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Memo To: Senate Judiciary Committee on Criminal Justice
From: Trisha Smouse
Date: April 13, 2010
Re: SB-235; Trafficking in Persons

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Dear Chairman Grendell and Honorable members of the Ohio Senate Criminal Justice Committee.

Thank you for your consideration of Senate Bill 235 addressing human trafficking. Human trafficking is modern day slavery.

While Human Trafficking is not necessarily happening more in the State of Ohio, there is much more research being done on the scope of the problem in Ohio. According to the Ohio Attorney General's Trafficking in Persons Research and Analysis Subcommittee, there are 3,437 foreign born persons in Ohio who may be at-risk for both labor and sex trafficking, 783 of which are estimated to be trafficked into the labor of sex trade in Ohio. The study also estimated that of those American born youth in Ohio, 2,879 are at-risk for sex trafficking, and another 1,078 youth have been trafficked into the sex trade over the course of a year in Ohio. These numbers do not include estimates of the number of American born adults who may be trafficked into the sex or labor trade.

Ohio is one of a few states that does not have a comprehensive definition of Human Trafficking or a stand-alone felony. Trafficking in persons is very profitable to traffickers (\$32B industry) and sadly the profit far exceeds the risk involved with the trade. Passing SB235, which defines human trafficking and makes it a felony, is a positive stride in eradicating modern day slavery in Ohio. While the TVPA has been effective in fighting human trafficking, in my experience the Federal Government does not have the resources to investigate all the referred cases. The FBI focuses attention to those cases that are more easily prosecuted, such as minors, or cases which clearly cross state lines. Thus, many cases are never investigated. SB235 will provide other avenues for examination, affording liberation for those enslaved in Ohio.

It is because of those victims that I address you today. My name is Trisha Smouse, I am the Anti-Human Trafficking Program Manager at The Salvation Army Central Ohio. My responsibilities include providing staff support to the Central Ohio Rescue and Restore Coalition and case management to victims of human trafficking. Additionally, I spent a year in Thailand working with trafficked persons and women in prostitution. Victims of human trafficking will benefit greatly from the criminalization of Human Trafficking in Ohio. By legally defining human trafficking, you are giving a name to what happened to these victims. This alone validates the survivor, affording identification, empathy, and empowerment.



Member Agency

The Salvation Army Columbus Area Services

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that the traffickers will not be prosecuted and her life will be in further danger, she worries that she will be treated as a criminal, rather than a victim. This is our chance to fight for justice for the voiceless. SB235 will give her an identity.

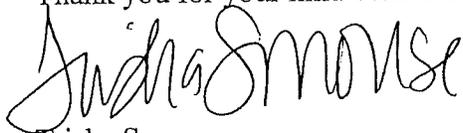
The second is a labor trafficking case I worked with last year. Unfortunately, since the current Ohio specification does not include labor trafficking in the definition of human trafficking, the case was not able to be prosecuted under Ohio laws. The cases involved three adults from another country, who were here legally to work, but once here were forced to work long days with little/no pay and stay in unlivable conditions. Without recognizing labor trafficking as a type of human trafficking the case could not be prosecuted under the current Ohio enhancement. Further, the case did not clearly cross state borders and thus not a high priority case for FBI. The three individuals were able to safely make it back to their home countries, but live in fear that their traffickers may locate them again and cause harm to them or their families. Additionally, the money spent to come to America and fees paid to the trafficker were lost, resulting in returning to a situation at home of dire poverty, worse than before with fear that banks and other loaners may retaliate because of the inability to repay loans. With the passage of SB235, "employers" will not be able to continue to enslave persons for personal gain.

As traffickers are becoming more sophisticated and deliberate, it is important for us to combat them with strong legislation. Two cases I worked on last year, involved marriage of the victim to the trafficker. This gives the trafficker greater access to the victim's documents, family, records, etc, which makes it more difficult for prosecution and offers fewer avenues to assist people. These cases resulted in U-Visas rather than T-Visas, depriving survivors of additional services, such as the ability to provide derivative visas for family members, additional funding, and other public benefits offered specifically to trafficked persons. With laws that recognize these tactics, as well as capitalize on available services, we can help more people.

I work with these individuals, I meet with them on a regular basis, I drive them in my car from appointment to appointment where they are continuously rejected services because they do not fit in the box. Victims of human trafficking endure unique circumstances and the passage of SB235 would give them an identity. Further, SB235 will help us recognize that modern day slavery is happening in our own back yard, not in other countries or other states, but rather that human trafficking is happening here in Ohio.

The biggest gift you can give these victims is your signature on this legislation. It is on behalf of these survivors and the Central Ohio Rescue and Restore Coalition that I support the passage of Senate Bill 235.

Thank you for your kind consideration.



Trisha Smouse
Anti-Human Trafficking Program Manager
The Salvation Army, Central Ohio