



HUMAN TRAFFICKING COMMISSION

OHIO ATTORNEY GENERAL

MEETING MINUTES

June 28, 2022 | 10-12:00 PM

1. Welcome and Introduction – Jomel Spurlock

- i. Jomel Spurlock introduced guest speakers Steven Babin and Jennifer El-Kadi who are attorneys with Babin Law. They are currently leading the way for survivors to seek civil justice, specifically against corporations (mainly hotels) for financially benefiting from sex trafficking of victims.

2. Babin Law

- i. Steven and Jennifer introduced themselves and began the presentation by discussing the Trafficking Victims Protection Act (TVPA) and the elements necessary for a case. They explained Section 1595 subsection (1) of the TVPA which states: “(1) the person or entity must “knowingly benefit, financially or by receiving anything of value”. This is the main clause their firm is using in court to hold corporations liable. The hotels are arguing if they had notice, they would have acted.
- ii. The corporations had enough information to receive notice that sexual exploitation was taking place. Babin Law has clients who had sex ads posted from the hotels Wi-Fi, called the national hotline from the hotel room, and provided no identification at the time of check-in. There was also obvious traffic in and out of a room, long repeated stays, and frequent requests for towels and linens. These examples prove corporations knew or should have known what was happening and since they were not reported, they benefited financially from the profits of sexual exploitation. ECPAT, Polaris and DHS have recommended steps for hotels, yet they do not follow them.
- iii. Ohio does not have a civil liability clause compared to the federal statute. Babin law showed commission members a PSA video titled “[Hotel’s knew](#)” to raise awareness to survivors about their work.
- iv. The main defendants are hotel franchises and occasionally insurance companies under the claim. Many of the hotels have had no training for their employees, for example, 6 out of 1,000 people are trained in human trafficking. Most of the time it is “voluntary training” for employees.

- v. Annette Mango added that traffickers will often make the women put their identification down to book the room so the traffickers and buyers of sex have anonymity and can slip in backdoors without being noticed.
- vi. The Babin Law staff receives training and check-ins every 2-3 months to check on their wellbeing. It's common to receive second hand trauma.
- vii. Babin Law mentions that for many survivors they have worked with, just being believed by the personnel at Babin Law is empowering. A civil lawsuit is also another avenue for those who want to seek justice and compensation through non-criminal means. Their cases are on a contingency basis and Babin Law only receives a percentage of the settlement if the case wins. Some of the cost comes from the experts paid to testify for trial. They only pursue civil lawsuits against corporations, not criminal. They do not handle expungement cases either.
- viii. To be a client for these cases, there is no geographical or age limit, but some of the criteria is the individual must have been trafficked within the last 8 years and their exploitation had to of taken place at a branded hotel.
- ix. Christi Bartman asked about the outcome of the Wyndham case. Steven shared the Wyndham case was the first lawsuit in the country to hold hotels accountable for profiting from human trafficking. In 2019, the judge denied the defendants motion to dismiss the case.
- x. Judge Marbley in the Southern District of Ohio Eastern Division has appointed a special master for these cases. Babin Law is attempting to consolidate all of their cases into this district. They are also developing a conspiracy argument against Red Roof Inn due to the number of clients who had exploitation happen in these areas.
- xi. Babin Law currently represents around 67 survivors in Ohio.
- xii. Harold D'Souza asked if they have focused on labor trafficking cases, specifically for those who are foreign nationals. He wanted to know how they receive justice, too. Steven said their law firm only focuses on sex trafficking. He did clarify that many labor trafficking suits are filed under the Fair Labor Standards Act versus the TVPA. It is easier to bring a case under this because of the wage an hour and historical precedent in cases.
- xiii. Babin Law also takes minors as well and prefer to have a parent or guardian apart of the case, if possible. They bring claims in Ohio for minors.
- xiv. Most of their cases won't go to trial. Many times, the defense will try to intimidate the survivor. The depositions some survivors go through is hard because the defense will ask difficult and often non-trauma informed questions.

Veronica Scherbauer asked how Babin Law prepares the survivors for deposition and trial. Steven stated they always prep the survivor before and will cut off a deposition if the defense starts crossing the line. He will also call the Judge to ask for a motion to restrict certain line of questioning.

