

# HUMAN TRAFFICKING AND RELATED OFFENSES

Examining Trends using Data from the  
Ohio Incident-Based Reporting System

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### Abstract

Since implementation of House Bill 262 in 2012 (i.e. revision of Ohio law on trafficking in persons) stakeholder response to human trafficking has included mandated training for law enforcement officers on indicators, legislation and best practices for investigation on human trafficking. This training reviews two types of trafficking (i.e. sex and labor trafficking), but also discusses the connection of human trafficking to prostitution and related offenses such as solicitation. The current project examined law enforcement data from the Ohio Incident-Based Reporting system, including offenses such as human trafficking as well as prostitution-related offenses from 2012 to 2016. Key findings included that while human trafficking offenses were reported significantly less compared to other examined crimes; crimes such as solicitation have decreased significantly since 2012. This report summarizes these findings and discusses the implications and recommendations for future research on human trafficking and related offenses using data from the Ohio Incident-Based Reporting System.

## Introduction

As defined by federal law under the Trafficking Victims Protection Act of 2000, trafficking in persons entails two types of trafficking. The first includes sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act is under the age of 18 years old. The second consists of the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery (Trafficking Victims Protection Act of 2000, 2017). Ohio law addresses human trafficking similar to federal law, but entails a tiered definition of sex trafficking based on age and considerations for individuals with developmental disabilities (Trafficking in Persons, O.R.C 2905.32).

## Increased Training for Law Enforcement

Since implementation of House Bill 262 in 2012 (i.e. revision of Ohio law on trafficking in persons) stakeholder response to human trafficking has changed across multiple systems. For example, women who were once prosecuted for crimes related to prostitution are now provided with the opportunity for programming and treatment through court diversion programs (Miner-Romanoff, 2015). Relatedly, House Bill 262 strategically addressed human trafficking through mandated training for law enforcement on trafficking indicators, legislation and best practices for investigation. In 2013, following the implementation of the law, 10,600 officers participated in trainings on human trafficking through the Ohio Peace Officer Training Academy (OPOTA) online and in-person classrooms (2013 Human Trafficking Commission Annual Report). In 2017 this number grew to over 31,900 law enforcement officers who had received training and updates annually (2017 Human Trafficking Commission Annual Report).

While training has been increasingly emphasized, past studies of law enforcement response to trafficking have shown that law enforcement officers may not be aware that their state has human trafficking legislation, and when asked to provide definitions of human trafficking, officers provided varying definitions of the crime (Newton, Mulcahy & Martin, 2008). In Ohio, human trafficking training is provided within basic training for law enforcement officers as part of the curriculum on the response to missing persons (Peace Office Basic Training – The Missing & Human Trafficking Unit 3 – Topic 6). Training includes descriptions of who is at risk of being trafficked, the two types of trafficking in Ohio’s trafficking in persons law, the mindset of victims in trafficking cases, red flag indicators of human trafficking, review of victim interview techniques in human trafficking cases, as well as examining legislation in Ohio to assist in fighting the crime. Trafficking scenarios are also reviewed, in which trainees discuss elements of sample cases. In addition to the in-person basic training, several courses are available online.

Outside of the curriculums that specifically address human trafficking, it is also addressed through curriculums on legal codes for additional offenses such as Chapter 2907 of Ohio Revised Code - Prostitution & Obscenity Offenses (Peace Officer Basic Training: Other

Offenses Unit 2 – Topic 20, 2017). In this chapter, prostitution offenses are first examined within the context of human trafficking, explaining that “Oftentimes sex trafficking is inaccurately reported as a prostitution offense instead of a trafficking offenses... This misreporting underscores the need for officers to be aware when investigating a prostitution case of the red flag indicators of trafficking” (page 68). This highlights that law enforcement trainees are not only receiving training on human trafficking within the context of Ohio Revised Code 2905.32, but also as it relates to prostitution-related offenses.

In addition to gaps in knowledge and training, challenges experienced by law enforcement with regards to identifying and subsequently reporting human trafficking include the complex nature of trafficking as well as the timing of victim identification (Farrell et al., 2019). According to Farrell and colleagues’ (2019), the evidence required under law for human trafficking is difficult to obtain by law enforcement given the heavy reliance on victim cooperation. In trafficking cases, victims often do not self-identify, and when they do, there are reports from law enforcement and service providers that the experiences of the victims propagate additional challenges to maintaining participation from the victim throughout the investigation (Farrell et al., 2019, Farrell et al., 2012). One example may include ongoing relationships with traffickers who are either family members or intimate-partners, in which the traffickers have engrained control over the victim through economic dependence, relational ties, or fear of harm such that the victim does not perceive the ability to break ties. In addition to these components, it may also be the case that victims are classified as the perpetrators (e.g. a woman who is being sold for sex by her pimp under elements of force is arrested for solicitation or prostitution). In these situations, the individual may be arrested under a prostitution-related offense and then later identified as a victim of sex trafficking.

The purpose of the current report is to examine law enforcement reporting of human trafficking and prostitution-related offenses within the Ohio Incident-Based Reporting System since the emphasis on human trafficking training in 2012 under state law. Given the overall newness of the offense in statute compared to other crimes such as solicitation and prostitution, as well as the complex nature of identifying and charging trafficking for reporting purposes, it is expected that human trafficking incidents would be observed at a lower rate compared to prostitution and related offenses. However, with training and awareness efforts directed at increasing the overall knowledge of law enforcement on human trafficking indicators it is expected that the rate of reported human trafficking incidents will increase over time. Likewise, as trained officers begin to apply knowledge about human trafficking, other crimes with similar elements such as prostitution and related offenses are expected to decrease.

### **Law Enforcement Data**

Data from the Ohio Incident Based Reporting System (OIBRS) were used to identify trends in prostitution-related offenses reported by law enforcement agencies throughout the state. OIBRS is a state data management system on crime data and includes incident level details such as characteristics of offenders, arrestees, victims, and property in addition to the crime type and agencies that are reporting. This data system is compatible with, and reported regularly to the

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National Incident-Based Reporting System (NIBRS). OIBRS is a voluntary-based reporting system, as such, not all agencies report their data. Although there are agencies missing representation, reporting to OIBRS in general has increased over time with 56.8% of the population covered by agencies with complete data in 2011 to 65.0% of the population covered in 2016. For the purpose of this report, data from 2011 to 2016 included only those agencies designated as having complete data for the year and had no identified concerns for reliability of the data used for the report (i.e. prostitution-related offense data; Table 1).<sup>1</sup>

**Table 1.** Frequencies of law enforcement data with complete data and the percent of Ohio population covered by those agencies for 2011 to 2016.

Year	2011	2012	2013	2014	2015	2016
Number of Agencies	365	405	399	428	449	461
% of Ohio Population Covered by Reporting Agencies	56.8%	57.1%	58.6%	61.7%	63.0%	65.0%

To complete the trend analysis of human trafficking and prostitution-related offenses, rates of OIBRS incidents that fall under trafficking in persons (ORC 2905.32), compelling prostitution (ORC 2907.21), promoting prostitution (ORC 2907.22), procuring (ORC 2907.23), soliciting (ORC 2907.24), loitering to engage in solicitation (ORC 2907.241), and prostitution (ORC 2907.25) were examined from 2011, one year prior to the implementation of HB 262, through 2016. By examining rates rather than the overall number of incidents, the population changes from year to year are taken into account. Key characteristics examined in addition to the rate of crimes reported from 2011 to 2016 include offender characteristics of the crimes identified.

