

**Key Recommendations for Marginalized Individuals Commission**  
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**April 24, 2023**

1. *Macro reforms*
  - Destigmatize sex work
    - Listen to sex workers and survivors; we are your family, neighbors, community members ; reject the “othering” of people in the sex trade
  - Address structural inequities - race, class, gender, sexual orientation, etc
    - Strengthening reproductive rights and access
    - Combatting socio-economic disparities
    - Supporting LGBTQIA communities
    - Confronting racism, especially anti-Black police violence and targeting of Asian massage workers
  - Ensure that all people can access needed social services
  - Make sexual healthcare and information available and accessible to all people
    - Strengthening reproductive rights and access
    - Inclusive comprehensive sexual health education that includes teaching youth about healthy relationships
2. *Legislative reforms [pending RI bill numbers and links included]*
  - Decriminalize consensual adult sex work by repealing prostitution statutes
    - S0913  
<http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0913.pdf>
  - Address massage parlor regulations that are used to penalize sex workers
  - Grant immunity from prosecution for prostitution for victims and witnesses of crime reporting to law enforcement or seeking healthcare
    - H6140  
<http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H6140.pdf>
    - S0402  
<http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0402.pdf>
  - Create the crime of custodial sexual assault & expand it to include cases of sexual contact with a person during an investigation
    - S0372  
<http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0372.pdf>
  - Ensure that healthcare providers cannot discriminate against patients based on their source of income
    - H5428  
<http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5428.pdf>
  - Create the most comprehensive and accessible criminal record relief possible for survivors of trafficking
  - Remove laws criminalizing people who have STIs

## National Overview : Bills Pending/Passed in Other States

- *Decriminalization of sex work*

There are 4 bills in state legislatures this year for the full decriminalization of consensual adult sex work: Hawaii (SB1204), Massachusetts (H1757), New York (S4396), and Vermont (S125/H372). Three states have introduced similar legislation in prior sessions: Missouri in 2022 (HB2338), and Louisiana (HB67) and Oregon (HB3088) in 2021.

- *Addressing massage parlor regulations*

Last year, New York introduced a bill (A8281) reforming the state's massage parlor regulations. It did not pass.

- *Loitering for the purpose of prostitution repeals*

In 2020, the city council in Seattle, Washington repealed the city loitering ordinance. New York and California repealed their loitering for prostitution laws in 2021 and 2022 respectively. Those laws were commonly referred to as "walking while trans" bans, as data showed that the vague wording in the statutes resulted in the disproportionate use of the laws against transgender women, especially transgender women of color.

- *Immunity from prosecution for prostitution for victims and witnesses of crime*

This year, there are 2 bills each in the Rhode Island house and senate that would provide immunity from prostitution for victims and witnesses of crime that report their experience to law enforcement and/or seek medical care (the latter in the house and senate versions of one bill). Nine states have similar laws: Alaska (SB91), California (SB233), Oregon (SB596), Utah (HB40), Washington (HB1392), Montana (HB520), New Hampshire (HB123), Vermont (H18), and Colorado (HB1288). Three other states are considering immunity legislation this year: Hawaii (HB1437), New York (S1966), and Tennessee (HB1383/SB182).

- *Proposed study bills*

Following in Rhode Island's footsteps, two states have recently introduced study commission bills to examine prostitution laws and their impact on marginalized communities: Hawaii (SR92/SCR99) and Oregon (HB2501).

- *Nondiscrimination in healthcare*

The Rhode Island House Health and Human Services Committee is currently considering H5428, which prevents healthcare providers from discriminating against patients based on their source of income. New Hampshire passed a similar bill (SB466) in 2020.

- *Police sexual violence*

S372 is currently in the Rhode Island Senate Judiciary Committee. It would create the crime of custodial sexual assault so that law enforcement officers cannot have sexual contact with people in their custody. Rhode Island is one of only 5 states that has no law restricting

nonconsensual sexual contact between authority figures and citizens. Vermont is currently considering a bill (H22) to expand their police sexual violence law to include sexual contact during investigations, and sexual contact with confidential informants.

- *STI decriminalization/stigmatization*

Many states have laws on the books that criminalize people that have contracted STIs who engage in sexual activity, and some of those states have increased penalties associated with prostitution crimes when the arrestee has an STI. Three states are currently working towards reforming their STI laws: Florida (S1522/H659), New York (S4603/A3347), and Tennessee (HB1384/SB181).

