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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 24-H 7452, RELATING TO STATE AFFAIRS AND GOVERNMENT – CORRECTIONS DEPARTMENT February 15, 2024

The ACLU of RI appreciates the opportunity to provide testimony in strong support of this legislation which would repeal two discriminatory and outmoded laws that unfairly target sex workers.

The first is an indefensible law enacted more than a decade ago that imposes additional court fines specifically and solely on individuals charged with prostitution-related offenses. Merely reciting the statute's content should be sufficient to indicate its complete unfairness. Singling out a victimless crime for additional punishment is bad in and of itself, but to single out a crime that overwhelmingly impacts women is unconscionable. This extra dose of punishment was inappropriate when it was first enacted; it remains just as inappropriate today and deserves repeal at the earliest possible opportunity.

The bill would also repeal the state's "loitering for prostitution" law. As the legislation itself notes, this particular statute is very rarely used and, when enforced, is likely to have a discriminatory impact not just on women, but on communities of color and transgender people. For these reasons, we support the bill's proposal to repeal this statute as well.

In supporting passage of this legislation, we also urge the committee to pay heed to the additional findings and recommendations of the special legislative commission that exhaustively examined this issue. There are many other unfair laws on this topic that single out sex workers for discriminatory treatment. Passage of this bill should be considered a first step in righting the wrongs that exist in the Rhode Island General Laws in their discriminatory treatment of individuals who engage in this activity.

Thank you for considering our views.