While changes in victim characteristics are of special interest, prostitution-related offenses are generally considered crimes against society. In other words, these crimes represent the public's prohibitions of engaging in certain types of activities, such as solicitation, prostitution and other related crimes (OIBRS Specification Manual, 2017). In these instances, the victim of the offense is labeled as “society”, limiting the information that can be attained from examining the records reported by law enforcement within OIBRS. Given this coding criteria, 99.79% of all cases from 2011 to 2016 have a victim classification of "crime against society". As a result, trends in victimization of these cases in particular (i.e. when society is reported as the victim) tend to mirror the overall incident rate. With this in mind, victimization trends were not examined further throughout this report.

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<sup>1</sup> "Completeness" for each agency was designated by the OIBRS program coordinator through manual review. Initial review of the data by the Primary Investigator led to the removal of one agency from analyses given that there was a significant change in reporting methods between the years of interest. The change in methods by this agency had substantial impact on the overall data and so this agency, as well as the population covered by its law enforcement, were excluded from all results presented in this report.

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### Summary of Offenses

The highest utilized offense code by law enforcement agencies was Solicitation – Ohio Revised Code 2907.24 (Figure 1), with an average of 10.3 incidents per 100,000 individuals over the course of the six years. Other prostitution-related offenses occurred much lower rates, with the second most occurring incident reported by law enforcement agencies as Prostitution – Ohio Revised Code 2907.25 (1.3 incidents reported per 100,000 individuals). Offenses such as Procuring – Ohio Revised Code 2907.23, Promoting Prostitution – Ohio Revised Code 2907.22, Compelling Prostitution – Ohio Revised Code 2907.21 and Trafficking in Persons – Ohio Revised Code 2905.32 occurred at much lower rates, .23, .45, .42 and .08 individuals per 100,000, respectively, compared to Solicitation and Prostitution.

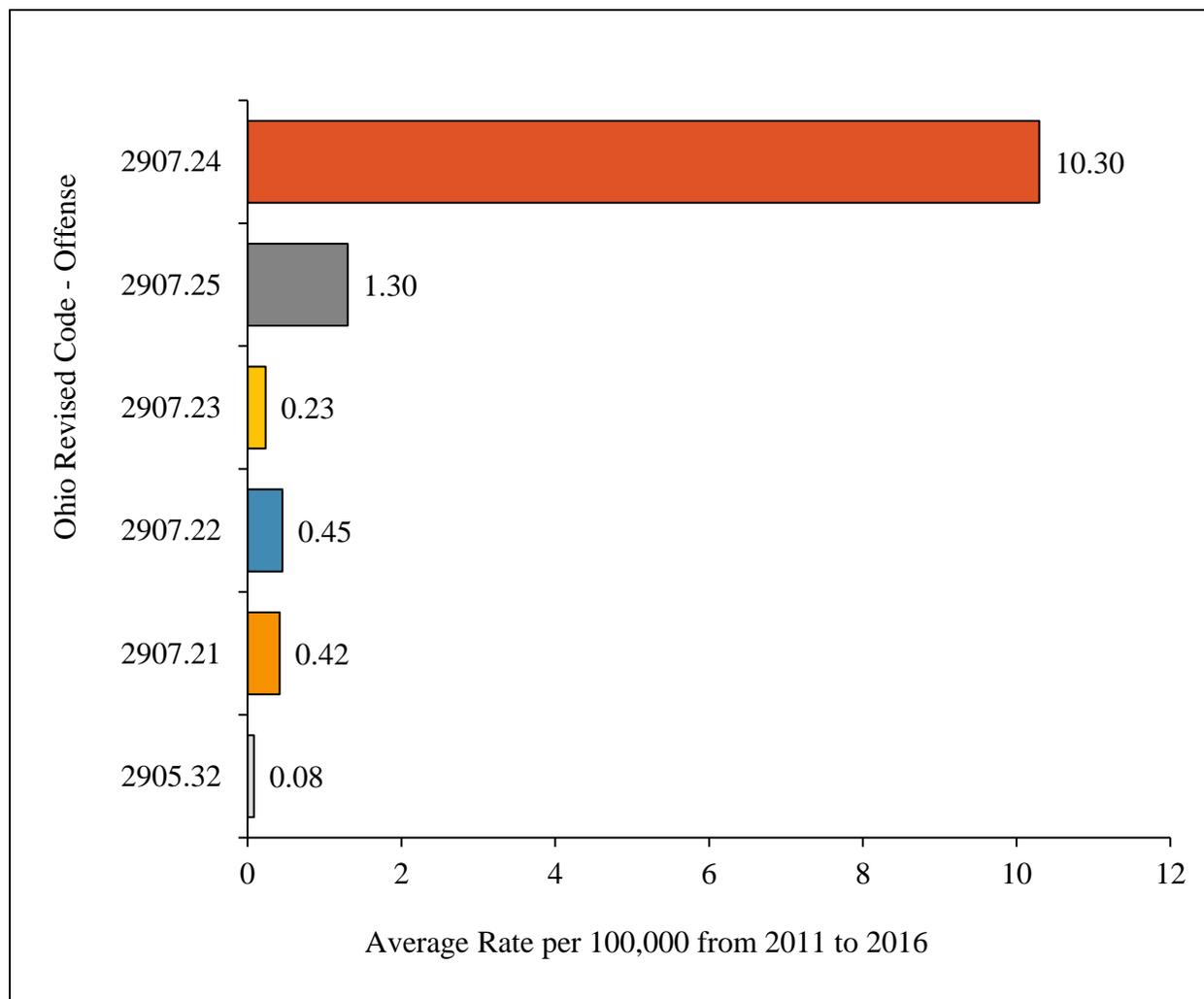


Figure 1. Average crime rates from 2011 to 2016 for prostitution-related offenses in Ohio.

**Solicitation (Figure 2)**

Under Ohio law, solicitation includes instances in which either a person solicits another individual to engage in sexual activity for hire and the other individual is 18 years of age or older, or the offender solicits an individual who is 16 or 17 years of age and the offender knows that the individual is that age. Additional coverage of the law applies to individuals who are younger than 16, as well as to persons with developmental disabilities. The law does not distinguish between the person who is paying or who is being paid, meaning either individual can be charged.

- From 2011 to 2016, the rate of 2907.24 incidents decreased from 13.82 per 100,000 individuals to 5.62 per 100,000 individuals.
- As expected, similar decreases are seen in the rate of offenders (20.52/100,000 individuals in 2011 to 7.46/100,000 individuals in 2016). Offender characteristics are expanded on in the following sections.

