

H5250 Study Commission 4/24/23

While COYOTE supports all sex workers, it's important to understand that this study commission is about prostitution/ criminalized sex workers and the effects of criminalizing prostitution since 2009. "The government is now our boss because they create our work conditions"

Sex work vs Trafficking, much of this has to do with how much ability the person has to negotiate. Much of this depends on their personal situation, whether they can safely report violence and exploitation to the police, do they have the ability to negotiate safe work conditions, the ability to negotiate their rates & condom usage, negotiate what services they are willing to provide, and the ability to screen their clients.

Prostitution-and-Prostitution-Related-Charges-in-Rhode-Island-2000-Present-CoyoteRI January 2023

Our research team included

- **Author Tara Burns, MA University of Alaska Fairbanks, Research Director,**
- **Bella Robinson Executive Director, COYOTE RI**

Interns & Volunteers

- **Allie Benz, MA Graduate University of Denver class of 2022**

- Colleen Falconer, BA MA Clark University class of 2021
- Tatiana Rothchild Ph.D. Northwestern, has presented at over 30 trafficking conferences and will be here at 3:30 to add her public testimony.
- Samantha Cole URI has interned and volunteered with COYOTE since 2020. Her advisor is Robyn Linde, Political Science Professor at URI
- Lilah Rose - sex worker COYOTE disability advocate
- Lindy Bridges - volunteer
- Jennifer B- volunteer

Between the cost of APRA requests and research stipends, COYOTE spent 8k and 18 months reviewing tens of thousands of pages of charging documents

Methodology

An important, yet often overlooked, way of understanding criminal laws is to examine when and how they are applied, who they are applied to, and how those people or those who identify as their victims are impacted. In this project, COYOTE RI has used public records requests to obtain charging documents in:

- Thirty-six prostitution-related felony cases that were charged in RI by the Attorney General's office over the last five years (we

are told the AG's office will provide two missing cases but have not received them at the time of publication).

- What we believe to be a representative number of misdemeanor charges (2,189) filed by individual police departments since 2000. In Rhode Island, police officers act as prosecutors in misdemeanor cases.

- Twelve federal sex trafficking cases charged in Rhode Island with 19 defendants since 2000.

We tracked some quantitative measures such as homelessness, victim status, law enforcement sexual contact, and the involvement of various agencies and task forces and utilized a focus group of current and former sex workers and sex trafficking survivors to help us understand the qualitative data.

AGs Office

In April of 2022, Blake Collins of the Attorney General's office was quoted by the Boston Globe claiming that current laws are not used against sex workers and referring to 18 cases of pandering charged since 2020. The Attorney General's office had previously provided us with charging documents for what they said were all pandering cases "over the last 5 years." However, in those case files, there were no cases since 2020. We requested these 18 cases and were provided 14 cases for an additional \$300. In addition, we were sent 4 cases from 2019 that should also have been provided in response to our original request. In four of the fourteen pandering cases since 2020, the defendant was a sex

worker, in direct opposition to Mr. Collin's quote in the Boston Globe that current laws are not used to charge sex workers.

Our emails asking whether the other cases referenced in the Boston Globe article existed and whether there were additional felony records that were not provided in response to our first request went unanswered. We are unsure whether the omissions and mistruths were intentional, but they leave us suspicious of statements made by the Attorney General's office and unsure whether we have been provided with all of the public records we requested, as required by Rhode Island's Access to Public Records Act.

The main impact of the re-criminalization of indoor prostitution has been the repeated arrests and deportations of Asian Spa workers

- After the re-criminalization of indoor prostitution, and again over the last six years, there has been a sharp increase in arrests of Asian spa workers. In 2021, Asian spa workers made up 13 of Rhode Island's 16 total prostitution-related arrests. Police target Asian spa workers for re-arrest, sometimes arresting them within a couple of weeks of their previous arrest.
- The state financially benefits from the repeated fines levied in these arrests and police and prosecutors were awarded \$650,000 in prostitution earnings in one spa case.
- At least 2 migrant sex workers were deported.

Another impact of the re-criminalization of prostitution has been the trauma of sting operations and the resulting breakdown of trust and communication between law enforcement and people in the sex industry:

- We found 55 incidents of police engaging in sexual conduct with women during vice stings. Mostly from PVD and Pawtucket. Asian women, WOC, trafficking survivors, and drug users were overrepresented in cases involving law enforcement sexual contact.
- A woman arrested at an East Greenwich massage parlor, jumped from a 3rd story window, trying to evade the police. We held a focus group to better understand why a woman would go to such lengths to avoid a misdemeanor arrest. Some women rather die than be outed as a sex worker, because then they will face discrimination in future employment, housing, child custody ect...

The laws are being used against the people they're supposed to protect:

- The pandering law is separate from the sex trafficking law and makes it a felony to do things like drive a sex worker or for sex workers to share a hotel room.
- In one case an 18-year-old and a 15-year-old ran away from a group home together. They met up with another 19-year-old sex worker but later had a falling out with her. When that happened the 15-year-old shared a hotel room

with another 18-year-old sex worker and the first 18-year-old returned to the group home and told police where to find the 15-year-old. She and the other two 18-year-olds were charged with felony sex trafficking of a minor.

It is important that laws be clear and not left up to interpretation or prosecutorial discretion:

- In another case, a 28 yr old pimp was the supervisor of a group home. He had an 18-year-old man working for him as an enforcer, giving the girls rides to appointments and preventing them from leaving the trap house. An interview revealed that the 18-year-old refused to let one of the girls leave, but he didn't receive the harsh treatment of the three 18-year-old women, who were their "victims" peers and who were not accused of trapping anyone in prostitution. He was charged with the much lesser crime of pandering.

There is a lot more information in this report than I have time to present today, so please read it. I've tried to cover the main points, and here are a few more interesting facts:

- Since 2000 there have been 11 federal sex trafficking cases with minor victims in Rhode Island.

- Since 2016 there have been 5 state sex trafficking cases with minor victims in Rhode Island's commercial sex industry, and 2 additional cases with minor victims who were not involved in the commercial sex industry.
- Of the 2,189 misdemeanor cases we were provided with, 288 people had more than one arrest, 29 people had 10 or more arrests, and at least 123 had between 3 and 9 charges. Two women had 25 prostitution charges.