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The Obstructionism of Senator Paul Jabour

Donna M. Hughes*

“I am disappointed in the last minute amendments [to the prostitution bill]. For Senator Jabour to suggest that after all we have suffered through, with the way we are perceived as a state and the [lack of] tools we need in a court room; to suggest that [prostitution] is a violation, something like a traffic ticket, is a woeful decision. [Jabour’s amendments] are “what derailed [the prostitution bill] in the last week.” – Attorney General Patrick Lynch, on Channel 10 News Conference, July 12, 2009

Against all logic and political wisdom, in the closing weeks of the Assembly session last month, Senator Paul Jabour (District 5) made the decision to obstruct the passage of a prostitution bill.

In February, Senator Jabour introduced S 596, the Senate companion bill to Representative Joanne Giannini’s House bill H 5044. The bills were straight forward in creating a much needed prostitution law that “closed the loophole” in Rhode Island’s criminal code.

Representatives Giannini’s bill made its way through the House of Representatives. It came out of the House Judiciary Committee with an amendment that gave immunity for prostitution offenses to victims of sex trafficking. This amendment strengthened the bill and ensured that victims would not be unfairly prosecuted for acts they were compelled to commit. On May 14, the prostitution bill passed the House 62 to 8.

In order for the prostitution bill to become law, a matching bill must pass the Senate. Senator Jabour needed to amend his version of the bill to match to Giannini’s. Instead Senator Jabour veered sharply onto a radical, obstructionist path.

The first sign that Jabour had gone off the rails was his absence at Governor Carcieri’s press conference in support of the House versions of the prostitution and trafficking bills on June 18. There was a seat for him among the speakers, but he was a no-show. It’s rumored that he was told not to show up; that he was given a much different assignment concerning the prostitution bill.

The Senate Judiciary Committee, of which Senator Jabour is a member, delayed action on the prostitution bill until almost the end of the session. The Hearing on Jabour's bill was a circus, including pimps and prostitutes coming to testify. (See "RI's Carnival of Prostitution.")

When S 596 finally came out of the Senate Judiciary Committee there was nothing left of the original bill. The entire text and legislative intent of the bill had been replaced by unheard of provisions that ripped up the existing anti-pimping laws and made prostitution a civil violation, like a speeding ticket, punishable by a small contribution to the crime victims' fund.

Jabour's amended bill does not "close the loophole," which is the minimum requirement for a prostitution bill. The civil violations it creates do not enable law enforcement to vigorously investigate prostitution or sex trafficking. Also, a civil violation is not serious enough to allow federal investigations and prosecutions of trafficking related offenses. The crime must be a misdemeanor.

Worse, Jabour's bill repeals all the anti-pimping laws in the Rhode Island criminal code. These are good, necessary laws, which make pandering and running a brothel serious crimes. What is needed for police to use these laws is a predicate offense—a law against prostitution. Jabour's bill does create a new offense called "permitting prostitution," but it is weak and the offense is only a misdemeanor with a \$1000 fine. Rhode Island has a serious prostitution and sex trafficking problem. Weakening the laws against the pimps is an outrage and a ticket to their continuing exploitation and abuse of women and girls.

All law enforcement agencies—the Attorney General's Office, the Rhode Island State Police, and the Police Chiefs Association—oppose Jabour's bill.

Thirty-four other Senators are implicated in this obstructionism. S 596 passed the Senate 35-0. All 35 senators need to be held accountable for voting for a bill that makes a mockery of the Rhode Island criminal code and obstructs the passage of a law we need to end 30 years of decriminalized prostitution and free operation of pimps and traffickers.

Senators Rhoda Perry and Chuck Levesque, both members of the Judiciary Committee, have played a significant role in obstructing the passage of a prostitution bill. And Senate President Teresa Paiva-Weed has abdicated her leadership responsibility to pass a legitimate prostitution law.

Attorney General Patrick Lynch believes that as a result of "enough public discussion about [the prostitution bill]," the Assembly will get something done the last week of July. We have to make sure they do the right thing.

Representative Joanne Gianni is standing firm in support of her bill. She has taken responsibility to “close the loophole,” provide protection to victims, and give law enforcement the tools they need to combat sex trafficking. She said she will not weaken her bill; nor should she. The only changes she is willing to make are those that strengthen the law. Our goal is to ensure that we have laws that will enable law enforcement to stop the pimps and sex traffickers in Rhode Island.

What you can do: Call or write your Senator and Senate President Teresa Paiva-Weed (Email sen-paivaweed@rilin.state.ri.us) and tell them to pass the House prostitution bill H 5044A. (All Senators will receive an email sent to senators@rilin.state.ri.us) We also need to support Representative Giannini’s bill (H 5044A). Write or call the Speaker of the House William Murphy (Email rep-murphy@rilin.state.ri.us) and House Judiciary Committee Chairman Donald Lally (Email rep-lally@rilin.state.ri.us) and tell them to be firm in defending the House prostitution bill. The provisions in the House bill are simple, clear and necessary for Rhode Island to join the rest of the country in having a basic prostitution law that will enable law enforcement to investigate and prosecute crimes against women and children.

The Assembly will be back in session the last week in July. Write before then.

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Coming soon: An article on a newly formed group called Businesses Against Brothels.

For more information about prostitution and sex trafficking in Rhode Island and citizens’ work to pass much needed, legitimate laws against prostitution and human trafficking see
<http://citizensagainsttrafficking.org>