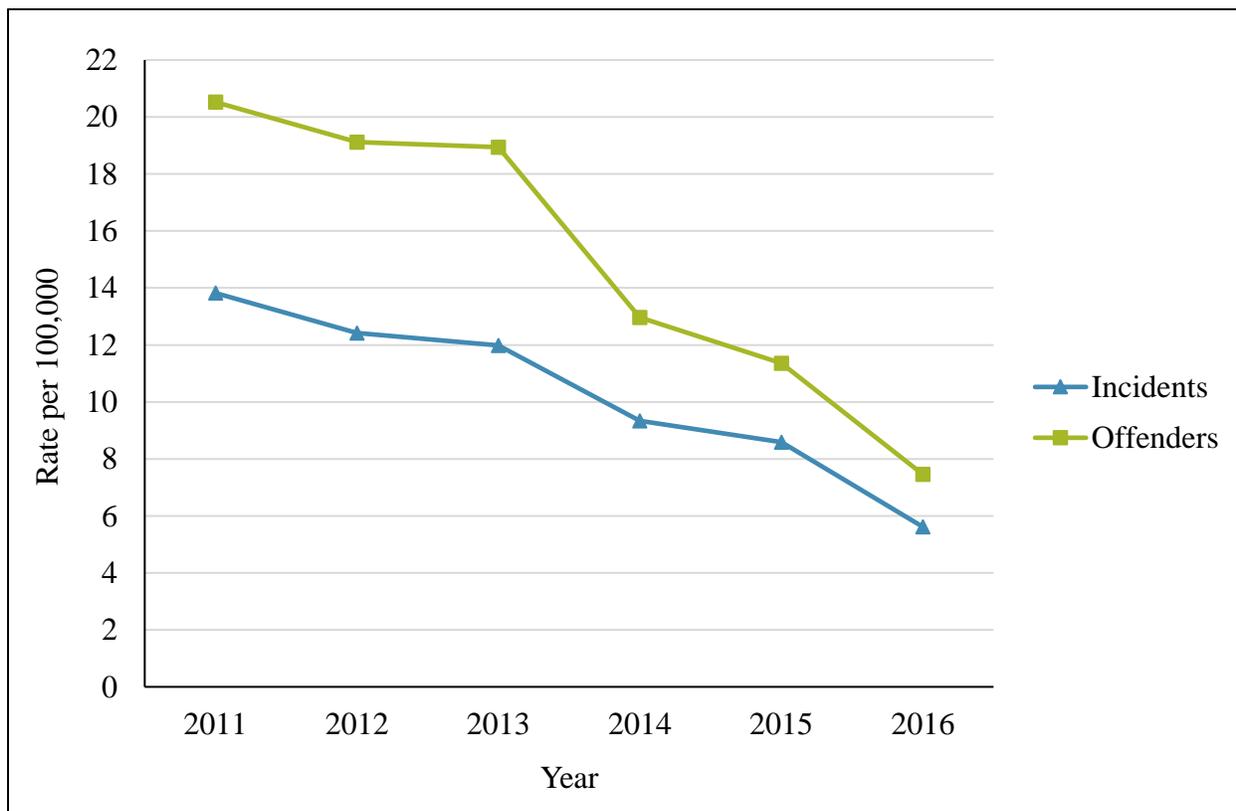


Figure 2. Incident and offender rates per 100,000 individuals from 2011 to 2016 for Solicitation - ORC 2907.24.

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### Prostitution (Figure 3)

Under Ohio law, Ohio Revised Code 2907.25 - no person shall engage in sexual activity for hire. Unlike solicitation, this law specifically targets the individuals who are overtly selling sex.

- While reported at a much lower rate compared to solicitation, from 2011 to 2013, the overall rate of 2907.25 incidents increased from 1.20 per 100,000 individuals to 1.84 per 100,000 individuals and then decreased to .93 per 100,000 individuals by 2016.
- As expected, similar trends are seen in the overall rate of offenders. Offender characteristics are broken down in more detail in the following sections.

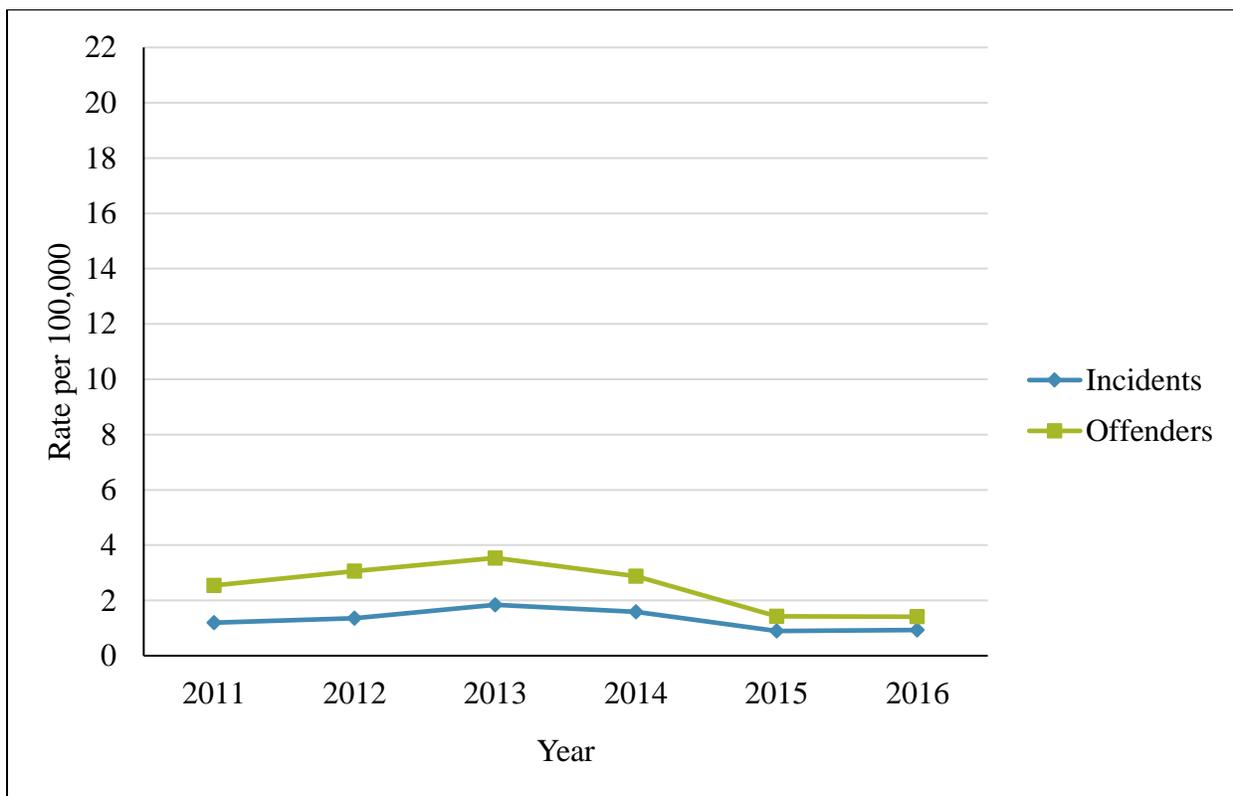


Figure 3. Incident and offender rates per 100,000 individuals from 2011 to 2016 for Prostitution - ORC 2907.25.

