

2019 -- H 5354

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LC001180
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

H O U S E R E S O L U T I O N

**CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE HEALTH AND
SAFETY IMPACT OF REVISING COMMERCIAL SEXUAL ACTIVITY LAWS**

Introduced By: Representatives Williams, Ajello, Vella-Wilkinson, Almeida, and Walsh

Date Introduced: February 08, 2019

Referred To: House Judiciary

1 WHEREAS, There has been significant research on the safety and health impact of laws
2 governing commercial sex, specifically related to violence, exploitation, stigma, and sexual
3 health, but more needs to be done analyzing the data; and

4 WHEREAS, Criminalization of prostitution disproportionately impacts women,
5 transgender individuals, and people of color; and

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

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

12 WHEREAS, A study conducted by Baylor University's Scott Cunningham and Manisha
13 Shah of the University of California Los Angeles found that during 2003 through 2009, while
14 indoor prostitution was still decriminalized in Rhode Island, the number of rapes diminished by
15 31 percent and the statewide incidence of gonorrhea among women diminished by 39 percent;
16 and

17 WHEREAS, In New Zealand, where prostitution was decriminalized nationwide in 2003,
18 a comprehensive study by researchers from the University of Otago's School of Medicine found
19 that more than 60 percent of the 772 sex workers who participated reported feeling more able to

1 refuse to see certain clients, and 95 percent said they felt they had rights after decriminalization.
2 Human trafficking has also diminished in New Zealand since decriminalization; now, therefore
3 be it

4 RESOLVED, That a special legislative commission be and the same is hereby created
5 consisting of twelve (12) members: two (2) of whom shall be members of the House, to be
6 appointed by the Speaker of the House; four (4) of whom shall be representatives of organizations
7 serving populations disproportionately impacted by the criminalization of commercial sex, with
8 priority given to organizations focused on improving public health, supporting survivors of
9 violence and sexual assault, and civil rights organizations, including at least one from COYOTE-
10 RI, and three (3) from organizations selected by the Chairperson, and all of whom shall be
11 appointed by the Chairperson; one of whom shall be the Director of the Department of Health, or
12 designee; one of whom shall be an attorney from the Rhode Island Public Defender's Office, to be
13 appointed by the Speaker; one of whom shall be the Rhode Island Attorney General, or designee;
14 two (2) of whom shall be individuals that have engaged in commercial sex, to be appointed by the
15 Speaker of the House; and one of whom shall be the President of the Rhode Island Police Chief's
16 Association, or designee.

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

22 The purpose of said commission shall be to make a comprehensive study and provide
23 recommendations on the health and safety impact of revising laws related to commercial sexual
24 activity.

25 Forthwith upon passage of this resolution, the members of the commission shall meet at
26 the call of the Speaker of the House and organize and shall select a chairperson from among the
27 legislators.

28 Vacancies in said commission shall be filled in like manner as the original appointment.

29 The membership of said commission shall receive no compensation for their services.

30 All departments and agencies of the state shall furnish such advice and information,
31 documentary and otherwise, to said commission and its agents as is deemed necessary or
32 desirable by the commission to facilitate the purposes of this resolution.

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

- 1 RESOLVED, That the commission shall report its findings and results to the House of
- 2 Representatives on or before February 7, 2020, and said commission shall expire on May 7, 2020.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
HOUSE RESOLUTION
CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE HEALTH AND
SAFETY IMPACT OF REVISING COMMERCIAL SEXUAL ACTIVITY LAWS

- 1 This resolution would create a twelve (12) member special legislative commission whose
- 2 purpose it would be to study the health and safety impact of revising commercial sexual activity
- 3 laws, and who would report back to the House of Representatives on or before February 7, 2020,
- 4 and said commission would expire on May 7, 2020.

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