

Roberta DiMezza

From: Sammie The Snail <samanthamorgancote@gmail.com>
Sent: Tuesday, June 4, 2024 12:30 PM
To: Rep. Craven, Robert E.; Rep. McEntee, Carol Hagan; Rep. Knight, Jason; Rep. Ajello, Edith H.; Rep. Batista, Jose F.; Rep. Bennett, David A.; Rep. Caldwell, Justine A.; Rep. Casimiro, Julie A.; Rep. Corvese, Arthur J.; Rep. Dawson, Matthew S.; Rep. Felix, Leonela; Rep. Noret, Thomas E.; Rep. Place, David J.; Rep. Roberts, Sherry; Rep. Cruz, Cherie L.; rep-kislok@rilegislature.gov; Rep. Tanzi, Teresa A.; House Judiciary Committee
Cc: coyote.rhodeisland@gmail.com
Subject: Opposing H7165A and in Support of H7307

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June 3, 2024

Dear House Judiciary Members,

I am writing to you in opposition to H7165. In addition to our letter, please see this petition (<https://www.change.org/p/in-support-of-h7307-and-opposition-of-h7165>) against the bill which has over 400 signatures. We have also created an index of all prior written testimony on H7165 and H7307 that clearly demonstrates the broad public support for an immunity bill that could be used by ALL Rhode Island sex workers and could not be used against us.

Any serious attempt to promote public safety or end sex trafficking must include allowing ALL sex workers, sex trafficking survivors, and our clients (who are first responders in most cases of sex trafficking) to report violence without being charged with prostitution or massaging without a license. H7307 accomplishes this.

The new Substitute A does not address our concerns and would exclude those most likely to encounter sex trafficking - clients - from reporting it to the police. In industries like hospitality where trafficking is more prevalent than the sex industry, anti-trafficking efforts have a strong focus on outreach to customers. Trafficking victims are isolated and may take time to build enough trust with a client to start to confide in them about their situation. Any serious attempt to stop sex trafficking must include allowing reports by those most likely to encounter sex trafficking victims.

Version H7165A continues to include all crimes, including prostitution and other moral crimes, as offenses one can report to gain immunity. As we have written to you several times now, reportable crimes should be restricted to ALL crimes against people and should not include moral crimes. Including moral crimes, particularly prostitution, creates another tool that can be used to extort and abuse sex workers and sex trafficking survivors.

H7165A continues to not offer immunity from the most commonly charged prostitution-related misdemeanor, Massage Without a License, for those reporting violent crimes. In recent years, Massage Without License charges have made up as much as 81% of prostitution-related misdemeanors. Asian spa workers are increasingly targeted by local police, Homeland Security, and mass shooters.

There has been some resistance to allowing Asian spa workers to report crimes like murder and sex trafficking without being charged with Massage Without a License. Rhode Island's most vulnerable citizens are relying on you to take a strong leadership role in prioritizing public safety over some people's moral discomfort with sex workers or sex trafficking survivors who have been victims or witnesses of heinous crimes and reported them to the police not being charged with this misdemeanor.

During a previous testimony for H7165, an out-of-state special interest group testified that Asian spa workers don't need immunity because they plan to ask the Attorney General's Office to not prosecute spa workers for reporting crimes. This demonstrates an incredible ignorance of the Rhode Island context, where police act as prosecutors in misdemeanor cases.

In 2021 the Rhode Island Attorney General used the state RICO law to seize \$650k from Grace Kwon, an Asian Spa worker. The money was divided between the Pawtucket Police Department and the Attorney General's Office. It is not reasonable to think that police or prosecutors will begin to go against their own financial interests because they are

asked nicely. Rhode Island's most vulnerable are counting on our lawmakers to take a strong leadership role in prioritizing public safety over the prosecution of moral crimes.

In 2009 during the re-criminalization of prostitution in Rhode Island under H5044 legislators met with 30 Asian spa workers who pleaded for their jobs and their basic human rights - to be able to call police for help, rather than be hunted by police. Legislators ignored their concerns and made them criminals that year. As a small update on the "unintended consequences" of criminalizing Asian spa workers, we would like to share with you this anonymous testimony from one Rhode Island Asian spa worker:

"I worked at 2 Pawtucket spas that were raided. I was out of work during the raids, recovering from a medical procedure. The other workers told me how the police talked down to them like they were trash. Prior to these raids 2 of the officers came into the spa several times and purchased our services. One who called himself Joe and he was pushy. He tried to get the workers to engage in intercourse without a condom. The other man tried to get the workers to date him. He promised them big tips and the last time he left without paying the woman. There were rumors that management got tired of paying off these 2 officers and we think that is why they were raided. Since then I work alone so I won't be charged with the bigger crimes for working with other spa workers. Since then I have been assaulted twice and robbed 3 times. I can't risk calling the police on bad men because if I got arrested I could lose my 2 grandchildren that I am raising since my daughter died of COVID. I just want to work and be safe."

Sex workers, survivors, and the community are once again before you telling you that H7165A would have serious unintended consequences and increase violence towards sex workers and sex trafficking survivors. Please listen to us this time and vote no on H7165A or amend it to include equal protection for all sex workers, include reporting by clients, and focus on crimes against people.

Sincerely,
Samantha Cote
Providence, RI