**Human Trafficking (Figure 4)**

In review, Ohio Revised Code 2905.32 - trafficking in persons includes both involuntary servitude (i.e. being compelled to performed labor or services for another against one’s will) as well as sex trafficking. Sex trafficking includes a range of commercial sexual activity in exchange for anything of value, such as money, drugs, food, shelter or protection. Under Ohio law, the response to sex trafficking is different dependent on the victim’s age and whether or not the victim has a developmental disability.

- From 2011 to 2016, the rate of 2905.32 incidents increased from .015 incidents per 100,000 individuals to .131 incidents per 100,000. While this is an observed increase, the total number of incidents between 2011 to 2016 is too small to draw reliable statistical conclusions regarding the increase in reports made from year to year.
- Overall increases in the rate of offenders were also observed, with an increase from .015 offenders per 100,000 individuals in 2011 to .170 offenders per 100,000 individuals in 2016.

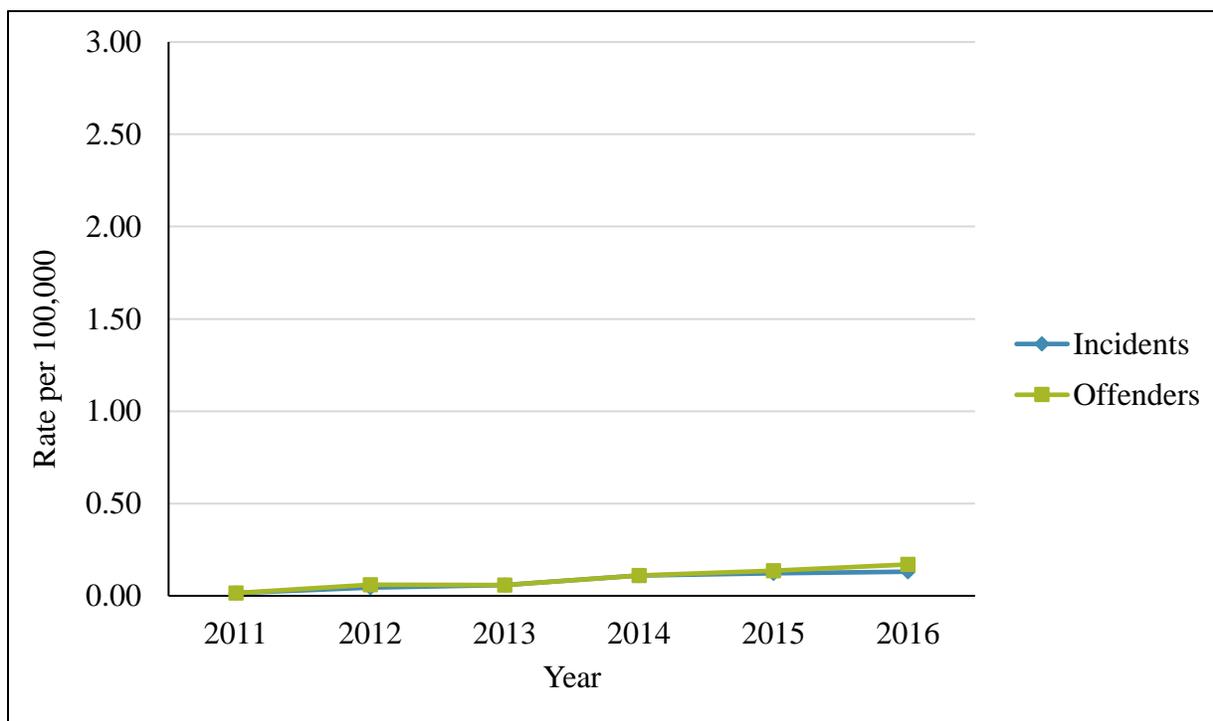


Figure 4. Incident and offender rates per 100,000 individuals from 2011 to 2016 for Trafficking in Persons - ORC 2905.32.<sup>2</sup>

<sup>2</sup> Due to the low rate of offenses, to clearly show the distinction between offender and incident rate, scaling of the Figures 4 and 5 were decreased to a maximum of 3.00, rather than the maximum of 22.00 used in the scaling for Figure 2 and Figure 3.

All Other Offenses (Figure 5)<sup>3</sup>

Given the low number of reports/rates of compelling prostitution, promoting prostitution and procuring, these three offenses were combined to create an overall view of offenses outside of solicitation, prostitution and human trafficking. Under Ohio law, compelling prostitution generally entails compelling another to engage in sexual activity for hire. Promoting prostitution directly relates to the management or control of individuals who are prostituted, as it refers to overseeing brothels or enterprises where the primary purpose is to facilitate engagement in sexual activity for hire, or the supervision/management/control of an individual who is prostituted or engaging in sexual activity for hire. Lastly, procuring refers to either procuring someone who is prostituted to be hired for sexual activity by another, or to permit their property to be used for the purpose of engaging in sexual activity for hire.

- While reports of these incidents from law enforcement has trended slightly upward from 2011 to 2016, there were no substantial increases as the rate for the three offenses is still relatively low, starting at .66 per 100,000 individuals in 2011 to 1.70 per 100,000 individuals in 2016.
- Given the substantial decrease in the number of solicitation in those years, it does not appear that the decrease in incidents in 2907.24 is due to the increase in a related crime.
- In addition to the minimal increase in overall incidents, increases in the rate of offenders has also increased. This increase is not significant however, given the overall low rate at which these crimes occurred.

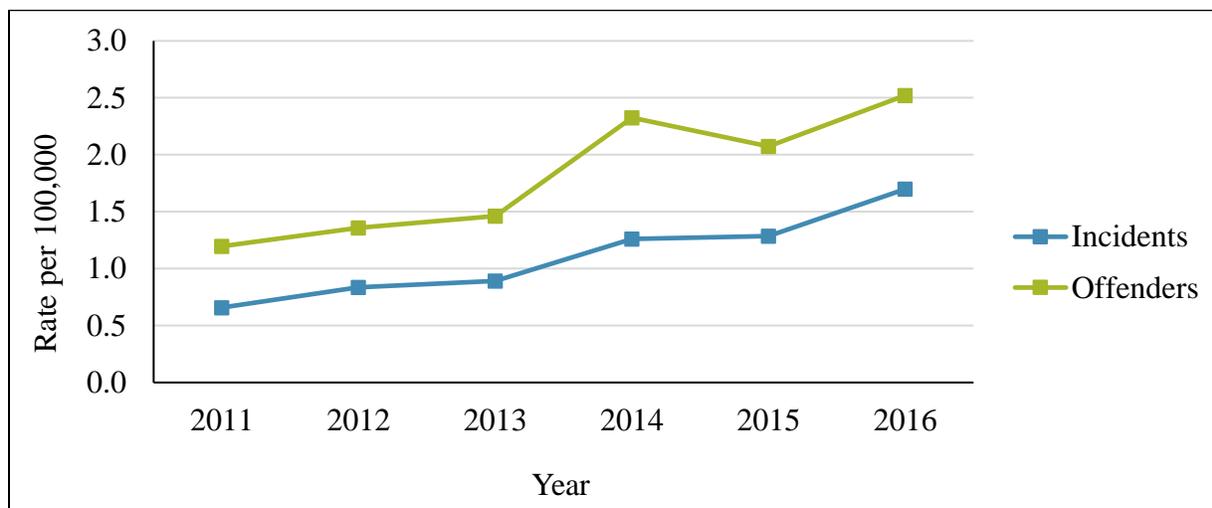


Figure 5. Incident and offender rates per 100,000 individuals from 2011 to 2016 for Compelling Prostitution - ORC 2907.21, Promoting Prostitution - ORC 2907.22 and Procuring - ORC 2907.23.

