

URBAN JUSTICE CENTER



June 9, 2014

Douglas Lasdon
Executive Director

Board of Directors
Mitchell A. Lowenthal, Chairman
Partner
Cleary Gottlieb Steen & Hamilton LLP

Arnold B. Peinado III, Secretary
Partner
Milbank, Tweed, Hadley & McCloy LLP

Jeffrey D. Haroldson, Treasurer
President
HDG Mansur Capital Group, LLC

Felipe Aransaenz
Managing Director
York Stockbrokers

Michael A. Barasch
Partner
Barasch McGarry Salzman & Penson

Pat Budziak
Board of Trustees
Newark Academy

Michael F. Coyne
Senior Executive VP & General Counsel
Union Bank

Marc Falcone
Partner
Paul, Weiss, Rifkind, Wharton & Garrison LLP

Joel M. Frank
Executive Chief Operating Officer
Och-Ziff Capital Management Group

Beth L. Golden
Head - Risk Policy, Consumer & Community Banking
Chase Bank, N.A.

Jyotin Hamid
Partner
Debevoise & Plimpton LLP

Helen Hershkoff
Professor
New York University School of Law

Raquiba LaBrie
Independent Consultant

Maggie Lear
President
The Frances Lear Foundation

Stephen Loffredo
Professor
CUNY School of Law

Fred Mwangaguhunga
Founder
Mediatakeout.com

Vanessa Selbst
Professional Poker Player
Pokerstars.com

David A. Singleton
Executive Director
Ohio Justice & Policy Center

Howard Sontag
Founder & Managing Member
Sontag Advisory LLC

David Tobis, Ph.D.
Principal
Maestral International

Edward Turan
General Counsel Litigation
Citi Institutional Client Group

To: House Judiciary Committee
RE: HB 14-H 7612

Dear Committee Members:

I am writing regarding House Bill 14-H 7612, which would amend Rhode Island's human trafficking law.

For over a decade, the Urban Justice Center has provided critical legal and social services to hundreds of victims of human trafficking. We have also participated in legislative advocacy and consulting on federal and state level anti-trafficking laws, including reauthorization of the federal anti-trafficking law and passage of the New York State anti-trafficking law.

Having read the legislation, I share the concerns that have been expressed by the ACLU about the adverse impact that the change of language on Page 1, line 8 could have on individuals involved in "commercial sexual activity" who are not involved in any way in trafficking. Sex workers are often incredibly vulnerable individuals who are unable to access safe shelter, healthcare, or other living wage options. Sex workers are also vulnerable to human trafficking, and many victims are never identified. Sex workers would clearly be subject to draconian criminal penalties intended for human traffickers under S-2602 and H-7612. Sex workers often work together and may "harbor" or "transport" one another "knowing" that they intend to engage in commercial sexual activity. The same may be true for other people involved in commercial sexual activity unrelated to trafficking. This revision of the human trafficking law makes the grave mistake of conflating commercial sexual activity with human trafficking, with drastic unintended consequences for individuals who are not engaged in human trafficking or subjecting anyone to involuntary servitude, but may in fact be those that most need assistance.

The amendment proposed by the ACLU, adding the language "prohibited by section 11-67-2" to the end of the amended sentence, is a simple and direct way to rectify the problem. It makes clear that people who intentionally or knowingly assist in human trafficking endeavors face punishment similar to that for traffickers. But the amendment also makes sure Rhode Island's law does not end up inadvertently conflating all commercial sexual activity, already addressed in a separate section of your criminal laws, with trafficking.

Thank you for your consideration and attention. I am available at your convenience to discuss this legislation further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sienna Baskin', with a large, stylized loop at the end.

Sienna Baskin, Esq.
Managing Director
Sex Workers Project
Urban Justice Center
sbaskin@urbanjustice.org
(646)602-5695