

PVD

AMNESTY INTERNATIONAL



Hon. Robert E. Craven, Sr., Chairperson, House Committee on Judiciary,
et al. sitting Judiciary Committee Members, Rhode Island General Assembly

Amnesty International USA Local Group 1016
ITEM: H7452
POSITION: SUPPORT

To The Esteemed Members of the House Committee on Judiciary,

Thank you for considering House Bill 7452, which seeks to reduce harm in the Rhode Island sex trade. This bill would remove the imposition of mandatory HIV testing on anyone arrested for any prostitution related offense, which penalties the RI Department of Health has stated work contrary to the public's health by further stigmatizing both the disease itself and the sex worker, who might take bigger risks in spite of the knowledge of what arrest or processing entails. The bill strikes court costs from the penalties levied against sex workers, a burden that is singular to this segment of criminalized people and hence increases equity between sex workers and other people in the criminal justice system. Such additional penalties might encourage sex workers to accept riskier or lower paid work they would not normally. The bill also reduces the number of offenses in Chapter 11-34.1 of RI GL, namely to remove the Loitering offense in 11-34.1-4. These amendments to existing law are vital to reducing stigma and lowering the expenses incurred by everyone while seeking to regulate commercial sexual activity.

Amnesty International has fought since 1961 to protect human rights as the world's largest grassroots human rights organization. AIUSA has more than a million members and activists in all 50 states. Our members are part of a larger global movement of 10 million people in 150 countries. Our activism and research finds the facts, exposes what's happening, and rallies people together to force governments and others to respect everyone's human rights. AIUSA takes a decidedly clear position on decriminalization of sex work as the only way to adequately protect providers, clients, and the broader public from harm and violence. This position is in line

with the UNHRC, Human Rights Watch, the WHO, the ACLU, NOW, and many other organizations.

AIUSA 1016 works to promote this position here in our state through advocacy and other organizing with coalition groups. In 2021-'23 we were honored to serve sex workers in Rhode Island as panel members on the House Study Commission on Safety of Marginalized People, the culminating report of which recommended full decriminalization of the sex trade in Rhode Island. Among the other recommendations of that report, published by the House Speaker pursuant to its enabling legislation, are the measures this bill would affect.

Removal of non-consensual HIV testing as an invasive processing measure against criminalized sex workers who have not been convicted in a court; removal of fees subject only to sex workers; and the review and repeal of under-utilized offenses and statutes will all reduce harm against people working in the sex trades. Non-mandatory HIV screens would promote higher levels of preventive prophylaxis and condom use along with the reduction in onerous burdens on both defendants/detainees and the state. Removal of court costs is critical to increasing equity in the justice system's relation to the yet criminalized sex worker. Finally, repeal of unused offenses reduces the chances that a sex worker-or anyone else-is subject to frivolous or *ex post facto* detention, arrest, or other potentially negative law enforcement interactions, simply for being in a certain place exhibiting certain behavior. Any of these measures would be supported by the findings and recommendations of the study commission, the work of the commission's members in their own organizations, and the many witnesses, experts, and impacted community members who testified before and argued in the commission during its tenure. For Amnesty International, this bill constitutes the floor for further review, reform, and repeal of all sections and statutes related to Chapter 34-1 of Title 11.

Amnesty PVD strongly urges the Committee to consider this bill favorably and send it to the House floor recommending passage.