

PVD

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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: H7165 & H7307
POSITION: SUPPORT

To The Esteemed Members of the House Committee on Judiciary,

Thank you for hearing House Bills 7165 & 7307, which seek to extend good samaritan laws to workers who report a crime while they are at work—even though that work may itself currently be a criminalized activity. This would apply whether the worker was an observer or a victim of the crime they sought to report.

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. Our local group does this work in Rhode Island in coalition with a broad spectrum of affinity organizations.

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. This would take us back to the protections for indoor commercial sex work that were in place from 1980 until 2009, and expand those protections so they would cover all adult workers who earn their living in consensual commercial sexual activity. Since the closure of those protections after 2009, **sex workers in Rhode Island consistently and overwhelmingly state they simply do not report crimes** to law enforcement, even when they themselves are the victim, **because they fear arrest or retaliation**. Many groups in our coalition that do the work with impacted communities

are bringing you testimony tonight in support of this finding. Not having this law simply makes society less safe for everyone while denying workers the equitable access to redress by the criminal justice system. It is a wrong state of affairs. Both of these bills seek to right that.

Furthermore, it is not the case that these protections either should not or can not be extended to people who work as unlicensed “massage” or “spa” sex providers. In fact, the local evidence points to this as an overriding need for sex workers. In 2021, for example, 13 out of 16 misdemeanors related to RI GL 11-34.1-2, the section of commercial sexual activity statutes detailing the offense of prostitution, also involved infractions of RI GL 23-20.8, specifically “unlicensed massage.” No other segment of currently criminalized sex workers are being targeted at the same rate for enforcement or arrest in Rhode Island. This disparity between application of current prohibitions on the trade of sex strongly implies that the ability to freely and in good faith report crimes - or not - is also being restricted at a disparate rate for “spa” segment workers. Failure to include this segment of sex workers from protections would be a failure to adequately address the Human Rights of all under the law.

We are aware of the tenor of written testimony submitted to the Safety of Marginalized People study commission by Cassie Rawcliffe, legislative liaison from American Massage Therapy Association, in May of 2023, decrying the malignment of massage therapy with commercial sexual activity commonly referred to as “unlicensed massage;” it is nonetheless our position that 1.) commercial sexual activity is a profession in which workers ought to be afforded the same protections as any other profession, such that it is the sex worker who is in fact being maligned in this public discussion; 2.) public discussion ought to on the one hand diminish stigma around the sex trade in order to increase the ability of all sex workers to pursue life liberty and prosperity, and on the other hand influence public policy to maximize rights for all regardless of the title of the bill or the sections of General Laws referenced; and 3.) should good faith attempts at reconciling both the intent, scope, and viability of this legislation be made, **a balance is possible between both Human Rights needs of our local impacted communities and the supposed viability of the legislation** given political forces of other interests. In the pursuit of such reconciliation, we would expect this committee to offer the time for such work as is appropriate to sponsors, cosponsors, advocates, and legislative council ahead of reconsideration of amended, substitute, or merged legislation.

Amnesty PVD strongly urges these bills be held for further study and be reconsidered at a future hearing.