

# H5358 & S0278 Will Fuel Violence and Exploitation, Not Combat It – RI Legislators Prioritize Outside Interests Over Community Safety

FOR IMMEDIATE RELEASE



COYOTE RI

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## **H5358 & S0278 Will Fuel Violence and Exploitation, Not Combat It – RI Legislators Prioritize Outside Interests Over Community Safety**

**PROVIDENCE, RI – May 22, 2025** – As the Rhode Island House Judiciary Committee prepares to consider H5358 this afternoon at 4 PM, COYOTE RI (Call Off Your Old Tired Ethics, Rhode Island) vehemently opposes [H5358](#) and its Senate companion [S0278](#) (2025). These bills, far from reducing violence and exploitation as they claim, will actively exacerbate it, leading to more arrests of sex workers and perpetuating racist raids on Asian Spas by ICE and Homeland Security. This dangerous trajectory further compounded by the apparent prioritization of an out-of-state special interest group's agenda over the lived experiences and expert recommendations of Rhode Island's most affected communities.

Last year, over 400 individuals voiced their strong opposition to similar legislation (H7165) through a petition, as highlighted in our [June 4, 2024, press release](#). Despite this overwhelming public sentiment and COYOTE RI's repeated attempts to engage not one member of the House Judiciary Committee or sponsor of H5358/ has had a conversation with COYOTE RI.

"For six years, we have sought to pass a critical bill that would further define coercion to include sexual assault by a member of law enforcement who has the victim detained or in custody," states Tara Burns, COYOTE RI's Research and Policy Director. "Ten Senate and ten House sponsors, with no opposition, yet it has never been scheduled for consideration so it can be voted out of committee. My work in Alaska, where we passed the first community-drafted immunity bill in the United States, has directly aided in catching a serial killer by ensuring that all witnesses can report crimes without fear of arrest. Yet, the committee is considering H5358 and S0278, bills that actively endanger our community and contradict their stated purpose."

## H5358: A Step Backward for Public Safety and Justice

H5358 fundamentally misunderstands the dynamics of exploitation and will actively undermine efforts to combat sex trafficking:

- **Flawed Immunity Scope Leads to More Arrests:** H5358's immunity provisions dangerously incomplete. Unlike effective legislation designed to combat serious crime, this bill fails to explicitly tie immunity for prostitution (§ 11-34.1-2) and loitering for prostitution (§ 11-34.1-4) to the reporting of specific "crimes against people." This critical omission means that while individuals can gain immunity for reporting minor offenses, the bill neglects to mandate immunity for those who report grave crimes such as those detailed in Rhode Island General Laws, including:
  - Chapter 5 of Title 11 ("Assaults")
  - Chapter 18 of Title 11 ("Fraud and False Dealing")
  - Chapter 23 of Title 11 ("Homicide")
  - Chapter 26 of Title 11 ("Kidnapping")
  - Chapter 37 of Title 11 ("Sexual Assault")
  - Chapter 39 of Title 11 ("Robbery")
  - Chapter 41 of Title 11 ("Theft, Embezzlement, False Pretenses and Misappropriation")
  - Chapter 42 of Title 11 ("Threats and Extortion")
  - Chapter 57 of Title 11 ("Racketeer Violence")
  - Chapter 59 of Title 11 ("Stalking")
  - Chapter 67.1 of Title 11 ("Human Trafficking")
  - Section 11-9-1.3 ("Child Pornography")
- For example, a sex worker could report another sex worker for a minor offense, gain immunity themselves, and contribute to more arrests within the community.

leading to increased interactions between marginalized sex workers and police. This is in stark contrast to bills like H7307 (2024), which was framed to only allow a specific list of "crimes against people" to be reported in order to receive immunity, thereby protecting vulnerable individuals from further criminalization. This will inevitably lead to a significant increase in arrests and dangerous interactions between marginalized sex workers and law enforcement.

