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Sex Industry Advocates Aim to Decriminalize Prostitution in New Hampshire

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Sex Industry Advocates Aim to Decriminalize Prostitution in New Hampshire

Kelly Roy-Williams,¹ Lisa Thompson,² and Donna M. Hughes³

Summary

- There is an organized effort in New Hampshire to remove all laws controlling prostitution
- Goal is to legalize the buying and selling of sex
- A study on the effects of decriminalized prostitution is proposed
- The study committee is setting up a corrupt process to support findings they want
- Contact your Representative and say you want this study cancelled

There is an organized effort in New Hampshire to fully decriminalize prostitution. What that means is that all laws controlling the buying and selling of sex will be removed from the law books, making prostitution legal. Law enforcement and public officials will then have no control over if, when, and where prostitution occurs, whether it's in massage parlors (often called spas), hotels, apartments, residences, or strip clubs. Because commercial sex will be legal, pimps and "sex workers" will be able to freely advertise prostitution services. Pimps will be able to openly recruit women and girls into prostitution, without fear of legal repercussions. If that happens, New Hampshire's Employment Security office could suggest to unemployed women that they accept "jobs" in the sex industry, making prostitution a job like any other.

In 2016, House Bill 1614 to fully decriminalize prostitution was introduced into the New Hampshire House of Representatives by Representatives Elizabeth Edwards, Amanda Bouldin, and Carol McGuire. The bill failed to pass.⁴

Now, supporters are setting up a corrupt process. They are seeking to fund a biased study that will ensure a recommendation to get rid of all the laws controlling prostitution in New Hampshire.

The proposal for a study has been introduced as House Bill 287: An act establishing a committee to study decriminalizing sex work. The bill was sponsored by Representatives Elizabeth Edwards (D), Amanda Bouldin (D), Carol McGuire (R), and Kate Murray (D).

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⁴ "This bill legalizes consensual sex between consenting adults and makes any solicitation of sexual contact involving a person under 18 years of age or through the use of force or intimidation a felony."

STATE OF NEW HAMPSHIRE, HOUSE BILL 287

AN ACT establishing a committee to study decriminalizing sex work.

SPONSORS: Rep. E. Edwards, Hills. 11; Rep. Bouldin, Hills. 12; Rep. McGuire, Merr. 29; Rep.

Murray, Rock. 24

COMMITTEE: Criminal Justice and Public Safety

The bill has had an initial public hearing and was referred to subcommittee for review. The subcommittee will study the bill and report back to the full committee.

The committee for the proposed study is asking for input only from organizations supporting legalized sexual exploitation and opposing criminalization of prostitution.

Duties. The committee shall study:

- I. The positive and negative results of criminalizing sex work, decriminalizing the selling of sex, and decriminalizing both the buying and selling of sex work

Sex work advocates frequently only discuss how the law is often unfair to women in prostitution. We agree that the U.S. approach to prostitution is often unjust because women are frequently penalized and men are not. The answer to this is prostitution law reform that establishes harsher penalties for sex buyers and ensures that law enforcement agencies receive training so that these laws are enforced.

Yet, HB 287 calls for a study on the effects of decriminalizing prostitution on the buying as well as the selling of sex. After all, when you want to make prostitution legitimate work, you need to legalize the income—money coming from the people who are buying sex. A free market to buy sex without fear of consequences will be created, with a greater market for exploitation and sex trafficking.

Although only a minority of men ever buy sex, New Hampshire citizens need to ask themselves if they support the right of the men in their state to legally and openly buy sex. Also, New Hampshire will become a destination state for sex buyers, and the increased crime that comes with it.

If the committee to study decriminalizing sex work is going to gather information on the “positive and negative results” of this change in law, they need to invite survivors of prostitution and sex trafficking, service providers, church groups, family-oriented groups, law enforcement personnel who investigate sex trafficking, and elected officials of the state to give their opinions on the impact of men legally buying sex.

The committee has said that they will be consulting published reports on sex work and human trafficking.

II. Reports on sex work and human trafficking published by Amnesty International, the World Health Organization, the International Labour Organization, the Global Alliance Against Trafficking in Women, the Global Network of Sex Work Projects, the Global Commission on HIV and the Law, Human Rights Watch, the Open Society Foundations, and Anti-Slavery International.

The problem with this list is these are organizations that only support fully decriminalized prostitution. Organizations of survivors of prostitution and sex trafficking and anti-sex trafficking organizations are not included. Many researchers and organizations have produced dozens of reports and peer-reviewed scientific papers on the trauma and physical harm of prostitution. They are not on the list of groups invited to submit reports. The committee is corrupted from the beginning.

The committee also says it will invite the testimony of sex workers.

IV. Testimony from sex workers in various jurisdictions including whether and how the decriminalization of sex work would make their lives better.

Yet, they fail to include is the testimony of survivors of the sex trade. There are many survivor-led organizations and other entities around the country who are speaking out against the harm of all types of sexual exploitation—especially prostitution.

Darlene Pawlik, a survivor in New Hampshire, said this about the proposal to decriminalize prostitution:

Please do not consider the decriminalization of prostitution. The law is a teacher. So-called sex work is dehumanizing and brutal. In my experience, buyers used me as an implement for their pleasure, often violent and sickening. I suffered sexually transmitted disease, bugs and all sorts of deprivations as a teen. I believe decriminalization further erodes societal respect for the innate dignity of each person. Please protect people.

Many of them are just a couple of hours away by car.

It is unacceptable that Representatives Edwards, McGuire, Bouldin, and Murray are proposing such a corrupt process that is constructed to come to a foregone conclusion—one which will bring great harm to the women and citizens of the state of New Hampshire.

Please email (HouseCriminalJusticeandPublicSafety@leg.state.nh.us) or telephone ([603-271-3529](tel:603-271-3529)) the House Criminal Justice and Public Safety Committee, and tell them to vote against House Bill 287. You do not want taxpayer money going to support this kind of biased study in New Hampshire. Tell your Representative to cancel this study.