<sup>3</sup> Outside of an overview of rates for those crimes included in *Human Trafficking* and *All Other Offenses*, no additional trend analyses were completed. Statistical analyses were limited in power (i.e. 1-β) given the low number of offenses reported in these categories and so are not included in this report.

**Offender Information**

The following section provides an overview of offender characteristics of individuals encountered during prostitution-related offenses, including solicitation and prostitution. Given the overall low rate of offenses under compelling prostitution, promoting prostitution, procuring and human trafficking, characteristics of individuals identified as offenders under these crimes are not included in analysis as to avoid creating generalizations based on the relatively small sample of individuals obtained. The following sections for solicitation and prostitution are broken down by demographic characteristics of the offender, including sex, age and race.

**Sex of Offenders Reported by Law Enforcement**

*Solicitation (Figure 6)*

- Since 2011, the overall rate of offenders reported for incidents of solicitation has dropped significantly.
- When broken down by sex, as seen in Figure 5, the decrease in overall offenders identified is largely driven by the substantial decrease in the number of females who are reported as offenders by law enforcement. From 2011 to 2016, the rate of females reported for solicitation decreased by 75% from 14.94 per 100,000 individuals to 3.64 per 100,000 individuals.
- While the rate of male offenders decreased slightly by 2016, this decrease was not significant.

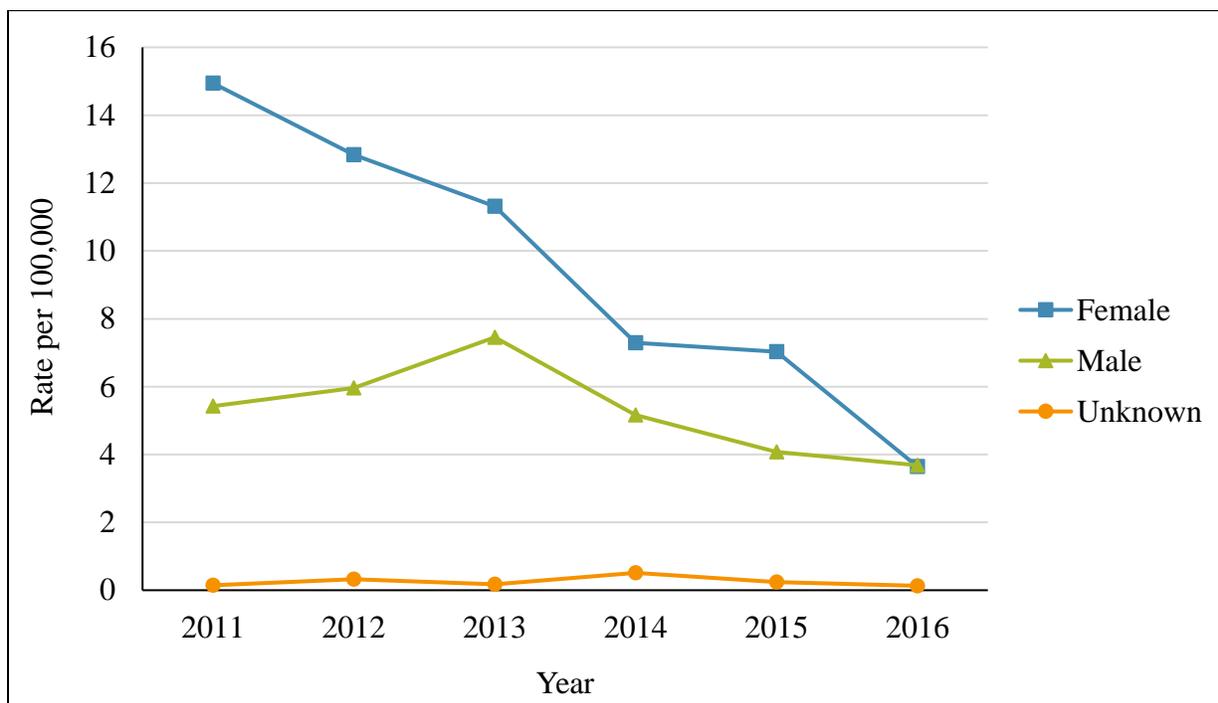
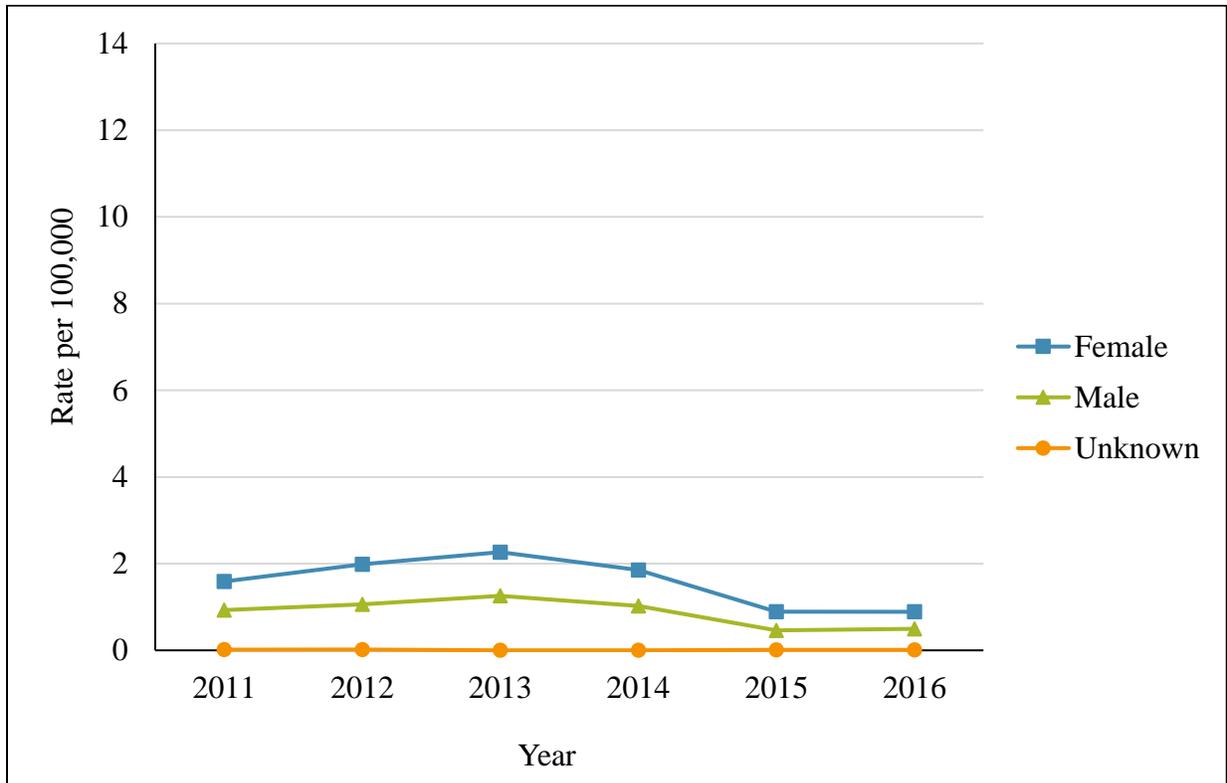


Figure 6. Sex of offenders identified in incidents of Solicitation – ORC 2907.24.