- Exclusion of Client Immunity for Procurement of Sexual Conduct for a Fee (§ 11-34.1-3):** H5358 inexplicably removes immunity for "Procurement of sexual conduct for a fee" (§ 11-34.1-3). This is a grave error. Imagine a scenario where a man goes to a hotel expecting to meet a 30-year-old woman, and a 14-year-old opens the door. He is now a witness to her being trafficked, but under H5358, he cannot report it without risking arrest for a major felony. This directly hinders the ability of crucial first responders – clients – from reporting sex trafficking. In a region with an active serial killer in New England, we cannot afford to create barriers to reporting violent crimes. Our successful immunity law in Alaska ensures that all witnesses, regardless of their involvement, can report crimes, which has been instrumental in catching serial killers. Rhode Island must adopt a similar comprehensive approach to truly prioritize public safety. Prioritizing a misdemeanor charge over stopping a serial killer is a dangerous and misguided policy.
- Continued Targeting of Asian Spa Workers by Excluding "Massage Without a License":** H5358 continues to exclude immunity for "Massage Without a License," a misdemeanor that accounts for as much as 81% of prostitution-related misdemeanors in recent years. This disproportionately impacts Asian spa workers who are already facing increased targeting by local police, Homeland Security, and are vulnerable to violence, including mass shootings. As stated in our 2024 press release, "Rhode Island's most vulnerable citizens are relying on you to take a strong leadership role in prioritizing public safety over some people's moral discomfort with sex work or sex trafficking survivors who have been victims or witnesses of heinous crimes and reported them to the police not being charged."

with this misdemeanor." This glaring omission must be rectified to ensure safe for all.

## **Our Expertise Ignored, Our Safety Compromised for Outside Interests**

COYOTE RI has consistently sought to collaborate with the General Assembly. We have:

- Emailed our comprehensive [Welcome Letter](#) to the entire General Assembly times, outlining our policy positions and offering resources. (The Welcome Letter included hyperlinks to relevant research and policy documents.)
- Provided the RI House Judiciary Committee with our [RI Charging Document Report](#), our [AMICI brief on FOSTA](#) (based on our [Four Years of FOSTA impact reports](#)), and we even mailed some committee members our book, "[Sex Work Policy: Participatory Action Research By and For Sex Workers and Sex Traffick Survivors](#)," which represents over a decade of research and lived experience.
- We have also highlighted the success of [H7307](#) (2024) which was a better version of an immunity bill that garnered over 400 signatures in support.

Despite this extensive outreach, the wealth of data, and the expertise we have shared, not one member of the House Judiciary Committee or a sponsor of H5358 has engaged in a substantive conversation with COYOTE RI. Instead, Rhode Island legislators appear to be catering to an outside interest group that, in the 2024 session, suggested we meet with their lobbyists and demonstrated a profound lack of understanding of the realities on the ground in Rhode Island. This group's advice, which suggests that Asian spa workers don't need immunity because the Attorney General's Office might not prosecute them, ignores the financial incentives of law enforcement and the real dangers faced by marginalized communities.

**Proof that legislators do not understand which offenses H5358 is providing immunity for**

[H5358](#)

EXPLANATION BY THE LEGISLATIVE COUNCIL This act would under certain circumstances, provide immunity from arrest and prosecution for prostitution, procurement of sexual conduct for a fee, loitering for prostitution and soliciting from motor vehicles for indecent purposes.

<https://webserver.rilegislature.gov/BillText25/HouseText25/H5358.pdf>

However the actual; bill says “

(a) A person shall not be cited, arrested, or prosecuted for a violation of § 11-34.1- or § 8 11-34.1-4 if ( prostitution and loitering for prostitution)

Therefore this law would not provide immunity for the 11-34.1-6 prohibits solicit from motor vehicles for indecent purposes or 11-34.1.3- procure sexual conduct for the payment of a fee.

We urge the Rhode Island House Judiciary Committee to vote NO on H5358 and S0278, or to amend them drastically to include comprehensive immunity for all who report crimes, including clients and sex workers, and to protect vulnerable communities from further criminalization.

**About COYOTE RI:** Call Off Your Old Tired Ethics Rhode Island (COYOTE RI) is a feminist, sex worker-led organization dedicated to advancing the human rights of women, girls, trans, and intersex individuals within the sex industry. We prioritize the voices and leadership of those most marginalized, including street-based sex workers, youth (18-26), LGBTQ+ individuals, sex workers of color, trans women, and migrant sex workers facing intersecting oppressions such as language barriers, precarious citizenship status, and systemic racism, as well as incarcerated and formerly incarcerated women and girls.

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