

September 14, 2022

Dear Members of Congress:

On this Sex Worker Pride Day, we, the undersigned organizations from public health, technology, reproductive justice, anti-trafficking, racial justice, and civil and human rights, urge Congress to pass the “SESTA and FOSTA Examination of Secondary Effects for Sex Workers Study Act” or the SAFE SEX Workers Study Act. This bill, reintroduced on March 3, 2022—International Sex Workers Rights Day—in the [House](#) by Representative Ro Khanna, and in the [Senate](#) by Senator Elizabeth Warren, would study the impact of SESTA/FOSTA on the wellbeing and rights of people who trade sex, including sex workers and human trafficking survivors. As organizations working across diverse communities globally, we are committed to meaningful improvements in the health and safety of people who trade sex.

Marginalized individuals often rely on sex work for economic survival due to systemic discrimination in the workplace based on their race, gender identity, sexual orientation, or disability. Systemic discrimination can lead LGBTQIA+ people in particular to sex work. In a 2015 survey of transgender people, 19 percent reported doing [some type of sex work for food, money, or a place to sleep, with significantly higher rates for trans people of color](#). Transgender people engage in sex work at a rate [ten times](#) that of cisgender women.

Criminalization, discrimination by service-providers, and stigma make people who trade sex more vulnerable to violence, victimization, and exploitation. [One study of sex workers in New York reported that 80 percent](#) had been victims of violence, including 27 percent at the hands of the police. Twenty-three percent of LGBTQIA+ murder victims in the [2012 Anti-Violence Project report](#) were killed while engaging in sex work. Many people who trade sex rely on internet platforms to stay safe by finding and vetting clients independently without a third-party or manager and building connections with other sex workers to share harm reduction tips. But the online platforms sex workers require, have for years been the target of federal law enforcement seizures. The harmful ramifications of losing access to these sites was only compounded in April 2018 when Congress passed SESTA/FOSTA into law.

SESTA/FOSTA was sold as an anti-trafficking tool by adding a carveout to Section 230 of the Communication Decency Act, which created new liability for online platforms that may be “facilitating trafficking”. In reality, SESTA/FOSTA has [rarely been used in anti-trafficking cases](#) but has led online platforms to [ensor content flagged as sexual in nature at a much higher rate](#). This not only impacts sex workers’ safety, but everyone seeking reproductive and sexual health information online. With the overturning of Roe, and state legislatures increasingly introducing and passing [bills that target the LGBTQIA+ community](#), access to sexual health information online is more important than ever.

It is critical for the health and wellbeing of sex workers, victims of trafficking or those vulnerable to trafficking, people seeking abortions and reproductive healthcare, LGBTQIA+ individuals, and everyone who relies on freedom of expression online that Congress pass the SAFE SEX

Workers Study Act. While sex workers and advocates have [widespread anecdotal information](#) on the consequences of SESTA/FOSTA, no rigorous study has been conducted to assess the full impact of the loss of internet platforms on the health and safety of people who trade sex. The SAFE SEX Workers Study Act would fill this knowledge gap by directing the Secretary of Health and Human Services to assess SESTA/FOSTA's affects on people who trade sex and requesting a report from the Department of Justice on the impact of the law in anti-trafficking efforts. We urge you to take the opportunity presented by the SAFE SEX Workers Study Act to rely on evidence and not assumptions in anti-trafficking efforts and digital regulation.