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### *Prostitution (Figure 7)*

- Like solicitation offenses, more females were reported as offenders for prostitution offenses compared to males, though the trend in reporting was similar between the two groups from 2011 to 2016.
- The largest difference between males and females reported was in 2013, with 2.27 per 100,000 females reported and 1.26 per 100,000 males reported.
- Given the overall low rate at which prostitution offenses occurred, no significant trends are present within female and male offender rates from 2011 to 2016.



*Figure 7. Sex of offenders identified in incidents of Prostitution – ORC 2907.25.*

Offender Age

Solicitation (Figure 8)

- From 2011 to 2016, the average age of individuals reported as offenders did not shift significantly over time.
- The average age of individuals reported as offenders across the six years differed greatly depending on sex. The average age of males was 42.3 years of age, whereas the average age of females was 33.6 years of age.
- From 2011 to 2016, the average age of women decreased, going from roughly 35 years of age to 31.6 years of age over the six years.
- No significant changes in the average age of males was observed over time.

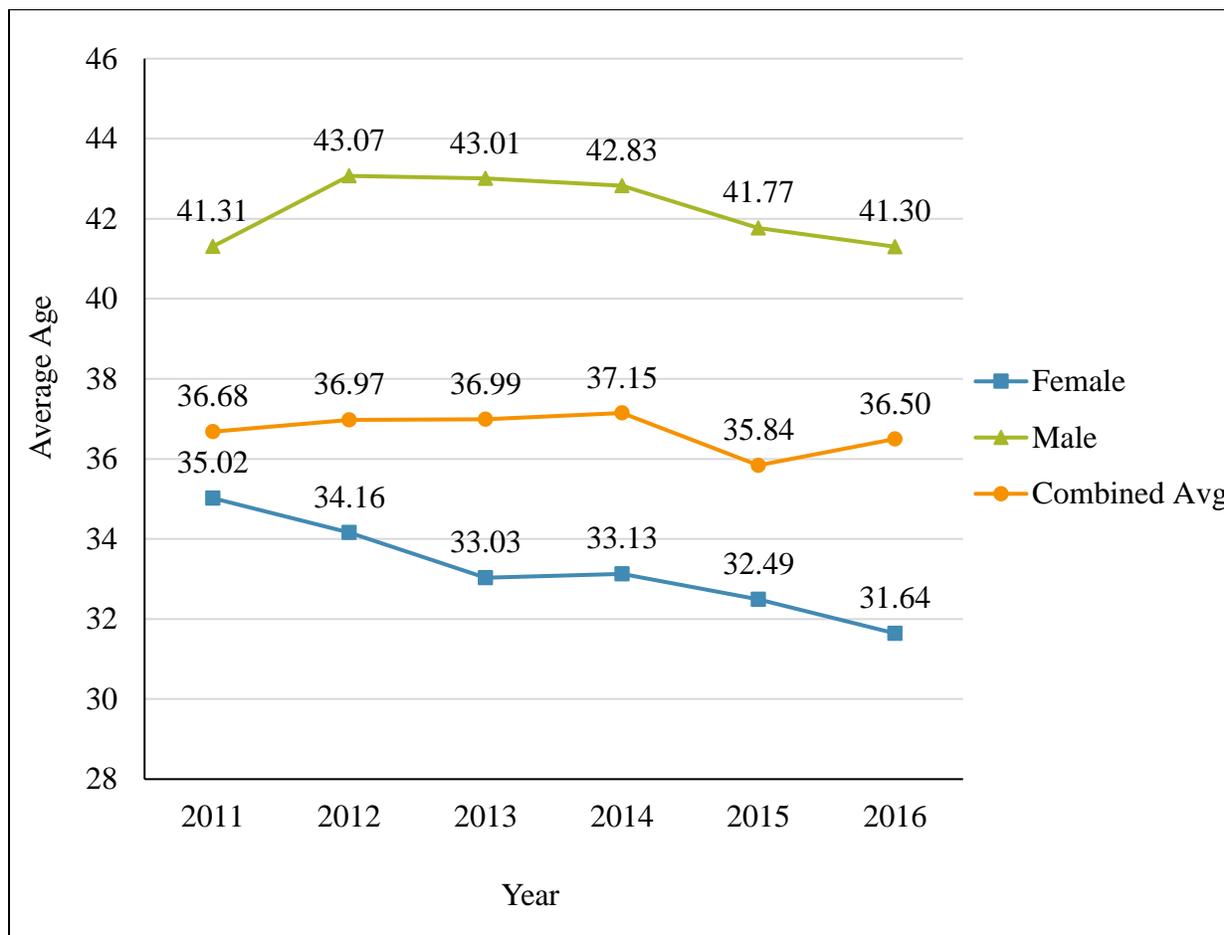


Figure 8. Average age of offenders by year, from 2011 to 2016 for Solicitation – ORC 2907.24.

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### *Prostitution (Figure 9)*

- The average age of individuals categorized as offenders in reported incidents of prostitution over the six years was 35.47 years of age, with differences again observed between males and females.
- Males tended to be significantly older, with an average age of 43.2 years of age compared to females, who had an average age of 31.1 between 2011 to 2016.
- Over the course of the 6 years, no significant decrease or increase was observed from 2011 to 2016 for males, due to the relatively low number of individuals reported for each year. Although there was an observed difference between 2014 and all other years for males, this difference is not statistically significant.
- From 2011 to 2016, the average age of women reported as offenders for prostitution decreased, going from roughly 33 years of age to 31.59 years of age over the six years.

