



Senator Scott Wiener, 11th Senate District

SB XXX – Sex Workers Protection

SUMMARY

Senate Bill XXX prohibits the arrest of sex workers when coming forward as a witness or a victim of a serious crime. It states also, that the possession of condoms when coming forward about a violent crime cannot be used as probable cause to arrest a sex worker.

BACKGROUND

People working in prostitution experience violent crimes in an alarming amount. 32% of sex workers reported a physical attack while engaging in sex work, and 29% reported being sexually assaulted while engaging in sex work. When sex workers come forward about a violent act that occurred to them or they witnessed one they can then be arrested for prostitution which discourages them from coming forward about these violent crimes.

Under the law currently, the possession of condoms can be used in a case against a person as probable cause that they are a sex worker, and can result in being arrested.

PROBLEM

Under current conditions for sex workers it creates distrust towards law enforcement from the fear of being criminalized. With the fear of being criminalized it creates a public safety issue when these violent crimes are not being reported or solved. Sex workers are being discouraged to report crimes they are a victim of or have witnessed because they are afraid of being arrested. By discouraging sex workers to share information they have it leads to unsolved crimes and nowhere for sex workers to turn to when they experience a violent crime such as burglary, assault, kidnapping, human trafficking, blackmail, threats, robbery, stalking, extortion, or any other violent crime. It creates an unsafe environment for sex workers and delays the processing of unsolved crimes from lack of witnesses.

The problem with using condoms as a probable cause to arrest sex workers is that it discourages sex

workers to practice safe sex. By sex workers becoming hesitant to carry condoms in the fear of being criminalized it increases the chances of getting an HIV or STI. Sex workers are thirteen times more likely to contract HIV, this is why it is crucial for sex workers to be able to carry condoms without fear when coming forth as a witness or victim. The Human Rights Watch reported that one woman in Los Angeles was frightened to carry condoms with her and had to use a plastic bag as a condom to protect herself against HIV and STI's.

SOLUTION

When sex workers become a victim of a violent crime, or witness a violent crime they need to be able to report it without fear being criminalized. By prohibiting the arrest of sex workers who are coming forward as victims or witnesses of violent crimes it will increase the reporting and solving of crimes. It will create a community of trust between law enforcement and sex workers that is necessary for public safety.

By restricting the arrest of sex workers who have condoms on them when they give information about a violent crime it helps to create that community of trust while solving crimes and keeping people safe from STI's and HIV.

SUPPORT

- St. James Infirmary (Sponsor)

FOR MORE INFORMATION

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