Good morning, my name is John Schmoll, I live in Columbus, Ohio, I am an interested party and I am here today to testify as a proponent for Senate Bill Number 235.

"Sex trafficking" is defined by U.S. federal law as "the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act."[1] Human trafficking or sex trafficking or whatever you want to call it is the newest form of slavery. It is a crime of sexual exploitation. Today's form of involuntary servitude - the use of force, fraud or coercion to compel a person to perform a commercial sex act - a sex act for which anything of value is exchanged.[2] While in many countries women and children may be kept in chains when they are now "servicing" their clients whether in the brothels or in the streets. But "coercion" is the "intentionally causing the victim to believe that failure to perform a sex act would result in harm to themselves or others."[3]

In the United States, the victims generally are not being taken from garbage filled slums into brothels operating in the open, but sex trafficking increases nonetheless. Runaways, the urban poor, the suburban kids alike are exploited.[4] Massage parlors, and spas serves as fronts for brothels holding trafficked women, and online services like Craigslist and MySpace are utilized by traffickers to advertise their products.[5]

DEMANDING SUPPLY

Yes, even in the U.S. this evil is increasing and destroying lives, despite a proliferation of federal anti-trafficking laws, awareness campaigns, activism, growing media coverage and even Hollywood films on the subject. Why are traffickers growing bolder and richer? Why are the numbers of victims ever increasing? Who is ultimately responsible? The answer is "us", not "them."[6]

Such vast profits cannot be realized from the prostituting of innocents brothels, massage parlors, on street corners, or websites unless massive numbers of male consumers have been conditioned to view women as objects to be purchased and used. And nothing is doing more to condition men and boys to view women as

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[1] 22 U.S C. 7102 (9)
[2] 22 U.S.C. 7102 (8)(A)
[3] 22 U.S.C 7102 (2)(B)
[4] Jeremy M. Wilson and Erin Dalton, *Human Trafficking in Ohio: Markets, Responses and Considerations.*
[5] Jenn Abelson, "Craigslist Changes get Early Approval," *The Boston Globe,* June, 2, 2009
[6] U.S. Asleep at the Wheel on Child Porn, *MSNBC,* October 5, 2009

objects (or to condition women and girls to view themselves as objects) than the avalanche of pornography that is driving the demand of sex trafficking and threatens, cheapens, and exploits us all in the 21st Century.

It is important to note that pornography "depicts" acts of prostitution on two levels. First, the fictional scenes "acted out" for the camera might portray consensual, non-commercial sexual liaisons, but generally the featured acts are those typical of a man (or men) having sex with a prostituted women. This is illustrated most clearly by the pornography industry term for the climax, as it were, of a pornographic "plot", the "money shot" is nothing more than the man (or men) achieving orgasm, at which point the characters' relationship concludes. It is in this way that pornography serves as advertising for prostitution; men are conditioned to view women as prostitutes and develop a taste for prostitution. [7]

Second, pornography is capturing on film an actual commercial sex act --a sex act between performers on account of which they are paid.[8] Most jurisdictions do, and any reasonable person must, call that what it is --prostitution.[9]

EVIL EMPIRE

To truly understand just how closely related pornography is to sex trafficking and prostitution, it is necessary to look inside the dark and shadowy world that is the multi-billion dollar porn industry. To do so is to understand the paradox of pornography; the ugliness and repulsiveness of the inner-world of a business built on arousal.

The pornography industry is concentrated in the San Fernando Valley north of Los Angeles. While the industry's revenues are enormous:

At $13.3 billion, the 2006 revenue of the sex and porn industry in the U.S. are bigger than the NFL, NBA, and Major League Baseball combined. Worldwide sex industry sales for 2006 are reported to be $97 billion. To put this in perspective, Microsoft, who sells the operating system used on most of the computers in the world reported sales of $44.8 billion in 2006.[10]

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[7] Farley, *Prostitution & Trafficking in Nevada: Making the Connections*, p.153
[8] 22 U.S.C. 7102(3)
[9] O.R.C. §2907.01(D)
[10] Internet Filter Review

The porn industry employs in excess of 12,000 people in California. In California alone the porn industry pays over $36 million in taxes every year.[11]

PORN TRAFFICKING

After even just a brief glimpse into the sordid world of pornography production, one cannot help but believe that porn may be more closely linked to trafficking than simply driving demand for prostituted women in brothels and massage parlors.

As discussed earlier, the definition of sex trafficking, the definition would seem to describe precisely the workaday world of porn producers. The more disturbing inquiry is whether "severe" forms of sex trafficking–defined by U.S. law as the use force, fraud, or coercion to compel the sex act, or where a person performing the sex act is under 18–are prevalent in the production of pornography. The answer, according to some, is "yes."

Over the decades, research into the inner-workings of the industry has turned up evidence of the employment of psychological coercion and sometimes physical force to compel performance.[12] As Shelly Lubben, a former pornography performer, has publicly testified: "Women are lured in, coerced and forced to do sex acts they never agreed to do...[and given] drugs and alcohol to help get through hardcore scenes....The porn industry is modern-day slavery."[13]

Pornography itself, it would seem, must come in for criticism from and opposition by those who would oppose the injustice of sex trafficking. The false distinctions between pornography, prostitution, and sex trafficking are becoming increasingly untenable, even as the presence or porn becomes increasingly inescapable.

