

DC's Community Safety and Health Amendment Act of 2019: A Trojan Horse Empowering & Expanding the Sex Trade in the Nation's Capital

Under the guise of improving “community safety and health,” DC Council members David Grosso, Anita Bonds, Brienne Nadeau, and Robert White have put forward a bill (23-0318) which, if passed, will amend existing DC statutes to *fully* decriminalize prostitution in the nation's capital. The proposed bill seeks to decriminalize acts of pimping, brothel keeping, and sex buying. Don't let the lofty sounding title of this bill fool you. It is a Trojan horse empowering organizers of sexual exploitation—pimps (i.e. sex traffickers) and brothel keepers—while serving the interests of sex buyers (those who “rent” sexual access to the bodies of others).

What the Bill Actually Does

Decriminalizes “Pimping”

It is currently unlawful for any person in DC to receive money or other things of value for arranging or causing any person to engage in prostitution (DC Official Code § 22-2707 (a)). The proposed bill would amend this statute making it lawful for persons to “arrange” the sale of persons aged 18 or above, or of themselves, *if* those arrangements do not involved force, fraud or coercion (the elements of severe forms of sex trafficking). In other words, it would become lawful to engage in the sale of other human beings, or one's self, for sex.

Decriminalizes Brothel Keeping

At present, anyone who erects, establishes, maintains, uses, own, occupies any building or place for the purpose of prostitution in DC is guilty of a nuisance (DC Official Code § 22-2713 (a)), and those convicted of brothel keeping (i.e. “keeping bawdy houses”) are subject to jail time and fines (DC Official Code § 22-2722). The bill under consideration by the DC Council repeals these statutes, making the operation of brothels not only legal, but entirely unregulated.

Decriminalizes Sex Buying

Current DC law prohibits soliciting for prostitution, (i.e., inviting, enticing, offering, persuading, or agreeing to engage in prostitution). As worded, DC's prostitution statute conflates those selling sex with those buying. Thus, by decriminalizing “soliciting for prostitution” not only are those who are sold for sex decriminalized, but also the sex buyers.

Why It Matters

Creates On-Ramps to Psychological Trauma

Prostitution is the organized system whereby human beings are provided and used as public sexual commodities. The sexual exploitation of individuals within this system is fueled by those who choose to buy other human beings for sex. This activity results in inescapable physical, psychological, and emotional trauma. Decriminalization of acts of pimping, brothel keeping, and sex buying does not prevent the high rates of post-traumatic stress disorder, depression, and other psychological and emotional harms associated with prostitution, but ensures such harms are perpetuated and multiplied. Decriminalization of pimping and sex buying creates major on-ramps to sexual exploitation by unleashing the demand for commercial sex.

Unleashes Demand

The demand for people to be used for sex is *the reason* prostitution and sex trafficking exist. Available evidence demonstrates this behavior is almost entirely engaged in by males.¹ Once sex buying is decriminalized, it explodes, because men who don't buy sex when it is illegal fearing potential criminal consequences, become new consumers when legal barriers are removed. As a 2018 study of 8,000 American men demonstrates, more than 20% of respondents who never bought sex would consider it if it was decriminalized. In Germany, where prostitution and brothels have been legal since 2002, an estimated one million men buy sex each day. Berlin alone has more than 500 brothels.² Moreover, sex trafficking³ cases in Germany increased 70% between the years 2005-2009 as a result of legalization.

Empowers a Predatory System Exploiting the Vulnerable

To satisfy the demand, the sex trade must lure in vulnerable people, because there are never enough people "available" for prostitution. In a world where homeless persons, sexual abuse victims, foster care children, immigrant and indigenous women, refugees, persons of color, learning disabled, and transgender persons already suffer from lives of political, social, and economic marginalization, it is a travesty of justice to decriminalize those who take pleasure in and literally profit from their sexual exploitation. But full decriminalization of prostitution assents to the sexual exploitation and trafficking of marginalized persons, often based on the false belief that systems of prostitution can be "fixed," or the dystopian view that prostitution is a "social security" substitute for the poor and disenfranchised. No one should ever be expected to allow men access to their bodily orifices—mouth, vagina, and rectum—in order to obtain shelter, healthcare, social services or to feed themselves and their children.

The real objective of full decriminalization is *an unregulated prostitution marketplace, where people can be sexually exploited with impunity.*

What Can I Do

- Attend the upcoming DC Council Judiciary Committee hearing on this bill, scheduled to begin at 10:00 AM on Oct 17, at the Wilson Building (1350 Pennsylvania Ave, NW, Washington, DC) in room 412. Ask friends to join you.
- Request to offer 5 minute testimony in opposition to the bill. Sign up to testify by emailing the Judiciary Committee at judiciary@dccouncil.us. In your email, you must provide your name, telephone number, organizational affiliation, and title (if any) by the close of business on Monday, October 14th.
- If you are a DC resident or work for a DC-based organization, add your name to this sign on letter: tinyurl.com/SayNoToDecrim.

¹ Demand Abolition, *Who Buys Sex? Understanding and Disrupting Illicit Market Demand*, (November 2018), demandabolition.org/research/evidence-against-legalizing-prostitution (accessed October 2, 2019).

² Brad Tuttle, "Germany has Become the Cut-rate Prostitution Capital of the World," *Time* (June 18, 2013), business.time.com/2013/06/18/germany-has-become-the-cut-rate-prostitution-capital-of-the-world, (accessed October 2, 2019).

³ European Women's Lobby, "The Effects of Different Legislative Approaches to Prostitution on Trafficking for Sexual Exploitation," n.d., cap-international.org/wp-content/uploads/2017/06/ewl_article_-_regulation_vs_abolition_-_impact_on_trafficking-2.pdf (accessed October 2, 2019).