



February 25, 2025

RE: Support for H5348 / H5357 / H5358

To the Rhode Island House Judiciary Committee,

On behalf of the Boston Sex Workers and Allies Collective, I would like to express my strong support of H5348, H5357, and H5358. These three bills amend Rhode Island's commercial sexual activity statutes in order to protect sex workers and survivors of human trafficking. These three bills ensure that people working in the sex trade, either by choice or by coercion, are able to access critical health services without punishment.

Our Boston-based Collective formed about two years ago to advance policy here in our home state of Massachusetts that protects sex workers. We run a free monthly support group for Boston-area sex workers. We look to Rhode Island, as our regional neighbor, for leadership on policy that protects sex workers and survivors of human trafficking.

H5348 - "An Act Relating to Health and Safety - Prevention and Suppression of Contagious Diseases - HIV/AIDS"

H5348 ensures that HIV testing is provided optionally to those convicted of commercial sexual activity. Existing law requires all persons convicted under any commercial sexual activity statute to be tested for HIV, and authorizes healthcare providers to test those persons without obtaining consent. H5348 maintains existing access to HIV testing, counseling, and treatment for persons

convicted of commercial sexual activity but ensures that testing cannot be done without consent. All persons convicted of commercial sexual activity will still be provided the option to be tested for HIV and access services. The Centers for Disease Control and Prevention and the World Health Organization both recommend that testing for HIV never be mandatory, including within vulnerable populations. The principle of informed consent ensures that individuals have agency in their healthcare decisions. Informed consent leads to better healthcare outcomes. Under this proposed law, all persons convicted of commercial sexual activity will be provided with an opportunity to be tested for HIV, which maintains the purpose of existing law to connect at-risk individuals with critical services.

H5357 “An Act Relating to State Affairs and Government - Corrections Department”

H5357 repeals additional fees to those convicted of prostitution-related offenses. It amends the “Community correctional program for women offenders” statute, which currently subjects people charged with commercial sexual activity crimes to additional fines (\$350-\$500 + \$250-\$1000). Arrest exacerbates financial hardship via court assessed fines, additional transportation and childcare costs, and missing work. This additional \$350-\$500 fee can be devastating especially to low income sex workers and survivors of human trafficking.

H5358 - “An Act Relating to Criminal Offenses - Commercial Sexual Activity”

H5358 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. Immunity protections create an important tool for law enforcement in their efforts to identify and prosecute perpetrators of violence and trafficking. People involved in the sex trade frequently do not report crimes perpetrated against them due to fear of arrest. 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 human trafficking crimes. Across the US, four other states (including Massachusetts and New York) so far this year have introduced their own immunity bills. Nine other states have already enacted immunity laws. It is in the public interest of community safety to encourage victims of violent crime to aid law enforcement, and receive needed medical care by coming forward without fear of arrest.

In 2021, House Resolution 5280 created the Special Legislative Study Commission Ensuring Racial Equity and Optimizing Health and Safety Laws Affecting Marginalized Individuals. Then in 2023, that RI Commission released a report specifically recommending these three policy changes.

These bills ensure at-risk individuals can access necessary services without an unnecessary criminal conviction. The Boston Sex Workers and Allies Collective strongly urges you to pass H5348, H5357, and H5358 to promote the health and safety of all Rhode Islanders. Your neighbors in Massachusetts look to your example.

Thank you for reading,

Maia O.

Boston Sex Workers and Allies Collective