- xv. Christi Bartman discussed how OHLA has hosted training for Appalachia hotels.
- xvi. Babin Law also works to get sex ads off online and they use local, state and federal documents in their cases.
- xvii. Rebecca Bunday asked what would be sufficient for hotels to do for them to combat this problem? Steven answered that doing nothing is insufficient and implementing safety protocols and procedures is necessary. There needs to be an industry standard. ECPAT could help put together a code for hotels. He also suggested hotels can rely on non-profits or consultants to guide the hotel industry. Ultimately, hotels are the ones who need to come up with the policies. Hotels are arguing this very question of “how far out can you hold people liable?”. The corporations provided an example such as holding a gas station accountable for selling condoms. Steven said this is not a valid example and hotels play a larger and direct role.
- xviii. Ruth Downing asked what the longevity of these cases are. Steven said their first case started in 2018, but on average the cases are lasting around 3 years and sometimes longer. Some defendants/hotel brands want to settle sooner rather than later and others will fight the suit. It’s important for the clients that Babin Law represents to know that they may be working with them for a long period of time. Babin Law is working with strategic partners to provide survivors with services.
- xix. Michelle Hannan said she would like to connect with Babin Law and have them come to the next victim services subcommittee meeting. Annette asked if she could refer other survivors from Renee Jones to Babin. Steven said yes if they want to pursue civil remedies against hotels.
- xx. Megan Mattimoe spoke about Advocating Opportunity and what they do for labor and sex trafficking survivors. She asked Steven how they are handling the push back with the burden of proof and wanted to know of his familiarity with the Texas lawsuits against back page websites. Babin Law is working to change the language and words in their cases to avoid dismissal. There is actually a low burden of proof for these cases compared to the lawsuits against internet companies. Seth Boughton asked how many minors are apart of their cases. Steven said there are a good portion. At least 2,225 claim they were under the age of 18 during their trafficking experience at hotels. Seth would like to connect Babin Law with the CAC’s throughout Ohio.

- xxi. The presentation and questions wrapped up and ended with the contact information for Babin Law. The HTI team will share their contact information with everyone via email.

3. Advisory Council Ambassadors Updates

- i. Harold D'Souza will be bringing Prince Manvendra Singh Gohil to meet Attorney General Dave Yost in the beginning of July and he will also speak at a statehouse panel. There were no other updates at this time.

4. Subcommittee Updates

i. Healthcare – Heather Wilde

- i. Heather Wilde was unable to attend and Emily Cole provided the updated for the healthcare subcommittee.
- ii. There are no updates for the data collection. They are waiting to get traction on a tool for this work. The AG's office has a "backlog state" until resources become available.
- iii. The school education subcommittee is combined with interested people from the public awareness committee; they are looking at a three-part series (with a single session option if that is all that is available) Health relationships, bullying/cyberbullying, HT 101/resources. Please contact Kathy Hackett or Heather Wilde to get involved.
- iv. Ambassador recommendations for healthcare providers about labor trafficking is in process. The document was sent out to the committee members for a final review.
- v. They have created an EMS Resource for the Identification and Care of Human Trafficking Victims. They are waiting for approval/response from COTS. They have also developed a quick fact sheet/"badge buddy" for hospital personal.
- vi. The group is also focusing on survivors and dental care. Heather was able to do a presentation for a dental office. The office has an MOU with the Out of Darkness safe home to assist the women there. The dentist in this setting is going to see how this goes, and plans to reach out to other colleagues. Heather spoke with someone at the OSU school of dentistry, and he is looking into different avenues where we could present to the different colleges of dentistry.
- vii. They will begin filming the healthcare scenario videos on August 8th at Mt. Carmel Simulation Center. Scenario 1 is an OB/Labor and Delivery

scenario where a bottom girl comes in with the patient. The second scenario will be in a primary care setting with a minor patient with the parent as the trafficker. All roles in the scenarios will be played by subcommittee members or nurses affiliated with members.

ii. Demand Reduction – Tony Talbott

- i. Tony Talbott was unable to attend and Emily Cole provided the update for the demand reduction subcommittee.
- ii. They are meeting less frequently during the summer due to schedule conflicts and vacations. They continue to work on both sex and labor trafficking demand reduction ideas. They are creating a brief “Demand Reduction 101” module of slides that can be added to HT101 presentations being used around the state. They will review the draft at our July meeting.
- iii. They also are developing policy recommendations to include explicit anti-human trafficking provisions in Ohio’s public procurement policy. They currently are researching all fifty states to compare policies on forced labor, child labor, and human trafficking relating to state purchasing. So far, eight other states have been identified that have such policies. The group continues to meet the 3rd Wednesday of every month from noon to 1 PM.

