



February 15, 2024

**RE: Support for H7165 - “Relating to Criminal Offenses - Commercial Sexual Activity”**

To the House Judiciary Committee,

We want to express Woodhull Freedom Foundation’s strong support of H7165, granting immunity from prosecution for prostitution to victims and witnesses of crime who report that crime to law enforcement, aid in investigating that crime, and/or seek healthcare services in relation to the crime.

The Woodhull Freedom Foundation is a national human rights organization and has been fighting for sex workers’ fundamental human rights since it was founded in 2003. In 2011, we traveled to Geneva for the first Universal Periodic Review of Human Rights in the United States. For the first time ever, the U.S. Federal Government officially condemned violence and discrimination against sex workers! Working with our allies, we called on the US to accept Recommendation 86, which called on the US to look into the special vulnerability of sex workers to violence and human rights abuses. We were successful, and in the report released to the United Nations, the U.S. states, *“We agree that no one should face violence or discrimination in access to public services based on sexual orientation or their status as a person in prostitution, as recommendation [#86] suggests”*.

It is in our capacity as a human rights organization with a decades-long history of advocating for sex workers’ fundamental human rights that we testify today in support of H7165.

If this Committee is truly concerned about identifying and prosecuting perpetrators of violence and trafficking, voting in support of H7165 will help accomplish those stated goals. It is well-documented that immunity from prosecution can:

1. **Encourage Reporting:** Immunity protections can encourage victims and witnesses to come forward and report crimes without fear of facing legal consequences. This is crucial in cases where individuals involved in the sex trade might be hesitant to report due to the fear of being arrested themselves.
2. **Aid Investigations:** By offering immunity to individuals involved in certain activities, law enforcement gains cooperation and valuable information, enhancing their ability to investigate and prosecute perpetrators of crimes such as human trafficking, assault, and murder.
3. **Protect Vulnerable Populations:** The focus on protecting those involved in the sex trade recognizes the vulnerability of this population to violence and exploitation. Immunity policies can safeguard against further victimization and provide a more secure environment for these individuals.

People involved in the sex trade (whether by choice, circumstance, or by force, fraud, or coercion) are especially vulnerable to violence and exploitation but frequently don’t report crimes perpetrated against them due to fear of arrest.



*“We agree that no one should face violence or discrimination in access to public services based on sexual orientation or their status as a person in prostitution, as recommendation [#86] suggests”. “We agree that no one should face violence or discrimination in access to public services based on sexual orientation or their status as a person in prostitution, as recommendation [#86] suggests”. The law, as currently written, is clearly a human rights violation.*

H7165 is a particularly comprehensive immunity bill and would be among the strongest in the country because it also ensures that people reporting the crime will still receive immunity even if they withdraw from an investigation. It grants immunity for reporting any crime so long as it occurred at or around the time or was related to commercial sexual activity that cannot be prosecuted.

By voting yes for H7165, Rhode Island will join other states that have created similar policies. Alaska, Washington, California, Oregon, Utah, New Hampshire, Vermont, Montana, and Colorado have existing immunity laws, and other state legislatures are considering similar bills this year: New York, Hawaii, and Massachusetts.

H7165 enables law enforcement to arrest and convict those committing criminal acts and, in so doing, protect Rhode Island’s most vulnerable. It sends a clear message that Rhode Island honors the human rights of all of its citizens, including trafficking survivors and sex workers. Voting YES on H7165 affirms that in Rhode Island, everyone deserves the right to report crimes committed against them or others and to seek justice if they so choose.

I urge you to pass H7165 as a critical step towards addressing trafficking and violent crime in Rhode Island and to promote the health, well-being, and social support of all citizens.

Respectfully submitted,

A handwritten signature in black ink that reads "Ricci J. Levy".

Ricci J. Levy  
President & CEO  
Woodhull Freedom Foundation