Pornography does not fuel the global sex trade by its mere existence. It drives demand by creeping into the mainstream of a society, and thus into every community, every home, every family, and every life. Pornography in the digital age is a multi-billion dollar industry because it is everywhere, all the time, due in large part to the advent of the Internet.

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[11] Bill Lyon, a former lobbyist for the defense industry turned lobbyist for porn, as quoted by CBS News, November 2003

[12] September 15, 2009 Press Release from the Pink Cross Foundation

[13] Pamela Paul, *Pornified, How Pornography is Transforming our Lives, Our Relationships, and Our Families, p.5*

DIGITALLY REMASTERED

The 1990's saw the intersection of two historical events that, together, led to an explosion of production and distribution of porn. The first event was a decision by the United States Department of Justice to decrease dramatically its emphasis on prosecuting porn producers and distributors under existing obscenity laws.[14] A previously active obscenity task force virtually vanished, and porn production exploded.[15]

The second event was the rise of the World Wide Web. It has been said that porn was made for the Internet.[16] What was once accessible only in seedy, back-alley bookstores and theaters is now instantly in every home, school, and workplace; indeed, it is available in public areas and even behind the steering wheel via most mobile phones.

It is this accessibility, together with the relative affordability and anonymity provided by the Internet, which has led not only to *more* pornography, by more explicit, degrading, and violent pornography. "Pornography" today is not a *Playboy* magazine, it is crying women and children being violated multiple times. Child pornography has increased exponentially since the mind-90's.[17] Digital cameras and Internet connectivity have made it possible for disturbingly large and profitable child porn rings to form, and file-sharing among users is accomplished instantly, with no geographic boundaries to overcome.[18]

A study of university networks by Palisades Systems found searches for Child Pornography at 230 colleges nationwide. The research revealed that 42% of all searches on file-to-file sharing systems involved child or adult pornography. The study also found that 73% of movie searches were for pornography, 24% of image searches were for child pornography, and only 3% of the searches did not involved pornography or copyrighted materials.[19]

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[14] PBS, *An American Frontline*
[15] Id.
[16] Id
[17] Shared Hope International, *Demand,* p. 19
[18] Id
[19] April 1, 2003, Des Moines, IA Register

OHIO TRAFFICKING IN PERSONS STUDY

The abundance of strip clubs and gentlemen's clubs exist in Ohio, and presently ranks 5th among the states with the highest number of strip clubs. The research team located at least one massage parlor in every major city in Ohio and many in proximity to highways for easy access to its clientele (e.g. truck drivers, business men, military men and others). Less is known about the existence of other sexual markets in Ohio such as pornography making businesses, servile marriage and sexual servitude.[20]

According to their study, the number of illegals in Ohio total 115,000 (Federation for American Immigration Reform) It is reported that 50% of trafficking victims are children and 50% are adults. Eighty percent are women and girls and 20% are men and boys. Seventy percent of female victims are trafficked into sex trade. (Polaris Project - Human Trafficking Statistics.)[21]

Ohio Youth

In 2009, 20,205 endangered runaways according to the Ohio's Missing Children's Clearing House. In a report by the New York Times, "nearly a third of the children who flee or are kicked out of their homes each year engage in sex for food, drugs or a place to stay, according to a variety of studies published in academic and public health journals."

According to the latest census figures (2008), Lucas County has an estimate 49, 929 residents between the ages of 12 and 17. Of those, approximately half were girls. Thus we estimate that 15 girls per 24,965 female residents between the ages of 12 and 17 are successfully recruited into the sex trade from Ohio each year. As of July 1, 2008 Ohio had a population of 675,922 residents between the ages of 12 and 17 or 337,961 girls.

In a University of Toledo study of trafficked youth in Lucas County, youth reported knowing an average of 5 additional youth that were not reported to law enforcement, but who were engaging in the sex trade. Because of the underground social networks, many girls involved know each other by their street names or nick names. In actuality, they may be unaware of which girls were engaging the

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[20] Ohio Trafficking in Persons Study Commission, Research and Analysis Sub-Committee, *Report on the Prevalence of Human Trafficking in Ohio to Attorney General Richard Cordray,* p. 32

[21] Id, p. 35

Innocence Lost Task Force and non engaging the Task Force. But because other communities in Ohio do not have a focused Innocence Lost Task Force, the team decided the estimates provided by the victims may be an accurate measure for other communities throughout Ohio. Therefore, in using this measure for Ohio, we find that there may be over 1,000 girls per year in Ohio that are involved in the sex trade.[22]

The market to purchase sex with boys is active. "At least 95% of all commercial sex engaged in by boys is provided to adult males. Approximately half of all adult male sexual exploiters of boys are married men, many with children of their own." According to research, boys between the ages of 12 and 17, who are at high risk for child sex trafficking are those who are gay, transgendered, or questioning. It is estimated that between 3% to 5% of U.S. citizens identify as lesbian, gay, or bi-sexual or approximately 10,000+ youth in Ohio. While it is difficult to determine the number of gay, transgendered and questioning youth embedded among those high risk because they are runaways/throwaways, homeless or involved with a child welfare or juvenile justice institution, we know that these youth are at-risk and become victims of child sex trafficking.[23]

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[22] Id p. 42

[23] Ohio Trafficking in Persons Study Commission, Research and Analysis Sub Committee, *Report on the Prevalence of Human Trafficking in Ohio to Attorney General Richard Cordray* .p. 43