



RE: Testimony in support of House Bill 8057, Commercial Sexual Activity

Dear Chair McEntee and Members of the Committee:

Thank you for the opportunity to testify in **support of H8057**, which seeks to decriminalize consensual adult sex work while shifting the focus to penalize human trafficking and sexual exploitation. The importance of this shift cannot be overstated. Penalties for consensual adult sex work has long been a guise for penalizing poverty and deepening economic precarity through monetary fines and imprisonment.ⁱ

For 50 years, Sojourner House, a non-profit based in Providence but now providing services across the state, has served thousands of victims and survivors of domestic abuse, sexual violence, and human trafficking. We offer wraparound services such as support groups, emergency shelter, transitional and permanent supportive housing, sexual health advocacy, and emotional support.

In our work, we regularly serve individuals who have been arrested, charged, or fear arrest for conduct directly connected to their own victimization. Many survivors of human trafficking and sexual exploitation are compelled, coerced, or manipulated into commercial sexual activity.ⁱⁱ Criminalizing these individuals does not address the root harm; instead, it compounds it. H8057 would take an important step toward aligning Rhode Island law with the lived realities of survivors.

Decriminalizing certain commercial sexual activity helps ensure that victims are not treated as offenders.

Survivors of trafficking frequently avoid seeking help due to fear of arrest, prosecution, or immigration consequences.^{iii,iv} Survivors who fear arrest are less likely to report violence, less likely to seek medical care, and less likely to engage with service providers.^v By removing criminal penalties for those engaged in commercial sexual activity, this bill reduces a significant barrier to accessing services, safety, and law enforcement support. Researchers have shown that decriminalizing sex work has positive implications on public health and public safety.^{vi}

Additionally, the bill's provision allowing for expungement is critical. **Criminal records tied to exploitation can follow survivors for years, limiting access to housing, employment, and education.**^{vii} Providing a pathway to clear these records recognizes that these convictions often stem from coercion, survival, or abuse rather than true criminal intent.

H8057 strengthens accountability where it belongs: on those who exploit others. By explicitly including human trafficking as a racketeering activity, this bill enhances the ability of law enforcement to investigate and prosecute organized exploitation. This is a targeted and effective approach that focuses on traffickers rather than penalizing those they exploit.

From a survivor-centered perspective, this bill reflects a trauma-informed understanding of exploitation. It recognizes that individuals engaged in commercial sexual activity are often navigating complex circumstances, including violence, economic instability, substance use, and coercive control. Centering the lived experiences of those sexually exploited, we respectfully urge the Committee to support House Bill H8057.

ⁱ Yale Global Health Justice Partnership (June, 2020). The harmful consequences of sex work criminalization on health and rights. Sex workers and allies network. https://law.yale.edu/sites/default/files/area/center/ghjp/documents/consequences_of_criminalization_v2.pdf

ⁱⁱ The Polaris Project (n.d.). *Understanding human trafficking*. <https://polarisproject.org/understanding-human-trafficking/>

ⁱⁱⁱ Farrell, A., Dank, M., de Vries, I., Kafafian, M., Hughes, A., & Lockwood, S. (2019). Failing victims? Challenges of the police response to human trafficking. *Criminology & Public Policy*, 18(3), 649-673. <https://doi.org/10.1111/1745-9133.12456>

^{iv} Villacampa, C. & Torres, N. (2017). Human trafficking for criminal exploitation: The failure to identify victims. *European Journal on Criminal Policy and Research*, 23, 393-408. <https://doi.org/10.1007/s10610-017-9343-4>

^v Hullenaar, K. L. & Frisco, M. (2020). Understanding the barriers of violence victims' health care use. *Journal of Health and Social Behavior*, 61(4). <https://doi.org/10.1177/0022146520961481>

^{vi} ACLU (16 October, 2020). Is sex work decriminalization the answer? What the research tells us. <https://www.aclu.org/publications/sex-work-decriminalization-answer-what-research-tells-us>

^{vii} The Polaris Project (n.d.). Punishing the victim: Recovery barriers for survivors with criminal records. <https://polarisproject.org/wp-content/uploads/2023/07/Punishing-the-Victim-Recovery-Barriers-for-Survivors-with-Criminal-Records.pdf>