

# URBAN JUSTICE CENTER



May 28, 2014

To: Senator Gayle Goldin  
RE: SB 14-S 2602/ HB 14-H 7612

Dear Senator Goldin:

I am writing regarding House Bill 14-H 7612 and Senate Bill 14-S 2602, which would amend Rhode Island's human trafficking law.

For over a decade, the Urban Justice Center has provided critical legal and social services to hundreds of victims of human trafficking. We have also participated in legislative advocacy and consulting on federal and state level anti-trafficking laws, including reauthorization of the federal anti-trafficking law and passage of the New York State anti-trafficking law.

Having read the legislation, I share the concerns that have been expressed by the ACLU about the adverse impact that the change of language on Page 1, line 8 could have on individuals involved in "commercial sexual activity" who are not involved in any way in trafficking. Sex workers are often incredibly vulnerable individuals who are unable to access safe shelter, healthcare, or other living wage options. Sex workers are also vulnerable to human trafficking, and many victims are never identified. Sex workers would clearly be subject to draconian criminal penalties intended for human traffickers under S-2602 and H-7612. Sex workers often work together and may "harbor" or "transport" one another "knowing" that they intend to engage in commercial sexual activity. The same may be true for other people involved in commercial sexual activity unrelated to trafficking. This revision of the human trafficking law makes the grave mistake of conflating commercial sexual activity with human trafficking, with drastic unintended consequences for individuals who are not engaged in human trafficking or subjecting anyone to involuntary servitude, but may in fact be those that most need assistance.

The amendment proposed by the ACLU, adding the language "prohibited by section 11-67-2" to the end of the amended sentence, is a simple and direct way to rectify the problem. It makes clear that people who intentionally or knowingly assist in human trafficking endeavors face punishment similar to that for traffickers. But the amendment also makes sure Rhode Island's law does not end up inadvertently conflating all commercial sexual activity, already addressed in a separate section of your criminal laws, with trafficking.

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Thank you for your consideration and attention. I am available at your convenience to discuss this legislation further.

Sincerely,

A handwritten signature in black ink, appearing to read 'SBaskin', with a large, decorative flourish at the end.

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