

SOAR INSTITUTE

March 18, 2025

RE: Support for S810 - “An act relating to criminal offenses - Commercial sexual activity”

To the Senate Judiciary Committee,

The Sharmus Outlaw Advocacy and Rights (SOAR) Institute strongly supports passage of S810, which would decriminalize commercial sexual activity. We are longtime advocates for sex workers and survivors of human trafficking with over two decades of experience providing legal and mental health support to survivors, nearly all of whom have been harmed by criminalization. Our organization also provides capacity building to grassroots organizations working with sex workers, so we have a birds-eye view of the many ways this legislation affects our communities.

Extensive research and evidence shows that decriminalizing sex work will help end human trafficking, improve public health, and promote community safety [see fact sheet at end of testimony]. In 2023, the “Special Legislative Study Commission Ensuring Racial Equity and Optimizing Health and Safety Laws Affecting Marginalized Individuals” specifically recommended that Rhode Island legislators ensure that “private, consensual sexual activity remains out of the reach of criminal laws”. The Commission found that the criminalization of sex work “fuels stigma and discrimination against sex workers, which impedes their access to basic necessities, including healthcare, housing, and other social services.” Decriminalizing sex work would allow workers more access to critical services without the harms of criminalization.

This bill would repeal all commercial sexual activity laws while leaving laws against human trafficking on the books. This will bolster anti-trafficking efforts around the state. Prostitution laws make it difficult for victims and witnesses to report exploitation without risking prosecution. They also direct law enforcement resources towards consenting adults, limiting their ability to focus on human trafficking. Additionally, when commercial sexual activity is illegal, it continues to happen - but that criminalization leads to unsafe conditions.

This is a critical moment to address the harm caused by the criminalization of sex work. S810 will create immediate meaningful change for affected communities by addressing a major contributor to mass incarceration, giving sex workers the freedom to support themselves and their families without fear of violence or exploitation, and fostering an environment that allows victims of trafficking to seek safety without risk of arrest. It also has precedent: between 1980 and 2009, indoor prostitution was legal in Rhode Island. During that time period, there was a significant decline in sexually transmitted diseases and sexual assaults within the state.

It is critical to pass S810 to decriminalize commercial sexual activity in Rhode Island. Please see below for a fact sheet by Decriminalize Sex Work with statistics related to public health impact of criminalization.



Decriminalize Sex Work for Public Health

Laws governing commercial sex have been significantly researched for their impact on public health and safety. Conclusive data has been found specifically related to violence, exploitation, and sexual health around the world and supports the following conclusions:

- A. **Full decriminalization of sex work supports community health and safety.** A 2018 Johns Hopkins Bloomberg School of Public Health meta-analysis reviewed over 130 studies conducted over 30 years and made the following critical findings:
 - Repressive policing practices around sex work were associated with increased risk of sexual and physical violence at the hands of clients, third parties, and domestic partners.
 - Sex workers exposed to these policing practices were put at increased risk of infection with HIV and other STIs, and more likely to have condomless sex than those who had not been.
 - Repressive policing of sex workers, their clients, and/or venues disrupted sex workers' support networks, workplace safety, and risk reduction strategies.¹
- B. **Full decriminalization of sex work has reduced exploitation where and when it has been implemented.**
 - New Zealand passed the Prostitution Reform Act (PRA) in 2003, fully decriminalizing sex work for New Zealand nationals. According to a study conducted by the Global Alliance Against Traffic in Women (GAATW), there was no evidence of human trafficking among populations where sex work had been decriminalized between 2003 and 2018. Trafficking of migrant sex workers, who are not legally permitted to work under the PRA, persists. Reformers are pushing for the law to decriminalize sex work among migrants as well.²
 - Rhode Island inadvertently decriminalized indoor prostitution in 1980 in an attempt to make laws governing sex work more specific. In 2003 the loophole was noticed by lawmakers and indoor sex work was re-criminalized in 2009. A study published by the National Bureau of Economic Research found that during the six-year window of decriminalization, the number of rapes reported in Rhode Island diminished by 31 percent and the statewide incidence of gonorrhea diminished by 39 percent.³
- C. **The same health and safety benefits of decriminalization are not observed under partial criminalization policies (also known as the Entrapment Model or the Nordic**

Model).⁴The Northern Ireland Department of Justice released a report in 2019 analyzing three years of the impact of laws criminalizing clients of sex workers in Northern Ireland. Key findings include:

- An analysis of 173,460 ads shows little effect on the supply of or demand for sex work.
- From 2015 to 2018, there was an increase in reports related to assaults (from 3 to 13), sexual assaults (from 1 to 13), and threatening behavior (from 10 to 42).
- Sex workers are exposed to higher rates of anti-social and nuisance behavior, and report higher levels of anxiety and unease as well as increased stigmatization.⁵

¹Lucy Platt, Pippa Grenfell, Rebecca Meiksin, et al., "Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies," *PLOS Medicine* 15, no. 12 (December 2018), <https://doi.org/10.1371/journal.pmed.1002680>. ²Thomas Manch, "No Trafficking in NZ Sex Industry but Migrant Abuse Is Widespread, Report Finds," *Stuff*, April 17, 2018, <https://www.stuff.co.nz/national/crime/103129627/no-trafficking-in-nz-sex-industry-but-migrant-abuse-is-widespread-report-finds>. ³Max Ehrenfreund, "When Rhode Island Accidentally Legalized Prostitution, Rape Decreased Sharply," *The Washington Post*, July 14, 2014, <https://www.washingtonpost.com/news/wonk/wp/2014/07/17/when-rhode-island-accidentally-legalized-prostitution-rape-and-stis-decreased-sharply/>.

⁴The Entrapment Model is a form of sex work decriminalization that removes criminal penalties for the sale of commercial sex, but not the purchase.

Unfortunately, the Entrapment Model does not reduce the health and safety risks that workers face, and may augment them according to research.

⁵"Assessment of Review of Operation of Article 64A of the Sexual Offences Order (Northern Ireland) 2008: Offence of Purchasing Sexual Services," Northern Ireland Department of Justice, September 17, 2019, <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/assessment-of-impact-criminalisation-of-purchasing-sexual-services.pdf>.