iii. Law Enforcement – JP Rigaud and Matt Hilbert

- i. This past June, the Mahoning Valley Human Trafficking Task Force was able to attend the annual international investigator conference in Florida.
- ii. This fall, OOCIC is hoping to provide law enforcement agencies across Ohio a free specific training on human trafficking.
- iii. OOCIC is also working on training about the dark web/cryptocurrency for all and or some task force members.
- iv. JP and Matt were able to meet with ambassadors Mandie and Stephanie. They will be joining the subcommittee.

iv. Victim Services – Kelli Cary and Michelle Hannan

- i. The standards of service survey is now live and open for a month until July 30th. They have received 11 responses, but would like to have more.
- ii. Michelle asked if the commission would help spread the word and encourage service providers to take the survey. The subcommittee is providing technical support to any service provider who needs it.

- iii. They want all providers to take the assessment and it's okay if they do not get a "passing score". Their consultation process has started and they are working on policies, trainings and other barriers providers are facing. By the end of August, the statewide service matrix will continue to develop as they work with the IT at the AG's office.
 - v. Public Awareness – Lara Wilken and Rosa Beltré
 - i. They met with the HTI team to finalize the projects the subcommittee would be working. They will start re-creating public awareness best practices at their next meeting on July 25th. They want to also focus on labor trafficking and are welcoming any commission members to join.
 - vi. Research, Data and Gap Analysis – Kirsti Mouncey and Jennifer Taber
 - i. They are continuing to work through who collects data throughout Ohio. The subcommittee is sending a survey to direct service providers to see whether or not they collect data. If a service provider does collect data, they want to know what information they collect and how.
 - ii. The group is working on guidelines to support these service providers and their data collection.
 - vii. Legal and Legislative – Samantha Salamon and Senator Fedor
 - i. Samantha Salamon and Senator Fedor were not able to attend the meeting. Senator Fedor's legislative aide, Benjamin Berrigan said the Senator is working on their expungement bills and to send any questions via email.
 - ii. Ohio Attorney General Legislative Director Katie Blankemeyer supplemented the update for the committee. House Bill 427, *Prohibit manipulation of controlled substance addiction* was signed into law by Governor DeWine and will become effective on September 13, 2022.
- 5. General HTI updates –Jomel Spurlock
 - i. There will be a posting for the Legal Director position for the Human Trafficking Initiative soon. The position prefers someone with prior legal experience.
 - ii. The Human Trafficking Summit proposals will be sent out in the coming month.
- 6. Upcoming Trainings and Developments – Group
 - i. Megan Mattimoe shared Part Two of AO [Combating Labor Trafficking Training](#) will start on July 19th from 3:00-5:00 PM online. The first session is Force, Fraud, and Confusion - Understanding Coercion in Human Trafficking. It's free as always and CLEs are available. They have over 200 people from all over the US

signed up but don't have as many from Ohio. Please feel free to sign up. This is a training cohort - multi-session with a certificate and is a DEEP dive into labor trafficking overall and how to combat it. The course will include more advanced training, including a law-enforcement only session coming up. To attend any session, they strongly encourage folks to attend previous sessions - either the recording or live. They are working on CPEs and CEUs as well. It will be recorded.

- ii. Christi Bartman is working with a survivor advocacy outreach program through Nationwide Children's PREP training. Gallia County will be hosting a parent training with Gracehaven.
7. In attendance: Jomel Spurlock, Emily Cole, Katie Blankemeyer, Gwen England, Hannah Estabrook, Michelle Hannan, Kelli Cary, Harold D'Souza, Christi Bartman, Maria Busch, Veronica Scherbauer, Rebekkah O'Bryan, Ruth Elendu, Joella Franzen, Tara Alston, Stevin Babin, Jennifer El-Kadi, Lara Wilken, Rocky Nelson, JP Rigaud, Megan Mattimoe, Representative Richardson, Crystal Rankins, Annette Mango, Victoria Dingee, Bill Cranston, Naima Illimi, Kirsti Mouncey, Heidi Carr, Maggie Kane, Magistrate David Fish, Kathleen Hackett, Jennifer Taber, Ryan Emahiser, Rebecca Bunday, Deputy Chief Knight, Jill Jackson, Seth Boughton, Alicia Wolf, Courtney Schmackers, Ruth Downing, Cynthia VanCleve, Jennifer Riley-Himes, Chelsea Gaffey, Celeste Prince