



“Stop Criminalizing Kids for Crimes Committed Against Them!”

Despite Sex Trafficking Laws, Children in Ohio Can be Charged with Prostitution

WASHINGTON, D.C., Every state, including Ohio, now has a law against sex trafficking and most state laws include penalties for buying sex with a minor, according to an [annual State Report Card](#) released by [Shared Hope International](#) (SHI), the only U.S. NGO working in every state to end child sex trafficking through legal reform. Ohio enacted its human trafficking law in 2012, however, Ohio specifically excludes buyers from being charged under the trafficking law and requires proof of force, fraud or coercion when certain older minors are the victim of sex trafficking. While some minor victims may be able to avoid delinquency charges through a specialized diversion process, children engaged in commercial sex nevertheless face arrest and potential prosecution for prostitution offenses.

“Kids can still be charged and prosecuted as criminals in 31 states because law has not kept up with reality – the reality that these children are victims of sex trafficking and cannot be criminals at the same time for the same thing,” said SHI founder Linda Smith, at a press conference in Orlando, FL where the National Foundation for Women Legislators is meeting.

“We must stop criminalizing kids for crimes committed against them!” declared Smith.

SHI started the annual report card—known as the Protected Innocence Challenge—six years ago, in 2011. That year, 26 states got Fs and 15 had Ds. Over the last six years **Ohio**, along with states across the nation, **enacted important laws:**

- From 2011 to 2016 Ohio’s Protected Innocence Challenge grade has gone up from a D to a C.
- Ohio has been a leader in requiring comprehensive training for law enforcement and providing tools to effectively investigate and identify child sex trafficking victims and perpetrators.
- Several commercial sexual exploitation of children (CSEC) laws reach and punish the actions of offenders who purchase sex with children.
- Ohio law provides important protections for child victim witnesses and has removed time limitations on bringing prosecutions and civil actions against perpetrators, allowing time for victims to heal before confronting their exploiters.

Despite this progress, SHI research **found critical gaps** in these areas in the laws of **Ohio**:

- Ohio’s sex trafficking law limits protections for child victims by requiring that the trafficking of 16 and 17 year old minors resulted from force, fraud, or coercion, unless committed by a person in a position of authority or trust to the child.
- Child sex trafficking victims may receive services but only if a court chooses to divert them to services. Courts are not required to divert children to specialized services.
- Ohio’s state law specifically excludes buyers from the definition of the human trafficking law, meaning that buying sex with a minor is not a crime under the trafficking law and commercially sexually exploited children without an identified trafficker may not be identified as victims of sex trafficking.

[Shared Hope International](#) is an anti-trafficking organization focusing on prevention, restoration and justice for victims of sex trafficking. Founded in 1998 by Congresswoman Linda Smith, Shared Hope is a trusted leader for training, research, restorative development, and legislative development.

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MEDIA MATERIALS:

For media convenience, a variety of resources are available at www.sharedhope.org/press. Video clips, including sex trafficking survivor comments, are available at this location: <https://vimeo.com/user12564384/videos>. Videos are password protected, please enter password sharedmedia1 to access media clips.