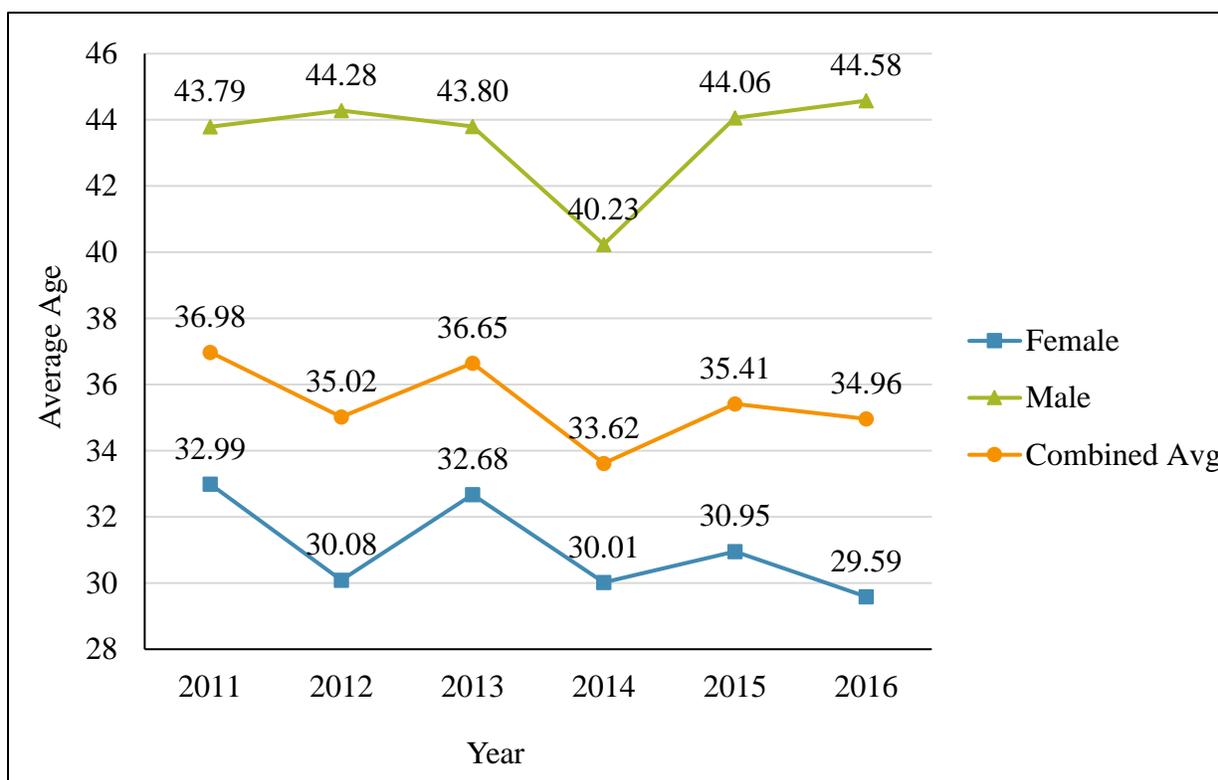


Figure 9. Average age of offenders by year, from 2011 to 2016 for Prostitution – ORC 2907.25.

### *Prostitution-related offenses involving minors*

While not a significant number, there was a very small proportion of individuals age 13-15 and 16-17 that were reported as offenders for solicitation, prostitution, compelling prostitution, promoting prostitution and procuring between 2011 and 2016. For solicitation (i.e. the most frequently occurring crime) these rates ranged from 0 to .03 per 100,000 individuals per year for 13 to 15 year-olds and .045 to .055 per 100,000 individuals per year for 16 to 17 year olds. Additional data is needed in these cases to determine the circumstances around the solicitation

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and other crimes. While the reported rate is low, this finding provides an opportunity to examine how the state's anti-human trafficking laws are being applied by law enforcement in cases of solicitation and other prostitution-related offenses where minors are involved.

### Offender Race

Rather than examining population rates for the racial characteristics of offenders, the below examined differences in race of offenders over time. Given the number of race categories and limitations on sample size, differences between race taking into account the sex of the offender was not applied as it previously was for offender age.

#### *Solicitation (Figure 10)*

- From 2011 to 2016 there were no significant changes in proportion of offenders that were identified as White, Black or African American, or identified as a race other than the aforementioned races.
- Individuals identified as offenders during solicitation incidents were largely identified as White (.71 to .64).
- The second largest racial group represented in the offender population was identified as Black or African American. While there was an observed decrease in proportion of individuals identified as Black or African American from 2011 to 2016, this decrease was not significant.
- Additional racial groups that were represented include Asian and American Indian/Alaskan Natives within the Other category, however the proportion of individuals within these categories was less than .01 between 2011 and 2016.

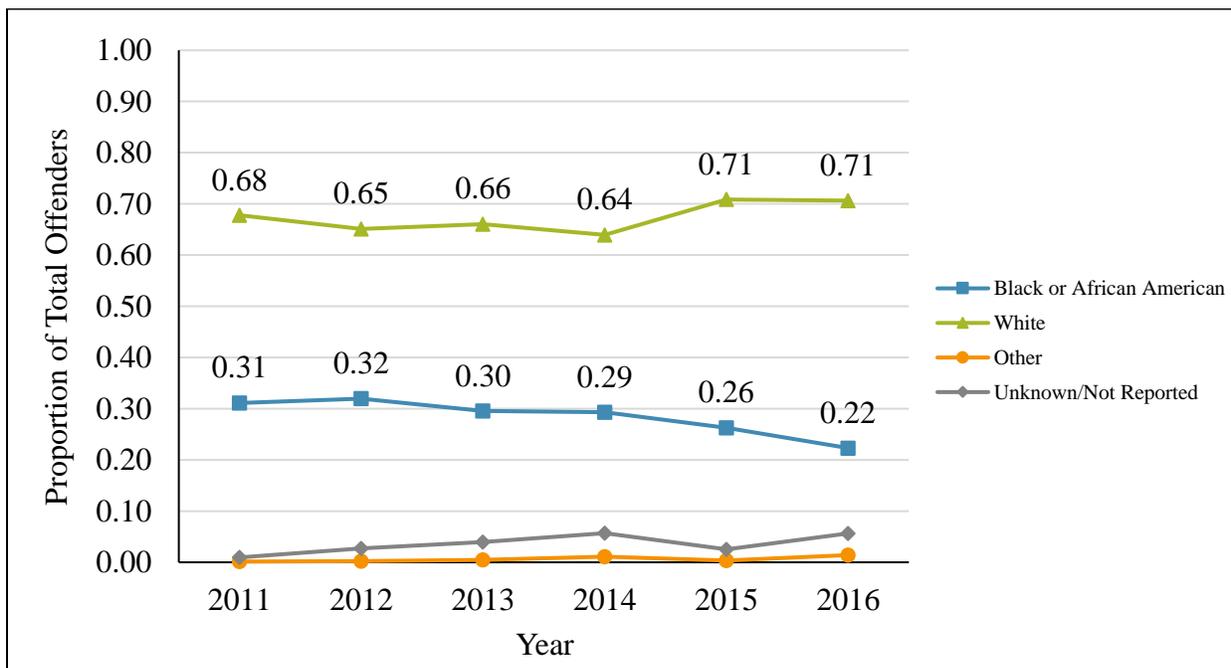


Figure 10. Proportion of offenders of a given race by year for Solicitation 2907.24.

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### Prostitution (Figure 11)

- From 2013 to 2016 there were no significant changes in proportion of offenders that were identified as White, Black or African American, or identified as a race other than the aforementioned races.
- Similar to solicitation offenses, a large proportion (.68 to .87) of offenders in prostitution offenses were identified as White by law enforcement officers. In 2012, there was a significant increase in White individuals identified as offenders (.73 to .87) before dropping in 2013 to .68.
- The second largest racial group represented in the offender population was identified as Black or African American. After 2012, there was a significant increase in this population identified as offenders (.12 to .30) followed by a decline from 2013 (.30) on to 2016 (.15).
- Asian and American Indian/ Alaskan Natives, made up a much smaller proportion of individuals, with less than .10 for any of the given years between 2011 and 2016.

