

RESOLUTION OF THE CITY COUNCIL

No. 205

Approved May 17, 2021

WHEREAS, Research on the impact of prostitution laws on the safety and health of sex workers and survivors of human trafficking consistently points to a clear correlation between repressive police practices and negative health and safety outcomes; and

WHEREAS, Criminalization of adult consensual sex harms those who are already the most marginalized, specifically women of color, transgender and non-binary individuals, queer youth of color, and individuals in exploitative labor situations; and

WHEREAS, Human trafficking is a serious human rights violation and therefore we must ensure we implement policies that will allow police to work with the most vulnerable populations and provide needed support so that exploitation and violence can come to light; and

WHEREAS, Rhode Island permitted indoor prostitution from 1980 through 2009 and during that time, there was research conducted on the impact of permitting indoor prostitution; and

WHEREAS, A study conducted by Baylor University's Scott Cunningham and Manisha Shah of the University of California, Los Angeles and published by the National Bureau of Economic Research found that during 2003 through 2009, while indoor prostitution was still decriminalized in Rhode Island, the number of rapes reported diminished by 31 percent and the statewide incidence of gonorrhea among women diminished by 39 percent; and

WHEREAS, After Rhode Island criminalized indoor prostitution in 2009, studies have shown that sex workers are not able to be safe or report crimes against them; and

WHEREAS, Rather than providing support or resources, interactions with police can cause trauma, loss of employment, public shame, and social isolation; and

WHEREAS, A study conducted by COYOTE-RI and Brown University showed that 77 percent of respondents reported they had never tried reporting a crime while working in the sex industry and, of this group, 27 percent did not report because they did not think the police would do anything, while 32 percent did not report because they did not want to draw attention to themselves; and

WHEREAS, For workers that did file a report, 4 percent were arrested while trying to report a crime, and 26 percent reported being threatened by the police when trying to file a report; and

WHEREAS, An analysis of 134 studies spanning 30 years (40 quantitative and 94 qualitative, dating from 1990 to 2018) related to the impact of laws on people who engage in commercial sex revealed key findings; and

WHEREAS, For instance, on average, repressive policing practices were associated with increased risks of sexual/physical violence from clients or other partners across 9 studies and 5,204 participants; and

WHEREAS, Additionally, sex workers exposed to repressive policing practices were on average at increased risk of infection with HIV/STI compared to those who had no exposure, across 12,506 participants from 11 studies; and

WHEREAS, Repressive policing was also associated with increased risk of condomless sex across 9,447 participants from 4 studies; and

WHEREAS, Repressive policing of sex workers, their clients, and/or sex work venues disrupted sex workers' work environments, support networks, safety and risk reduction strategies, and access to health services and justice; and

WHEREAS, These studies demonstrate how policing within all criminalization and regulation frameworks exacerbated existing marginalization, and how sex workers' relationships with police, access to justice, and negotiating powers with clients have improved in decriminalized contexts; and

WHEREAS, On January 29, 2021, Representatives Williams, Ajello, Vella-Wilkinson, Alzate, Henries, and Morales introduced HB 5250 to create a special legislative commission to study ensuring racial equity and optimizing health and safety laws affecting marginalized individuals.

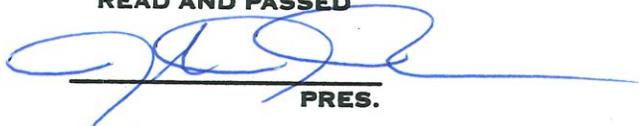
NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council strongly supports Rhode Island House Bill 5250 to create a special legislative commission to study ensuring racial equity and optimizing health and safety laws affecting marginalized individuals and urges the General Assembly to review and pass HB 5250.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the elected Rhode Island House and Senate representatives of the City of Providence and the Honorable Speaker of the House.

IN CITY COUNCIL

MAY 6 2021

READ AND PASSED



PRES.



CLERK

I HEREBY APPROVE.



