

March 25, 2025

RE: Support for S278 and S296

To the Senate Judiciary Committee,

The Woodhull Freedom Foundation would like to strongly support S278 and S296. These two bills make amendments to Rhode Island's Commercial Sexual Activity statutes to protect the health, safety, and well-being of sex workers and survivors of human trafficking. Both of these bills ensure that people in the sex trade (whether by choice, circumstance, force, fraud, or coercion) can access critical services when they have been victims of a crime without being further marginalized and burdened by unnecessary criminalization. The Woodhull Freedom Foundation is a national human rights organization that affirms sexual freedom as a fundamental human right. Founded in 2003, we have always insisted that sex worker rights are human rights.

S278 - "An Act Relating to Criminal Offenses - Commercial Sexual Activity"

S278 grants immunity from arrest and prosecution for certain prostitution crimes to victims and witnesses of crime who report that crime to law enforcement, aid in the investigation of that crime, and/or seek healthcare services in relation to the crime. People involved in the sex trade are especially vulnerable to violence and exploitation but frequently don't report crimes perpetrated against them due to fear of arrest. Immunity protections create an important tool for law enforcement in their efforts to identify and prosecute perpetrators of violence and trafficking. When those abusers aren't discovered by law enforcement, they can continue violence and exploitation with impunity. Thus, immunity policies serve a dual purpose: they allow victims and witnesses of crime to safely seek the services they need without fear of arrest, and they also provide invaluable tools for law enforcement investigating crimes, including human trafficking, assault, and even murder. Nine states have recently enacted their own immunity laws, and four other states are considering similar legislation so far this year. Individuals and organizations with a breadth of priorities and experiences have openly supported these policies across the country, including trafficking survivors, advocates, sex workers, prosecutors, and police departments. To make communities safer, it is in the public interest to encourage victims of crime to come forward, aid law enforcement, and receive needed medical care.

S296 "An Act Relating to State Affairs and Government - Corrections Department"

S296 repeals provisions that assess additional fees to those convicted of prostitution-related offenses. It amends the "Community Correctional Program for women offenders" statute, which currently subjects people who are charged with commercial sexual activity crimes to fines additional to those already required by law for criminal convictions. They face an extra fee of \$350-\$500 or more, in addition to the fines ranging from \$250-\$1000 that are given as a penalty for their conviction. An arrest already creates numerous financial hardships stemming from fines assessed by the court and additional costs for things like transportation, childcare, missing work, etc. Adding such a significant additional financial burden to someone who is arrested can be devastating.

The “Special Legislative Study Commission Ensuring Racial Equity and Optimizing Health and Safety Laws Affecting Marginalized Individuals” was created by House Resolution 5280 in 2021 to “provide recommendations on the health and safety impact of revising laws related to commercial sexual activity, identifying the methods of human trafficking and exploitation to develop strategies to reduce these activities, and ensuring accountability in the treatment of marginalized and targeted communities by police.” In 2023, the Commission released a report specifically recommending the policy changes within S278 and S296.

These bills ensure that at-risk individuals will have access to needed services without unnecessarily burdening those convicted of commercial sexual activity with further consequences of criminalization. We strongly urge you to pass S278 and S296 to promote all Rhode Islanders' health, well-being, and social support.

Sincerely,



Ricci Joy Levy
President & CEO
Woodhull Freedom Foundation