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### FOR IMMEDIATE RELEASE

## ANTI-TRAFFICKING ADVOCATES URGE RHODE ISLAND LEGISLATORS TO REJECT FLAWED PROSTITUTION BILL

*Closing "loophole" is not necessary, and may be harmful to fight against human trafficking*

June 18, 2009 (NEW YORK CITY, NY) - Anti-trafficking advocates today called on Rhode Island legislators to avoid a rush to judgment and to carefully consider the potential impacts on victims of human trafficking of legislation that would drastically expand the definition of the crime of prostitution in Rhode Island.

"We welcome the deep concern for victims of trafficking into prostitution expressed by legislators, law enforcement, and advocates," said Andrea Ritchie, Director of the Sex Workers Project at the Urban Justice Center, which has provided essential legal and social services to hundreds of victims of human trafficking over the past seven years, and actively participated in legislative advocacy surrounding the passage of state and federal anti-trafficking legislation. "But we urge them to exercise caution, and to learn from the experience of organizations and experts working directly with survivors of human trafficking, which strongly suggests that prostitution arrests are not the answer."

Whether intentionally or inadvertently, Rhode Island's current approach to prostitution is ahead of the game where trafficking is concerned, not the laughingstock of the country as some have claimed. In other states where all forms of prostitution are criminalized, victims of trafficking into prostitution are frequently arrested, sometimes up to ten times, prosecuted, convicted, and jailed on prostitution charges without police or courts ever realizing they have been coerced.

"Claims that not one trafficking victim has ever been prosecuted under prostitution laws in other states are quite simply unfounded – we have worked with many trafficking victims who have been arrested and prosecuted for prostitution related offenses," Sienna Baskin, an attorney who represents trafficking victims in immigration proceedings and facilitates their cooperation with law enforcement in prosecution with their traffickers. "The House bill's narrow provision for an affirmative defense for victims of trafficking is certainly not the equivalent of immunity from prostitution charges for trafficking victims."

"It is factually and legally incorrect to say that law enforcement's hands are tied under the current approach," Ritchie, added. "In reality, existing federal and state anti-trafficking laws, as well as existing criminal provisions against kidnapping, extortion, assault, rape, and indentured servitude, give law enforcement and prosecutors a plethora of tools to pursue those who harm people who are engaged in prostitution without collateral damage to victims of trafficking."

"After all, labor trafficking can be and is prosecuted without criminalizing picking tomatoes, domestic work, or waiting tables in a restaurant."

"We would never dream of arresting a domestic violence victim in the name of twisting their arm to "help" them, why would we do so with trafficking victims?"

A recent report summarizing the experiences of dozens of anti-trafficking advocates and law enforcement agents who have worked with thousands of trafficking victims across the country concluded that despite law enforcement's best intentions, prostitution arrests are deeply traumatizing, and discourage, rather than encourage, trafficking victims from coming forward. (available at: [http://www.urbanjustice.org/pdf/publications/Kicking\\_Down\\_The\\_Door\\_Full\\_Report.pdf](http://www.urbanjustice.org/pdf/publications/Kicking_Down_The_Door_Full_Report.pdf))

Formed in December 2001, shortly after the passage of the federal Trafficking Victims Protection Act of 2000, the Sex Workers Project at the Urban Justice Center (SWP) provides essential legal and social services to victims of trafficking into prostitution. Our agency was among the first to provide legal services to people who work in the sex industries regardless of whether they do so by choice, circumstance, or coercion. We also work closely with the Center for Court Innovation's Midtown Community Court in the identification of victims of trafficking among individuals arrested on prostitution-related offenses, as well as the provision of services through diversion programs.

SWP's memo in opposition to H-5044A is available upon request from [artichie@urbanjustice.org](mailto:artichie@urbanjustice.org).