

Testimony Submitted to:
Rhode Island House Judiciary Committee
In Opposition to:
H. 8057, Criminal Offenses – Commercial Sexual Activity

Eleanor Kennelly Gaetan, Vice President & Director of Public Policy
National Center on Sexual Exploitation
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Chairwoman McEntee and Distinguished Members of the Rhode Island House Judiciary Committee,

I submit this testimony in opposition to House Bill 8057 based on unbiased academic research and the experience of jurisdictions that have approved similar legal regimes only to be confronted by an indisputable and dramatic expansion in the commercial sex trade, which victimizes vulnerable people, especially the poor, the young, and the marginalized.

As public policy director at the National Center on Sexual Exploitation, a non-partisan organization working in state legislatures across the country, I'm also happy to be able to suggest a socially responsible and relevant alternative, which passed through the Maine state legislature with bipartisan support in 2023.

A 2018 study, "Who Buys Sex?" interviewed over 8,200 American men and found that 20.2% of respondents who had **never** bought sex would do so "if the circumstances were right,"¹ such as reduced criminal penalties. That, in a nutshell, is the major economic problem with S. 2934: it unleashes demand for an activity that causes extensive physical and psychological harm.

Those advocating for full decriminalization present prostitution as a job like any other, but that's deceptive. Systems of prostitution thrive on gender inequality, deeply rooted social injustices, as well as force, fraud, and coercion.

Systems of prostitution exploit vulnerability. Many people in systems of prostitution suffer from vulnerabilities and marginalization. Common adverse experiences that are pathways to prostitution include childhood sexual abuse, homelessness, and poverty. Other factors associated with prostitution involvement include a history of foster care, not having a high school degree, being a racial minority, an immigrant an indigenous minority, or LGBT person, as well as "entry" into prostitution as a child (i.e., sex trafficking). Systems of prostitution prey on and exploit these vulnerabilities.

Decriminalizing exploitation diminishes law enforcement's ability to detect and investigate sex trafficking. Victims of sex trafficking rarely make official complaints to the police. Further, the fully decriminalized sex trade operates with little to no oversight. It conceals indicators of fraud, force, and coercion, and diminishes the flow of investigative leads which stem from police operations focused on enforcing prostitution laws. Probable cause for misdemeanor prostitution enables law enforcement to confirm ages and identities of prostituted persons. For instance, the

¹ <https://www.demandabolition.org/who-buys-sex/>

lack of laws controlling indoor prostitution in Rhode Island (1980-2009) impeded police investigations by preventing them from arresting pimps/sex traffickers and sex buyers, creating a “zone of impunity” for sex traffickers. Without this frontline capacity, minors and other sex trafficking victims are not identified because police have “very limited basis to enter and investigate premises operating as a brothel.

Normalized prostitution increases sex trafficking. Brothels, illicit massage parlors, escort agencies, and online platforms are overlapping systems of prostitution and sex trafficking occurs in all of them. Normalization of prostitution expands demand for paid sex. This emboldens sex traffickers who see this as a conducive “business” environment. Cross-national studies have found higher levels of human trafficking in countries with legalized or decriminalized prostitution. Research has also found 100% of convicted sex traffickers support full decriminalization of prostitution.

Finally, there is a more appropriate, socially beneficial legislative solution which passed in Maine last year and is currently under consideration by the state legislature in Massachusetts: decriminalize people in prostitution selling themselves; maintain or increase penalties against procuring sexual access to vulnerable people and facilitating prostitution; invest in direct services that help people leave a Life that is inherently dangerous and damaging.

Thank you for your attention and consideration.