

2nd House District
Richland County

Columbus Office

Vern Riffe Center
77 S. High Street
11th Floor
Columbus, Ohio 43215
(614) 466-5802
(614) 719-3973 (Fax)
Rep02@ohiohouse.gov
www.ohiohouse.gov



Committees

State & Local
Government (Vice Chair)

Higher Education &
Career Readiness

Families, Aging, &
Human Services

Marilyn John
State Representative

Chairman Manning, Vice-Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing me to provide sponsor testimony on House Bill 390. This bill will provide the Attorney General's Office with another tool in combating human trafficking in our state.

Currently, Sexual Assault Examination kits (SAE kits), also known as rape kits, are required by law to be tested for the following crimes: murder, voluntary or involuntary manslaughter, rape (completed or attempted), vehicular homicide or manslaughter, sexual battery, and gross sexual imposition. However, current law does not require sexual assault examination kits to be tested in an investigation where there is evidence that human trafficking has occurred.

Human trafficking is essentially the unlawful use of vulnerable people to make a profit through sex work or labor. It is different from prostitution as there is a third party involved who is making money off of the crime. It is a lucrative business, upwards of \$35 billion worldwide, that robs children and adults of their dignity, their freedom and sometimes their lives. The victims' scars last a lifetime and often they will struggle their entire lives to overcome the harm done to them. Some will end up taking their own lives. It is particularly despicable when it involves children. Human trafficking affects all of us as well as it costs our state millions of dollars to repair the damage to the victims and to society. The goal of this legislation is to stop the trafficking of human victims by going after the perpetrators of these crimes and bringing them to justice.

House Bill 390 comes to us from Ohio Attorney General's office to fill a gap in the law designed to protect victims of sexual assault. Last fall, Attorney General Yost unveiled the results of his most recent human trafficking task force, the largest sting operation thus far. The operation netted more than two hundred perpetrators across the state. The arrests highlighted the cross section of perpetrators and included individuals from a wide range of profession, including a professor, a city council member, and a firefighter. Thus, the sting highlighted the extent human trafficking has penetrated all aspects of our society. Most importantly, the operation uncovered three children who were trafficking victims, as well as discovering ten previously missing children.

HB 390 will assist with the possibility of presenting additional evidence of sexual assault for anyone accused or convicted of human trafficking so that we may fully charge the perpetrator. It also allows our law enforcement partners to have another piece of solid evidence to use against traffickers, potentially leading to more prosecutions of those who are committing this offense. Ohio currently ranks #5 in human trafficking per capita according to the National Human Trafficking Hotline. With a committed effort by this state and the passage of HB 390 we can more successfully combat this scourge in Ohio.

HB 390 is needed for several reasons. First, Trafficking in Persons is the only high-level sex offense that does not currently require law enforcement to submit rape kits for testing. To compare: Rape is a felony of the first degree and carries 3-11 years in prison. Trafficking in Persons is a felony of the first degree, but carries a sentence between 10-15 years. Both are classified as sexually oriented offenses, yet only one requires law enforcement to submit kits for testing once they obtain custody of them. This loophole has the potential to allow assailants to go unidentified and victims to never see justice.

Second, the impact of this bill cannot be understated. Human trafficking is happening all throughout Ohio, each and every day. This will reinforce the message to our law enforcement partners and our communities that Ohio is dedicated to fighting this crime. It can be an educational tool that highlights what trafficking really looks like. It also allows our law enforcement partners to have another piece of solid evidence to use against traffickers, potentially leading to more prosecutions of those who are committing unspeakable harms against victims each and every day.

Finally, this bill does not change the rape kit collection process. A rape kit exam will continue to be voluntary, and a suspected victim will still be able to stop the rape kit collection process at any time.

HB 390 passed the House with a 91-0 vote earlier this year and has 57 bipartisan co-sponsors.

Chairman Manning and members of the Judiciary Committee, thank you for your time and consideration of this bill, and I am happy to answer any questions you may have.