### Links to bills in other states

#### *Decriminalization of sex work:*

- Hawaii [https://www.capitol.hawaii.gov/session/measure\\_indiv.aspx?billtype=SB&billnumber=1204&year=2023](https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber=1204&year=2023)
- Massachusetts <https://malegislature.gov/Bills/193/H1757>
- New York <https://www.nysenate.gov/legislation/bills/2023/S4396>
- Vermont <https://legislature.vermont.gov/bill/status/2024/S.125> / <https://legislature.vermont.gov/bill/status/2024/H.372>
- Missouri <https://www.house.mo.gov/Bill.aspx?bill=HB2338&year=2022&code=R>
- Louisiana <http://www.legis.la.gov/legis/BillInfo.aspx?s=21rs&b=HB67&sbi=y>
- Oregon <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB3088>

#### *Massage parlor regulations*

- New York <https://www.nysenate.gov/legislation/bills/2021/A8281>

#### *Loitering for the purpose of prostitution repeals*

- Seattle, Washington <https://seattle.legistar.com/LegislationDetail.aspx?ID=4569521&GUID=B80846C4-04A6-43F4-BBDE-84994B8B3AC6>
- New York (2021) <https://www.nysenate.gov/legislation/bills/2021/s1351>
- California (2022) [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB357](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB357)

#### *Immunity from prosecution for prostitution for victims and witnesses*

- Passed:
  - Alaska <https://www.akleg.gov/PDF/29/Bills/SB0091Z.PDF>
  - California [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200SB233](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB233)
  - Oregon <https://olis.oregonlegislature.gov/liz/2019R1/Measures/Overview/SB596>
  - Utah <https://le.utah.gov/~2019/bills/static/HB0040.html>
  - Washington <https://app.leg.wa.gov/billsummary?BillNumber=1382&Year=2019>
  - Montana [https://laws.leg.mt.gov/legprd/LAW0210W\\$BSIV.ActionQuery?P\\_BILL\\_NO1=520&P\\_BLTP\\_BILL\\_TYP\\_CD=HB&Z\\_ACTION=Find&P\\_SESS=20211](https://laws.leg.mt.gov/legprd/LAW0210W$BSIV.ActionQuery?P_BILL_NO1=520&P_BLTP_BILL_TYP_CD=HB&Z_ACTION=Find&P_SESS=20211)

- New Hampshire  
[http://gencourt.state.nh.us/bill\\_status/bill\\_status.aspx?lstr=93&sy=2021&sortoption=&txtsessionyear=2021&txtbillnumber=HB123](http://gencourt.state.nh.us/bill_status/bill_status.aspx?lstr=93&sy=2021&sortoption=&txtsessionyear=2021&txtbillnumber=HB123)
- Vermont <https://legislature.vermont.gov/bill/status/2022/H.18>
- Colorado <https://leg.colorado.gov/bills/hb22-1288>
- Introduced in 2023:
  - Hawaii  
[https://www.capitol.hawaii.gov/sessions/session2023/bills/HB1437\\_HD1\\_.PDF](https://www.capitol.hawaii.gov/sessions/session2023/bills/HB1437_HD1_.PDF)
  - New York <https://www.nysenate.gov/legislation/bills/2023/S1966>
  - Tennessee  
<https://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=HB1383&ga=113>  
<https://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=SB0182&ga=113>

#### *Proposed study bills*

- Hawaii  
[https://www.capitol.hawaii.gov/session/measure\\_indiv.aspx?billtype=SR&billnumber=92&year=2023](https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SR&billnumber=92&year=2023)  
[https://www.capitol.hawaii.gov/session/measure\\_indiv.aspx?billtype=SCR&billnumber=99&year=2023](https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SCR&billnumber=99&year=2023)
- Oregon <https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB2501>

#### *Nondiscrimination in healthcare*

- New Hampshire  
[https://gencourt.state.nh.us/bill\\_status/legacy/bs2016/billText.aspx?sy=2020&id=2000&txtFormat=html](https://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2020&id=2000&txtFormat=html)

#### *Police sexual violence*

- Vermont <https://legislature.vermont.gov/bill/status/2024/H.22>

#### *HIV decriminalization/stigmatization*

- Florida <https://www.flsenate.gov/Session/Bill/2023/1522>  
<https://www.flsenate.gov/Session/Bill/2023/659>
- New York <https://www.nysenate.gov/legislation/bills/2023/S4603>  
<https://www.nysenate.gov/legislation/bills/2023/A3347>

Tennessee <https://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=HB1384&ga=113>  
<https://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=SB0181&ga=113>