June 19, 2018, as mother and Legal Guardian, I transported Courtney to a local hospital. I expressed my concerns regarding her possibly being trafficked because she was accusing her friend and another man of selling her for drugs and I was told directly by the Emergency Department physician that Courtney had the right not to take her medicine, had the right not to perform activities of daily living to care for herself, had the right to use drugs and the right to prostitute herself, despite my suspicion that she had been drugged. I was present for the entire emergency room visit. No sexual assault examination or further evaluation was done that date, despite my pleas. Courtney was never granted the opportunity to have a sexual assault examination during that emergency department visit.

In 2017, Courtney was deemed incompetent through Lake County Probate Court in Ohio Case No. 17 GU 1075 as noted in the filed Letters of Guardianship dated May 23, 2017 that can be provided upon request. Courtney was unable to consent or to prostitute herself. There were no resources at the time known to me to protect my daughter from further human trafficking victimization. Subsequently, a Civil Protection Order was granted in March 2020 in the Court of Common Pleas, Lake County Ohio, Case Number 20CS000061. Courtney's victimization was also later reported to the National Human Trafficking hotline and the Cuyahoga Regional Human Trafficking Task Force.

On June 1, 2019, Courtney was reported missing from a group home in Lake County, Ohio. After Courtney was located several months later, her father and I hired an Uber driver to bring her home from Detroit, Michigan on September 5, 2019. She was incarcerated upon her return as a result of the warrant from missing her mental health court date. No sexual assault examination was done to my knowledge, despite my disclosing that Courtney was a human trafficking victim, and despite my request as Legal Guardian for an opportunity to administer a sexual assault examination by a forensic nurse. Courtney later admitted to a PASRR nurse and the jail treatment supervisor around January 2020 that she was "a victim of human trafficking and it was unfortunate."

Courtney was released on March 7, 2020 after serving 6 months in Lake County Adult Detention Center. As mentioned above, a Civil Protection Order was granted in March 2020 in the Court of Common Pleas, Lake County Ohio, Case Number 20CS000061. This Civil Protection Order provided protection for my daughter against the Respondent who she met while inpatient at the same hospital located in Cuyahoga County several years before. The Respondent was often present during emergency department visits in multiple Ohio counties, hospitalizations and treatments, and had a history of facilitating Courtney's prior human trafficking victimization. He also aided her in running away from the group home in June 2019 at a time when she was without a vehicle.

On April 20, 2020, Courtney was reported missing again to local police within Lake County, Ohio. She was recovered out of state by another law enforcement agency who cooperated with the local Ohio law enforcement agency by detaining Courtney until her parents and Legal Guardians were able to transport her safely back to Ohio. On August 23, 2020 Courtney's father and I picked her up and transported her to different hospital out of our home county, in Cuyahoga County, for a sexual assault examination. It was urgent for us to find healthcare professionals who could care for our daughter in the manner we had been requesting from other professionals for years. After years of horrific experiences for our daughter, we researched ourselves how to get additional help for her and located a hospital that was finally able to administer the sexual assault examination. I was present for the initial consultation when Courtney was asked and was willing to comply at which time the sexual assault examination was completed after I left the emergency department room. It is my understanding that law enforcement was contacted by the hospital staff and the sexual examination kit was picked up by the human trafficking task force.

On May 24, 2021, Courtney was transported to yet another local hospital's emergency department after being missing for several days from a group home in Cuyahoga County. As Legal Guardian, I requested a sexual assault examination. No examination was performed due to Courtney's denial to do so.

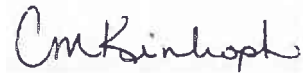
Courtney went missing again on November 9, 2021. Although I appreciate the efforts of law enforcement, Courtney was reportedly sighted by 3 law enforcement personnel within 2 weeks of her death. It is my understanding she was simply reported as being seen to the investigating agency, not assisted, arrested nor were legal guardians given the opportunity to recover her despite her incompetency and inability to care for herself.

Courtney was found deceased in Cleveland, Ohio on 2/7/2022. She was 29 years old. I informed the medical examiner last week that my beloved daughter was a human trafficking victim and asked that a sexual assault examination be requested from the supervisor. It is my understanding that the sexual assault examination was completed. Courtney's viewing and funeral were this week.

As Courtney's mother, I have been advocating for her care her entire life along with her father. There were multiple human trafficking occurrences in several Ohio counties and out of State. Courtney's history of human trafficking and elopement were documented in her annual Lake County Probate Court Expert Evaluations as well as in her PASRR interview statement from January 2020 while she was incarcerated for possession of drugs obtained through her coercion. She also reported sexual abuse by drug dealers "they hold me at gunpoint" in her medical records. Additionally, there are several police reports from various jurisdictions in Ohio, Michigan and Colorado.

It is critical to protect human trafficking victims from perpetrators. As the survivor mother of a human trafficking victim whose victimization led to her death, it is important to me that human trafficking victims be empowered to recover, not continually victimized or at risk of further harm or death due to not processing sexual assault kits and prosecuting offenders. I strongly support H.B. 390 for testing of sexual assault examination kits in relation to investigations or prosecution of trafficking in persons, retention for 30 years, and to require law enforcement agencies to review records and reports along with submitting any sexual assault examination kits for testing pertaining to investigations or prosecution of trafficking in persons. H.B. 390 can make a difference for numerous survivors and victims, like Courtney. I would be glad to answer any questions.

Kind Regards,

A handwritten signature in cursive script, appearing to read "Cm Kinkoph".

Carolyn M. Kinkoph

[<sup>1</sup>ORC 2933.82](#)