

Decriminalize Sex Work

www.DecriminalizeSex.Work

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February 3, 2019

NEW YORK, NEW YORK

Prostitution Advocacy Group Launches National Campaign to Decriminalize Sex Work

In response to the new federal law that resulted in widespread censorship of websites that include sexual content, a new national organization has formed to repeal this law and decriminalize sex work nationwide.

The mission of Decriminalize Sex Work -- a new national organization with offices in Austin, New York City, and Washington, D.C. -- is “to end the prohibition of prostitution in the United States.” The organization’s national strategy is to inform the public about the harms caused by prohibition, with a focus on lobbying state governments to remove penalties for adult prostitution and all other forms of consensual sex work if conducted in private.

The organization’s ideal state legislation removes all penalties for consensual, adult sex work if conducted in private residences, hotel rooms, or licensed business locations known as brothels. Nevada, which is the only state to allow any form of legal prostitution, permits paid sex to occur only in brothels that are located in rural counties -- not Las Vegas or Reno hotel rooms -- which is why Nevada has the highest arrest rate among the 50 states.

“Dozens of allied organizations are already doing great work advocating for decriminalization,” said Kaytlin Bailey, communications director for Decriminalize Sex Work. “What makes our organization different is that Donald Trump’s new law inspired a California philanthropist to donate sufficient seed money to pay for a full-time staff and lobbying firms even before our organization’s public launch today.”

The objectionable federal law is known as SESTA-FOSTA. On the Senate side, the bill’s name was “Stop Enabling Sex Trafficking Act,” and on the House side the bill was called “Fight Online Sex Trafficking Act.” The two bills were combined into one and enacted into law by Congress and President Trump on April 11, 2018.

“Since the federal government banned adult matchmaking on the web, many sex workers have left their homes and hit the streets as a way of advertising their services,” said Bailey. “BackPage and other transparent websites often cooperated with law enforcement to find minors and other trafficking victims, in addition to providing a mutual review system to protect people from predators who pose as clients and escorts.”

DSW’s team includes a criminal-defense lawyer who has advocated for and defended sex workers and survivors of trafficking for 12 years; a social worker who has worked with human-trafficking victims for 20 years; a former sex worker (Kaytlin Bailey); three activists who come from the marijuana-legalization movement; and a pair of bipartisan lobbying firms in Rhode Island and New Hampshire.

“The new federal prohibition brought together a critical mass of money and activists that is now snowballing and will soon cause an avalanche of legal reforms across the country,” said Bailey.

DSW cited numerous reasons for how society would benefit from making adult, consensual prostitution legal instead of criminal:

- The vast majority of paid sexual activities involve consenting adults. Removing these adults from the criminal system will free up law enforcement to focus on the minority of sex crimes that involve minors, force, and fraud, which includes human trafficking.
- By allowing sex workers to advertise their adult services discreetly on the web and elsewhere, sex workers will no longer need to “advertise” themselves on street corners, which will be a boon to community groups that complain about public activity but are unconcerned about private sex.
- If prostitution is no longer a crime, sex workers and their colleagues will be liberated to report human traffickers and other predators to police without fear of themselves being arrested.

“Back in the 1920s, it was the prohibition of alcohol -- not the use of alcohol -- that created public violence that threatened the safety of alcohol users and the community at large,” said Bailey. “Today, the prohibition of sex work -- not the simple act of paid sex -- actually increases the power of human traffickers, causes harm to minors, creates arrest records for prostitutes and survivors of trafficking who are otherwise law-abiding adults, and threatens the community’s health at large.”

The sex-workers rights movement benefits from the expansive, international research on this topic. Just last month, researchers at the London School of Hygiene and Tropical Medicine published research showing that sex workers suffering under repressive policing are three times more likely to experience violence as those who live in countries like New Zealand, where prostitution is no longer a crime. This study bolsters the recommendations and official policies of the World Health Organization, Amnesty International, and the ACLU, all of which support ending criminalization.

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