Mayor
Date: 5/17/21

2021 -- H 5250

LC000038

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

HOUSE RESOLUTION

CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ENSURING RACIAL
EQUITY AND OPTIMIZING HEALTH AND SAFETY LAWS AFFECTING
MARGINALIZED INDIVIDUALS

Introduced By: Representatives Williams, Ajello, Vella-Wilkinson, Alzate, Henries, and
Morales

Date Introduced: January 29, 2021

Referred To: House Health & Human Services

1 WHEREAS, There has been significant research on the safety and health impact of laws
2 specifically related to violence, exploitation, stigma, human trafficking and sexual health, but
3 more needs to be done analyzing the data; and

4 WHEREAS, These laws disproportionately impact women, transgender individuals, and
5 people of color; and

6 WHEREAS, Police treatment and behavior of marginalized and targeted communities,
7 especially Black people and transgender women, is being highlighted and addressed throughout
8 our Nation and the State of Rhode Island, and it is imperative upon us to ensure justice and
9 accountability in the way our laws impact our citizens; and

10 WHEREAS, There has been a documented increase in exploitation and violence against
11 people in the sex industry in Rhode Island since the passage of federal legislation
12 FOSTA/SESTA; and

13 WHEREAS, A newly-published meta-analysis of 134 studies, spanning many nations and
14 published over a 28-year period, showed increased violence and incidence of STIs in jurisdictions
15 with repressive police practices; and

16 WHEREAS, A 2017 study, conducted by Baylor University's Scott Cunningham and
17 Manisha Shah of the University of California Los Angeles, published in the Review of Economic
18 Studies found that during 2003 through 2009, while indoor prostitution was still decriminalized in
19 Rhode Island, the number of rapes diminished by 31 percent and the statewide incidence of

1 gonorrhea among women diminished by 39 percent; now, therefore be it

2 RESOLVED, That a special legislative commission be and the same is hereby created
3 consisting of thirteen (13) members: two (2) of whom shall be members of the House, to be
4 appointed by the Speaker of the House; one of whom shall be from the organization COYOTE-
5 RI, to be appointed by the commission Chairperson; one of whom shall be from the organization
6 Amnesty International, to be appointed by the commission Chairperson; two (2) of whom shall be
7 representatives of organizations serving populations disproportionately impacted by the
8 criminalization of commercial sex, with priority given to organizations focused on improving
9 public health, supporting survivors of violence and sexual assault, and civil rights organizations,
10 to be appointed by the commission Chairperson; one of whom shall be the Director of the
11 Department of Health, or designee; one of whom shall be an attorney from the Rhode Island
12 Public Defender's Office, to be appointed by the Speaker of the House; one of whom shall be the
13 Rhode Island Attorney General, or designee; one of whom shall be from the Brown University
14 Center for the Study of Slavery and Justice, to be appointed by the Speaker of the House; two (2)
15 of whom shall be individuals that have engaged in commercial sex, to be appointed by the
16 commission Chairperson; and one of whom shall be the President of the Rhode Island Police
17 Chiefs Association, or designee.

18 In lieu of any appointment of a member of the legislature to a permanent advisory
19 commission, a legislative study commission, or any commission created by a General Assembly
20 resolution, the appointing authority may appoint a member of the general public to serve in lieu
21 of a legislator, provided that the majority leader or the minority leader of the political party which
22 is entitled to the appointment consents to the appointment of the member of the general public.

23 The purpose of said commission shall be to make a comprehensive study and provide
24 recommendations on the health and safety impact of revising laws related to commercial sexual
25 activity, identifying the methods of human trafficking and exploitation to develop strategies to
26 reduce these activities, and ensuring accountability in the treatment of marginalized and targeted
27 communities by police.

28 Forthwith upon passage of this resolution, the members of the commission shall meet at
29 the call of the Speaker of the House and organize and shall select a chairperson from among the
30 legislators.

31 Vacancies in said commission shall be filled in like manner as the original appointment.

32 The membership of said commission shall receive no compensation for their services.

33 All departments and agencies of the state shall furnish such advice and information,
34 documentary and otherwise, to said commission and its agents as is deemed necessary or

1 desirable by the commission to facilitate the purposes of this resolution.

2 The Speaker of the House is hereby authorized and directed to provide suitable quarters
3 for said commission; and be it further

4 RESOLVED, That the commission shall report its findings and results to the House of
5 Representatives on or before May 31, 2022, and said commission shall expire on June 30, 2022.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

HOUSE RESOLUTION

CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ENSURING RACIAL
EQUITY AND OPTIMIZING HEALTH AND SAFETY LAWS AFFECTING
MARGINALIZED INDIVIDUALS

1 This resolution would create a thirteen (13) member special legislative commission
2 whose purpose it would be to study the health and safety impact of optimizing health and safety
3 laws affecting marginalized individuals, and who would report back to the House of
4 Representatives on or before May 31, 2022, and said commission would expire on June 30,
5 2022.

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