

**MARCH 9, 2021**

**House Bill No. 6049:**

- A. **ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL ASSAULT {LC1158/1} (Establishes criteria for the criminal offense of sexual assault when the victim is in the custody of a peace officer/provides that a person convicted of custodial sexual assault would face imprisonment for not more than 3 years.)

Dear House Judiciary Committee,

Thank you for considering this critical issue today. I am writing to express my strong support of House Bill 6049, which establishes criteria for the criminal offense of custodial sexual assault by a police officer. We are the Ishtar Collective, a nonprofit organizational member of the Erotic Laborers Alliance of New England (ELA-ONE). Our members our current and former sex workers and survivors of violence and trafficking.

We have seen and experienced police abuse and misconduct. Our community members live in constant fear of policing, knowing that the power imbalance between law enforcement and those in their custody is always skewed against us. We cannot consent to sexual activity, we cannot consent to paid sexual transactions with anyone who controls our freedom of movement, paid or unpaid. Police cannot be our clients or consensual partners while we are in their custody.

The power imbalance is too great. We have no agency. We have tremendous fear about what is to come, and are at the complete and total mercy of those who have taken us into custody. There cannot possibly be a consensual sexual encounter between someone in custody and the person in charge of our freedom. Furthermore, when you think of who may be in custody, there is a disproportionate chance that person will be part of a marginalized or more vulnerable group. One need only look at statistics to see that people of color, specifically Black and Brown people, are significantly more likely to be arrested. When it comes to sex work, Black and Brown women, especially transgender women, are the most likely to be arrested - and also the most vulnerable to exploitation, abuse, and stigma. These factors are easily exploited by law enforcement.

Thank you again for your time and consideration on this matter.

The Ishtar Collective,  
An organizational member of  
The Erotic Laborers Alliance of New England (ELA-ONE)