From the experts on why it is necessary that Congress pass the SAFE SEX Workers Study Act:

“Since the passage of FOSTA/SESTA we have seen a large increase in trafficking, rape, battery, and other forms of violence due to the restriction of resources for our communities. The unintended consequences of this poorly thought-out law have been catastrophic for our most marginalized members.” Kristen DiAngelo, Co-Founder, **Sex Workers Outreach Project Sacramento**

“My organization works on the ground with street based sex workers. We see the direct impact of SESTA FOSTA pushing workers onto the street where they are vulnerable to violent predators, police harassment, lack of basic resources and higher levels of disease. SESTA/FOSTA pushes us outside of society and makes sex workers AND people experiencing trafficking more unsafe. SESTA FOSTA further marginalizes already vulnerable populations and consigns us to death.” Soma Snakeoil, Co-Founder & Executive Director, **The Sidewalk Project**

“Censorship has caused me more stress as a sexual assault survivor and sex worker than it has to “save me”.” Vixen Temple, Board Member, **Strippers United**

“If we are going to combat trafficking in a meaningful way, we cannot pass policies that leave vulnerable populations in the shadows. The potential impacts of these policies must be examined before legislation is created, so we can prevent repeating the mistakes of SESTA-FOSTA. If the goal is to help sex workers and trafficked people, then we must focus on approaches that have been proven to work, and proven to protect.” Phoenix Calida, Communications Director, **Sex Workers Outreach Project-USA**

“In order for Sex Workers to be counted, Sex Workers must be accurately represented and considered. The harm of FOSTA-SESTA cannot be easily quantified, but this is a step in the right direction.” Eliza Sorensen, Co-Founder, **Assembly Four**

“Choosing to do sex work as an adult is a human right, laws that do not reflect this undermine people’s right to bodily autonomy, freedom of expression, choice of employment, and even life itself. The SAFE SEX Workers Study Act is a critical step to right the wrongs of SESTA/FOSTA by investigating and reporting on the law’s impacts on sex workers and people trafficked in the

sex trades.” Mariah Grant, Director of Research & Advocacy, **The Sex Workers Project of the Urban Justice Center**

"The SAFE SEX Worker Study Act is the first bill which asks the government to take a serious look at what happens when marginalized communities are turned into legal liabilities for the spaces they seek to stay safe. As digital regulation becomes an increasingly discussed topic, it is basic due diligence that we understand these impacts and bring those communities to the table." Kate D'Adamo, Partner, **Reframe Health and Justice**

“Sex workers are not acceptable collateral damage in our fight to end exploitation. Many trafficking survivors are later able to use online platforms consensually to maintain their economic and emotional freedom from their traffickers, and we owe it to them and the families they are supporting to research our policies' full impacts.” Chris Ash, Survivor Leadership Program Manager, **National Survivor Network**

"Making sex workers safe is an essential step in preventing human trafficking. Eliminating access to platforms that promote safety and provide access to income increases the risk of sex trafficking. Congress should take these necessary steps to understand SESTA/FOSTA's impact on sex workers and human trafficking victims to build a more effective strategy for holding traffickers accountable." Jean Bruggeman, Executive Director, **Freedom Network USA**

“FOSTA-SESTA was a major mistake for human rights online. Congress needs to step up and conduct a true assessment of the harms they have caused. Fiddling with Section 230 had deadly consequences for sex workers, and before any further changes are made to our digital rights lawmakers must fully understand and rectify the harm that has already been done.” Lia Holland, Campaigns & Communications Director, **Fight for the Future**

“Sex workers became even more vulnerable after the passage of SESTA/FOSTA in 2018 which pushed more sex workers offline and into the streets, where they have to work in isolated areas to avoid arrest and deal with clients without background checks. The SAFE SEX Workers Study Act would study these effects, helping us make informed policy decisions that protect sex workers' health and rights. Sex workers, like all workers, have the right to safety and security as they make a living." LaLa Zannell, Trans Justice Campaign Manager, **American Civil Liberties Union**

“Far too much of tech policy is driven by half-truths or misunderstandings of the real impact of regulatory changes. Given the apparent momentum building towards significant reforms of CDA section 230, it is critically important to understand the real impact of the SESTA/FOSTA changes, especially on groups that these reforms purported to protect.” Michael Karanicolas, Executive Director, **UCLA Institute for Technology, Law & Policy**

