



Talking Points

Reducing Criminalization to Improve Community Safety and Health Amendment Act

B22-0516

PRIMARY SPONSORS: Grosso and R. White

CO-SPONSORS: None

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- The bill seeks to decriminalize the entire sex trade in DC and as a result, raises a great many concerns, including increasing sex trafficking and reducing protections for those who sell sex for money or other things of value.
- While a couple ideas in the bill have merit – decriminalizing the sale of sex and a task force to study the issue – they are inadequately addressed in the bill.
- The decriminalization of those who sell sex is an important step forward. Most people selling sex for money or other things of value are doing so as a means of survival. Criminalizing the sale of sex unjustly punishes these individuals and further inhibits their ability to exit the sex trade. Rather, they should be afforded access to important healthcare and other services.
- The bill creates a task force to study the issue and provide recommendations for policy changes that would improve public health and safety. Such a task force could have some value if it was inclusive, including organizations focusing on the reduction of sex trafficking, as well as those focused on racial and gender justice since these issues are inextricably linked to the system of prostitution in the District. An inclusive task force should spend time reviewing and discussing the issues prior to making changes to the law.

- According to a study by the federal Bureau of Justice statistics, 40% of victims of sex trafficking were African American and 99% were female,ⁱ making the decriminalization of pandering and brothels a racial and gender justice issue. Moreover, 40% of sex trafficking involved minors. Tools to allow police to investigate panderers and brothels increases the chances of identifying child sex trafficking.
- Soliciting or purchasing sex for money or other things of value should not be decriminalized. Decriminalizing the purchase of sex invites more sex buyers into the market, which increases demand. The nature of the commercial sex trade is that there will never be enough ‘willing’ participants to meet an unfettered demand. Sex traffickers capitalize on the increased demand by trafficking individuals from marginalized communities for profit. Decriminalizing buyers, also, reduces sex workers’ autonomy and bargaining power and exposes them to more violence and harassment by sex buyers who would now be operating legally.
- Procuring or receiving money for arranging for someone to engage in sex should not be decriminalized. The decriminalization of pimping and pandering does not provide greater autonomy to sex workers but, instead, legitimizes pimps and brothel owners and puts sex workers further under their control. Decriminalizing these actions, also, makes it more difficult to hold pimps and brothel owners accountable for abuses, including the pimping of minors—which is also decriminalized under this proposal.
- The bill is no doubt controversial and, even with passage by the DC City Council and signature of the Mayor, it is likely that the US Congress will reject it during the federal review period.

ⁱ Bureau of Justice Statistics, *Characteristics of Suspected Human Trafficking Incidents, 2008-2010* (April 2011).