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ACLU OF RI POSITION: SUPPORT/AMEND

TESTIMONY IN SUPPORT OF 22-H 7704, AN ACT RELATING TO CRIMINAL OFFENSES – CRIMINAL SEXUAL ACTIVITY April 5, 2022

The ACLU of RI appreciates the opportunity to provide testimony in support of this legislation which would grant immunity to individuals who are engaged in commercial sexual activity and who report a crime that they are either the victim of or witness to. Such statutory protection will critically ensure that sex workers do not encounter legal consequences should they need to seek medical or law enforcement assistance during the course of their work.

Such immunity is particularly important for sex workers, who can find themselves in stigmatizing and vulnerable situations where they may need help but fear seeking it because of the possible criminal repercussions based on their sex work. The ability to report abuse, violence, or crime with the guarantee of immunity is essential to make the lives of sex workers – and the public – safer. This legislation rightly ensures that a sex worker will not have to weigh the consequences of seeking help against any legal ramifications solely due to their occupation.

Having said that, we note that the wording of this bill is different from the version that was introduced last year in House Bill 5467. We believe this new wording is somewhat confusing in defining the scope of the bill's protections, as it inaccurately appears to cover the reporting only of crimes that are themselves sex-work-related. We therefore would encourage the sponsor and committee to consider passing a Sub A version of this bill to match last year's version.

With that suggestion, we thank you for your consideration of our views, and we urge passage of this legislation.