

Reframe Health and Justice

Sex Workers' rights and Human Trafficking

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Speech Transcript

Oct 17, 2019

Submission of Reframe Health and Justice on the Community Safety and Health Amendment Act of 2019, B230318

Good morning, Councilmembers and advocates. Thank you to the Council members in attendance this afternoon, and thank you to the council members who have shown an incredible dedication and commitment to people and issues who are often ignored, and whose health, safety and lives are often disregarded as the collateral consequences of good intentions. We are urging the Committee to vote for this bill, and take a stand to simply say: criminalization is failing our most vulnerable. We can do better.

I am a long-term DC resident; I've been here since childhood and currently reside in Ward 5. I know how important this issue is here in the district; it has had a profound and personal impact on my life. Like too many queer people, I experienced homelessness from a young age and trading sex was one of many ways I survived. Both as a youth and today, I've experienced firsthand the ways police violence often in the guise of helping the most vulnerable targets those involved in transactional sex. There are so many loved ones who would probably want to testify here if they were still alive today, whose deaths could have been prevented in a variety of ways if only society did not persecute us for simply trying to live.

I am here representing Reframe Health and Justice, a collective of queer and trans people of color which works at the intersection of harm reduction, healing and justice. Collectively, we have decades of experience in outreach, community building, direct services and policy in support of people who trade sex, including people experiencing exploitation and trafficking. Most of our members have done this work in DC across multiple organizations.

Several of us also have lived experience trading sex, including being survivors of exploitation and trafficking. Our experiences are diverse, but we are all clear that criminalization only made those situations of exploitation and trafficking worse.

There are many reasons why this bill would support the health, rights, safety, lives and dignity of people who trade sex. We have come to share some of the reasons why we consider decriminalization one important step in support of ending trafficking and exploitation.

Best practices for anti-trafficking work rely on building trust with marginalized communities and vulnerable people. Criminalization disrupts that trust with both law enforcement and service providers. Sex workers have a well-founded fear of arrest or mistreatment when reporting victimization and a long history of police violence that is fostered in criminalization of the sex trade. While decriminalization alone cannot repair that relationship, it is an essential first step.

Community building can also provide harm reduction, and reduce the isolation that contributes to vulnerability. Third-party laws criminalize sex workers for working together, building community and sharing resources and information the basic tenants of best practices for anti-trafficking work. There are best practices here and abroad for anti-trafficking efforts. We are just ignoring them and, in some cases, criminalizing them.

The conflation of trafficking and all commercial sex also misallocates scarce resources which could be spent on effective anti-trafficking efforts. Investigating trafficking and supporting those who have been victimized is resource-intensive. Sting operations and low-level policing are costly. Instead of investing money into complex investigations of exploitation, and time into relationships with local partners and vulnerable communities, resources are being wasted on ineffective policing efforts which lead to trauma and mistrust. We would never approach domestic violence by arresting everyone in a romantic relationship and hoping you've captured a victim of crime. People who are most vulnerable to exploitation in the sex trade, people who have experienced trafficking and exploitation, people who are currently experiencing trafficking and exploitation we all deserve better.

Many people will also talk about the violence and harm to health that comes with criminalization of the sex trade. Those statistics are true for people experiencing exploitation as well. There is a false binary of trafficking survivors and people who trade sex, when many of our lives are more fluid than that. When you protect the health and safety from violent encounters of people who trade sex, that also includes people who are being trafficked.

If this bill passes, all laws against violence, trafficking and coercive exploitation would remain. The standards for probable cause for all of these criminalized forms of violence would remain. The jurisprudence for successful prosecution would remain. Law enforcement

would still possess all of the tools needed to do effective investigations into trafficking and exploitation. They would also be able to better utilize anti-trafficking resources for more effective approaches.

Reframe Health and Justice stands with sex workers in DC, who know better than anyone the way these laws shape and impact their lives. We urge the Committee to do the same, and pass the Community Safety & Health Amendment Act of 2019.

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