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## **Study Commissions To Review Existing Law and Address Exploitation and Violence**

### **What Are Study Commissions?**

A legislature can form a study commission to examine current laws, research their effects, and provide recommendations on reforming existing laws and creating better policies. We advocate for the creation of study commissions focused on evaluating prostitution laws, addressing trafficking concerns, and identifying better ways to create support systems for both sex workers and trafficked people. A Rhode Island House Resolution created such a study commission in 2021. The full text of that resolution is on the following pages.

### **Why Do These Laws Need To Be Reviewed?**

A study commission should examine and provide recommendations on the health and safety impacts of revising laws related to commercial sexual activity, identify the methods of human trafficking and exploitation to develop strategies to reduce these activities, and ensure accountability in the treatment of marginalized and targeted communities by police. Prostitution laws are often applied in a way that creates an environment in which exploitation thrives. Those laws also often disproportionately harm already marginalized communities. They also fail to meaningfully address the issue of human trafficking. There is a need to comprehensively research and then reform legal and support systems around sex work and trafficking in order to keep people safe and ensure access to resources.

### **What Kind Of Materials Should Study Commissions Consider?**

Study commissions should look at all state laws around sex work and trafficking, as well as other related statutes such as massage parlor and loitering laws. They should consider a diverse collection of existing research on and theory around the policing of sex work and trafficking. Where available, study commissions need to look at arrest and conviction rates in their state so they can examine relevant demographic information and evaluate the success of existing anti-trafficking policies.



## **Rhode Island House Resolution 5250**

### **House Resolution Creating A Special Legislative Commission To Study Ensuring Racial Equity And Optimizing Health And Safety Laws Affecting Marginalized Individuals (Passed July 1, 2021)**

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

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

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

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

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

WHEREAS, A 2017 study, conducted by Baylor University's Scott Cunningham and Manisha Shah of the University of California Los Angeles, published in the Review of Economic Studies found that during 2003 through 2009, while indoor prostitution was still decriminalized in Rhode Island, the number of rapes diminished by 31 percent and the statewide incidence of gonorrhea among women diminished by 39 percent; now, therefore be it

RESOLVED, That a special legislative commission be and the same is hereby created consisting of thirteen (13) members: two (2) of whom shall be members of the House, to be appointed by the Speaker of the House; one of whom shall be from the organization COYOTE5 RI, to be appointed by the commission Chairperson; one of whom shall be from the organization Amnesty International, to be appointed by the commission Chairperson; two (2) of whom shall be representatives of organizations serving populations disproportionately impacted by the criminalization of commercial sex, with priority given to organizations focused on improving public health, supporting survivors of violence and sexual assault, and civil rights organizations, to be appointed by the commission Chairperson; one of whom shall be the Director of the Department of Health, or designee; one of whom shall be an attorney from the Rhode Island Public Defender's Office, to be appointed by the Speaker of the House; one of whom shall be the Rhode Island Attorney General, or designee; one of whom shall be from the Brown University Center for the Study of Slavery and Justice, to be appointed by the Speaker of the House; two (2) of whom shall be individuals that have engaged in commercial sex, to be appointed by the commission Chairperson; and one of whom shall be the President of the Rhode Island Police Chief's Association, or designee.

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



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

Forthwith upon passage of this resolution, the members of the commission shall meet at the call of the Speaker of the House and organize and shall select a chairperson from among the legislators. Vacancies in said commission shall be filled in like manner as the original appointment. The membership of said commission shall receive no compensation for their services. All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

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

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

Link: <http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5250.pdf>

