



March 21, 2023

Dear Senate Judiciary Committee Member:

MEMORANDUM IN SUPPORT OF S0402, which grants immunity from prosecution for prostitution-related offenses to any person who is a victim of or witness to a crime that was related to their involvement in commercial sexual activity if they report the crime to law enforcement and in good faith assist or attempt to assist in the investigation of the crime, even if they later withdraw their cooperation.

As a human rights organization, Woodhull Freedom Foundation fully supports S0402. More than a decade ago, we participated in the United Nations Universal Periodic Review held in Geneva, Switzerland, where we and our allies were successful in having the United States fully accept Recommendation #86, which called on the US to look into the special vulnerability of sex workers to violence and human rights abuses. The US stated, *"We agree that no one should face violence or discrimination in access to public services based on sexual orientation or their status as a person in prostitution, as recommendation [#86] suggests."*

S0402 will bring Rhode Island further towards fully recognizing that violence against sex workers is a human rights violation. This bill will make it easier for people to protect themselves from violence or coercion and to report crimes against their persons.

The Universal Declaration of Human Rights (UDHR), ratified by the United States in 1948, outlines a clear case in support of this bill. Article 7 states, *"all are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."* This right includes those who have been the victims of trafficking. S0402 will protect the human rights of Rhode Island's most vulnerable and make them safer!

People experiencing trafficking are at an increased risk of experiencing violence and further exploitation. Many of those being trafficked do not report violent crimes or seek medical attention for injuries and trauma resulting from that violence because they fear being prosecuted for prostitution. Attackers exploit this fear and commit heinous crimes with impunity, leaving exploited persons at risk of serious injury, even death. Infamous serial killers across the country have openly admitted to targeting those engaged in prostitution for this very reason, from Gary Ridgway to Sam Little.

When trafficked people are arrested, they are subject to another layer of trauma. Involvement in the criminal legal system not only adds to trauma and stigma, which makes emotional recovery much more difficult, but it also creates additional practical barriers to survivors as they rebuild their lives. Criminal convictions impede survivors' access to housing, education, and other critical social services. Survivors' human rights to the aforementioned items are guaranteed by the UDHR. Thus, it is critical that trafficked people are guaranteed immunity from prosecution for prostitution when they make the brave decision to report their victimization or that of others to law enforcement or to seek medical care.



Rhode Island has the opportunity to join other states throughout the country creating similar policies. California, Oregon, Utah, New Hampshire, Vermont, Colorado, and Montana have existing immunity laws, and other state legislatures are considering similar bills this year, including New York, Nebraska, Tennessee, and Hawaii.

Individuals and organizations with a diverse breadth of priorities and experiences have openly supported these policies across the country, including trafficking survivors, advocates, sex workers, prosecutors, and police departments.

To make our communities safer, it is in the public interest to encourage victims and witnesses of crime to come forward and aid law enforcement. This bill would enable law enforcement to arrest and convict those committing criminal acts and, in so doing, protect Rhode Island's most vulnerable. It also sends a clear message that trafficking survivors deserve the right to report crimes committed against them and seek justice if they so choose. Passing this legislation is a critical step in our effort to end human trafficking in Rhode Island and promote the health, well-being, and social support of all survivors.

We strongly support S0402 and urge the Senate Judiciary to do the same in order to ensure the safety and health of all citizens of Rhode Island and to protect their most fundamental human rights.

Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Ricci Joy Levy". The signature is written in a cursive, flowing style.

Ricci Joy Levy  
President & CEO  
Woodhull Freedom Foundation