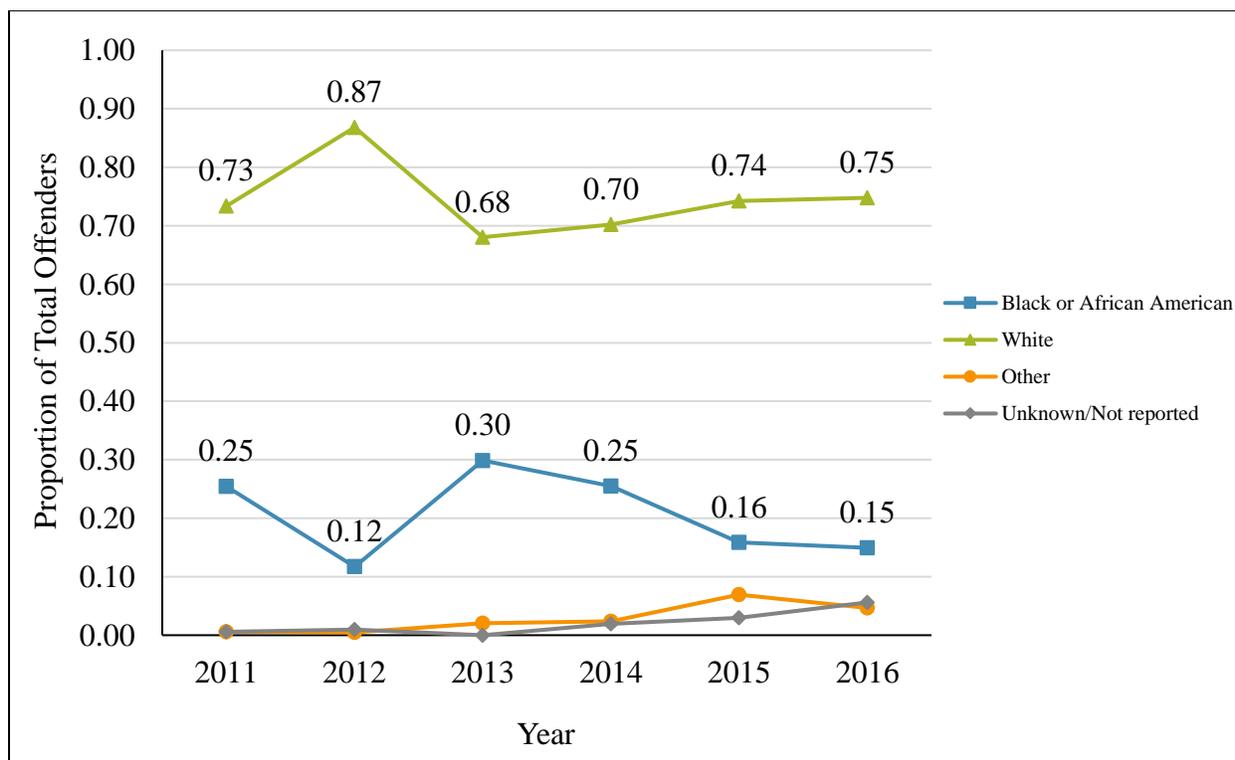


Figure 11. Proportion of offenders of a given race by year for race for Prostitution 2907.25.

### Summary and Discussion

Given the lack of access to data regarding human trafficking training in specific jurisdictions and law enforcement agencies, there's currently no way to determine the true relationship between law enforcement training and prostitution-related offenses. Additional context and data are needed around other potential influencers as well. For example, policies that may have been implemented within the reporting agencies, changes in law enforcement units and priorities that

may have redirected resources from street enforcement to emphasizing other offenses, or the rise of other public offenses that would have drawn attention away from enforcing prostitution-related crimes, such as a rise in drug-offenses and enforcement.

While direct relationships and causality cannot be examined, there are still interesting differences and trends that can be examined. The first of these findings is the significant decrease in solicitation (ORC 2907.24) incidents reported by law enforcement from 2011 to 2016. As previously mentioned, solicitation offenses can be applied to either the individual purchasing sex or the individual being paid. Traditionally, men are observed as the purchasers and women as the individuals receiving payment. When examining the sex of offenders, there was a substantial decrease in the overall rate of females identified as offenders from 2011 to 2016. Given the implementation of human trafficking training not only within the context of missing persons, but within law enforcement training on prostitution, additional research would inform whether or not this decrease can be attributed to the success of law enforcement recognizing the signs and indicators of human trafficking when interacting with women in commercial sex investigations.

Other findings of interest were identified when examining differences in the average age of offenders when broken down by sex of the offender. Offenders identified as female in solicitation and prostitution offenses tended to be much younger than those offenders identified as male. Additionally, there were large racial disparities when examining offender race over time. Offenders identified as “White” made up majority of offenders compared to those identified as “Black or African American” or other racial identities. Examining the population characteristics of communities would assist in determining if these differences mirror the population of the communities served, or if they are disproportionate. This examination would also assist in determining if there are additional environmental and socioeconomic factors that may impact not only the reported prevalence of the crimes within the area, but identifying areas where community members are most at risk of becoming involved with the abovementioned crimes. Regardless, these questions highlight the importance of moving beyond Ohio Incident Based Reports and incorporating multiple data systems when it comes to drawing accurate inferences on the impact that environmental factors have on crime reporting over time.

Another finding of interest was the relatively low rate at which human trafficking was reported by law enforcement agencies. While anticipated that human trafficking reports would be low, the overall rate was less than .1 out of 100,000 individuals. Although solicitation offenses decreased substantially, a comparable increase was not observed when examining human trafficking offenses. This may be an indicator that, while law enforcement officers are reporting less incidents of solicitation, they do not have substantive evidence to support pursuing trafficking charges at an equal rate, which is in alignment with Farrell and colleagues’ (2019) findings that law enforcement officers reported trafficking cases difficult to pursue. In addition to the legal standards that must be met, there may also be reporting barriers when it comes to human trafficking within the Ohio Incident-Based Reporting System (OIBRS). Farrell and colleagues (2019) identified barriers in law enforcement reporting human trafficking incidents in the Federal Bureau of Investigation’s Uniform Crime Reporting System, which OIBRS reports into. These barriers included offense misclassification, local buy-in to identify trafficking outside of specialized units within the agency, use of unnecessarily high thresholds to determine “confirmed” trafficking, and data entry errors or data loss.

In addition to human factors related to OIBRS reporting, there are also system factors such as how local law enforcement records management systems (RMS) send the data to the state's data system. With the implementation of ORC 2905.32 in 2011, the new offense code was integrated into the state's records management system. However, if local RMS providers did not complete regular updates to their systems, this integration, along with the ability to report, may have been delayed at the local level. In cases where one of the primary barriers to reporting is familiarity with the records management system, training agency personnel specifically on OIBRS reporting while they receive training on human trafficking would likely benefit the overall reporting of human trafficking as well. These are additional areas of inquiry that could be examined to determine how data quality of human trafficking offenses within OIBRS could be improved.

Although direct conclusions regarding the impact of law enforcement training on the identification of victims of human trafficking are limited, it is the hope that the above information provides support to further the systems and processes in place for law enforcement identification of human trafficking as well as reporting methods. As Ohio continues to improve and build a foundation of human trafficking knowledge within its law enforcement systems, it is essential that the data systems are in place to accurately measure the work that is being done and the outcomes that are achieved.

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