

University of Rhode Island

From the Selected Works of Donna M. Hughes

September 4, 2009

Senators' Prostitution Bill Is a Sham

Donna M. Hughes, Dr.



This work is licensed under a [Creative Commons CC_BY-NC-ND International License](https://creativecommons.org/licenses/by-nc-nd/4.0/).



Available at: https://works.bepress.com/donna_hughes/85/

Hello,

Below is my op-ed on the Senate prostitution bill that was published today (Friday, September 4) in the *Providence Journal*. It responds to Senators Paul Jabour and Michael McCaffrey's op-ed published last Sunday (August 30, 2009), which is included below.

As I point out in my op-ed, the Senate bill does not effectively "close the loophole" in the prostitution law, and it repeals or lowers the penalties for much needed anti-pimping laws.

Please contact your senators (senators@rilin.state.ri.us) and representatives (representatives@rilin.state.ri.us) and tell them you want Rhode Island to keep the tough laws on pimps that it already has.

Donna M. Hughes

Co-founder, Citizens Against Trafficking

<http://www.citizensagainsttrafficking.org>

Senators' prostitution bill is a sham

01:00 AM EDT on Friday, September 4, 2009

DONNA M. HUGHES

The Providence Journal

RHODE ISLAND needs a good prostitution law to halt the metastasizing problems of prostitution and sex trafficking. The growing number of spas and clubs are sordid destinations for foreign women and teens from around the Northeast.

To address this problem, both the House and the Senate have passed bills they claim "close the loophole." But the competing bills are profoundly different in their probable effectiveness.

Contrary to the claim made by Senators Paul Jabour (D.-Providence) and Michael McCaffrey (D.-Warwick) in their Aug. 31 Commentary piece, the Senate bill does not "close the loophole." It officially places prostitution in the category of laws that are less serious, with token penalties.

The House bill, sponsored by Rep. Joanne Giannini (D.-Providence), creates a basic, traditional law against prostitution. It makes prostitution a misdemeanor, which is the minimum criminal offense necessary for police to investigate the serious crimes involved such as organized crime and the sexual exploitation of children.

At the urging of women's groups, the House bill includes a provision that grants immunity from prosecution to victims of trafficking. This makes it the most victim-sensitive prostitution law in the country.

The Senate bill, sponsored by Senator Jabour, further weakens our prostitution laws. It repeals important laws against recruiting and transporting people for prostitution — pimping offenses. According to Robert Flores, former federal prosecutor, the Senate bill will “encourage pimps” and be “their ticket to unrestrained growth in the use of people as objects to be used, rented by the hour or act, and discarded when they become too sick or unattractive to be useful.”

The Senate bill creates a civil violation for prostitution, the equivalent of a traffic citation. The penalty for the first offense is a donation to the crime victims' fund. This is not a legitimate prostitution law. Numerous law-enforcement groups have condemned the Senate bill, saying it will let prostitution and sex trafficking grow, not reduce them.

In contrast, the House bill has broad support from the Rhode Island attorney general, the state police, the Police Chiefs' Association, [Governor Carcieri](#), Bishop Tobin of the Providence Diocese and numerous Protestant churches, The Providence Journal, the Rhode Island Catholic, Prevent Child Abuse-Rhode Island, and Citizens Against Trafficking.

Anti-trafficking experts and victims' service groups from around the country have written to support the House bill, including: the National Center for Missing and Exploited Children, Covenant House, the former head of the U.S. Department of Justice, the Office of Juvenile Justice and Delinquency Prevention, a former senior advisor on trafficking at the U.S. State Department, and the current U.S. ambassador to combat human trafficking.

The Senate bill is supported by . . . no one. It has no public letters of support from any law-enforcement agency, religious group, anti-trafficking organization or service provider. Its only defenders are a few recalcitrant senators who jammed through their peculiar bill late at night in the last few days of the Senate session.

With the passage of the House bill, Rhode Island will have a fresh start for law enforcement to vigorously investigate prostitution and sex trafficking, create new policies for equitable enforcement, look into new programs for rehabilitation and restorative justice that have been implemented in other states, and allow our state to participate in national initiatives to track down sexual predators and rescue victims.

In the words of The Rhode Island Catholic: “This shameful scourge must end.” The independent spirit of Rhode Island and the spirit in every woman are diminished by this flaw in the law. The House bill has the necessary provisions to do that.

The stonewalling by a few senators must end.

Donna M. Hughes is co-founder of Citizens Against Trafficking and is a professor of women's studies at the University of Rhode Island.

Fixing ‘sex-worker industry’: R.I. Senate closes prostitution loophole

01:00 AM EDT on Sunday, August 30, 2009

PAUL V. JABOUR MICHAEL J. McCaffrey

The Providence Journal

THE RHODE ISLAND SENATE passed bill S596A on June 25, closing a “loophole” by making indoor prostitution unlawful in our state. Reports to the contrary are inaccurate. The Senate bill includes a violation that carries a penalty for the act of prostitution, regardless of where it occurs. This was a priority for the Senate, and we pledge to have a bill on [Governor Carcieri](#)’s desk soon after we reconvene in September.

The Senate closed the “loophole” so that Rhode Island would no longer be the only state without a prohibition against indoor prostitution. The Senate and House bills carry different penalties, and this is where much of the confusion has arisen. As with many pieces of legislation, the House and Senate work cooperatively to iron out differences in similar bills before compromise language passes both chambers. We have had Assembly and staff members working through the summer with representatives of the attorney general’s office and the state police to come up with a workable bill.

The Senate closed the “loophole” and included significant new provisions to strengthen our state’s prostitution laws. The Senate bill has many strong points that are lacking in the bill that passed the House.

The Senate bill recognizes that neighborhoods and communities need to have property owners held accountable when they have knowledge that their premises are being used for indoor prostitution. We included distinct penalties for those who are purchasing prostitution services, and we are seeking new data-reporting requirements that will help us track the arrest and conviction rates of both prostitutes and those who access or manage their services.

The Senate closed the loophole, made it a priority, and will commit to seeing a bill become law in September. We are fooling ourselves, however, if we think our job is done. Data collected during this debate show:

In 2008, 182 women in Rhode Island were incarcerated for prostitution, while no people were incarcerated at the Adult Correctional Institutions for either “soliciting a prostitute” or “pimping.” If we are serious about reducing prostitution in our state, we must look at the most effective means to impact both the supply and the demand.

The costs and benefits associated with imprisonment versus diversionary programs that deter women from prostitution must be reviewed. A 2007 survey by the Pawtucket Citizen’s

Development Corporation of women engaging in outdoor prostitution showed that they tend to be extremely poor (many are homeless), substance-abusing mothers at risk for sexually transmitted disease.

We must delineate the lines that have been blurred among the problems of indoor prostitution, outdoor prostitution, human sex trafficking, and strip-club dancing by minors. Each of these issues has an appropriate legal and moral response and confusing them will lead to ineffective policies and political responses.

The Senate closed the loophole that allowed indoor prostitution in our state and will allow proper investigation of illegal sex businesses. Law enforcement is playing a major role in constructing a revised House and Senate bill. We are confident that we will continue to work with our community partners and advocates to devise the most cost-effective strategies to address issues of human exploitation in the sex-worker industry.

Paul V. Jabour, a Providence Democrat, is the primary sponsor of the Senate bill on prostitution. Michael J. McCaffrey, a Warwick Democrat, is the chairman of the Senate Judiciary Committee.