“Defending Rights & Dissent opposed SESTA/FOSTA because of the potential to cause real harms to vulnerable communities. We know that has come to pass, and we urge Congress to

study the impact of these laws to understand how to hold tech companies accountable without causing any more harm.” Susan Udry, Executive Director, **Defending Rights & Dissent**

“There is insufficient data about sex trafficking in the United States, and an even further dearth of information concerning the health and safety of individuals involved in the commercial sex industry, whether they be involved by choice, necessity, or coercion. The SAFE SEX Workers Study Act would produce data that will enable non-profits to better serve this population by focusing resources to where they are most needed.” Caitlyn Burnitis, Lead Maryland Attorney, **Amara Legal Center**

The SAFE SEX Workers Study Act is supported by the following organizations (underlined are hyperlinked to more information on the organization):

[ACODHU-TS \(The Congolese Alliance for Human Rights\)](#)
[Advocating Opportunity](#)
[African Sex Workers Alliance](#)
[AIDS United](#)
[Amara Legal Center](#)
[American Civil Liberties Union](#)
[ASSC ONG](#)
[Assembly Four](#)
[Black and Pink Massachusetts](#)
[Black and Pink National](#)
[Blogger on Pole](#)
[CA LGBTQ Health and Human Services Network](#)
[Cares Sexual Wellness Services](#)
[Center for Democracy & Technology](#)
[Center for LGBTQ Economic Advancement & Research \(CLEAR\)](#)
[Concerned Women International Development Initiative](#)
[Defending Rights & Dissent](#)
[Empowered At Dusk Women's Association](#)
[Erotic Laborers Alliance of New England](#)
[Equal Rights for All Movement Namibia](#)
[Equality Federation](#)
[European Sex Workers Rights Alliance](#)
[Fight for the Future](#)
[Freedom Network USA](#)
[Frisse](#)
[G.L.I.T.S., Inc. \(Gays & Lesbians Living in a Transgender Society\)](#)
[Global Alliance Against Traffic in Women](#)
[Grupo Partilha d'Vida \(GPV\)](#)
[HIPS and SWAC \(Sex Worker Advocates Coalition\)](#)
[Homme pour les droits et la santé sexuelle, HODSAS](#)
[Human Rights Campaign](#)

Kasese Women's Health Support Initiative
Lambda Legal Defense & Education Fund, Inc.
Make the Road New York
Movimento dxs Trabalhadorxs do Sexo (MTS)
National Center for Lesbian Rights
National Harm Reduction Coalition
National Survivor Network
NEW Pride Agenda
Ohotu Diamond Women Initiative
Old Pros
OpenMedia
Oregon Sex Worker Committee
PACE Society
Parapli Rouz
Pertubuhan Kesihatan dan Kebajikan Umum Malaysia (PKKUM)
PLAPERTS (Plataforma Latinoamericana de Personas que Ejercen el Trabajo Sexual)
PLAPERTS Mexico, APROASE A.C.
Positive Women's Network-USA
Projekt Pia
Projet de Travailleurs de Soutien aux Autochtones/Indigenous Support Workers Project
Public Citizen
Ranking Digital Rights
Red Canary Song
Red Umbrella Athens
Reframe Health and Justice
R3D: Red en Defensa de los Derechos Digitales
SAF-TESO
Safe Sex of Sonoma County
Scarlet Alliance, Australian Sex Workers Association
St James Infirmary
Strippers United
SWASH (Sex Work and Sexual Health)
SWOP Behind Bars
SWOP USA
Sex Workers Outreach Project Sacramento
Sex Workers in Myanmar Network
Sex Workers Project of the Urban Justice Center
SINTRASEDOM (Sindicato de Trabajadoras Domésticas)
The Human Trafficking Prevention Project at the University of Baltimore School of Law
The Sidewalk Project
Totally Wow! Org
Verity ~ Compassion.Safety.Support
White Rose Alliance
Woodhull Freedom Foundation