

Submitter: emi koyama
On Behalf Of: Coalition for Rights and Safety
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB4157

Members of the House Committee on Judiciary:

My name is Emi Koyama and I am a survivor and longtime advocate currently with Coalition for Rights & Safety for People in the Sex Trade. I am testifying in opposition to HB 4157 in its current form, although that could change with a right amendment.

My main concern is the inclusion of promoting prostitution, which is NOT a trafficking charge. It criminalizes family and friends who help protect people in the sex trade as well as people in the sex trade who support each other. We have been told that the intent of the bill is to target traffickers and not our family and friends, but the harm of promoting prostitution statute is not hypothetical.

We know many people who have stopped asking family and friends for assistance because they do not wish to expose their loved ones to legal jeopardy, and others who were refused assistance by those close to them due to legal risks. The result is that people in the sex trade are further isolated and made more vulnerable to exploitation and abuse. This bill will increase fear and make our lives even less safe.

I understand that traffickers are sometimes charged with the lesser crime of promoting prostitution rather than compelling prostitution or human trafficking as they should be because victims are often unavailable or unwilling to testify against traffickers. It would make sense if the bill were to allow prosecutors to actually charge traffickers with compelling prostitution or human trafficking, rather than a lesser charge that is easier to prove. But if it doesn't, and we expect them to continue charging traffickers with promoting prostitution, then why are we considering this bill in the first place? Prosecutors do not need hearsay exception to prosecute these cases under promoting prostitution because they are already doing it.

Further, instead of changing the evidentiary standard, the legislature could enact laws that protect and empower survivors so that they are free to provide testimony. These include provision of housing and other resources that stabilizes survivors' lives and reduces vulnerability, immunity and relief from criminal charges that result from being under coercive control, resentencing and vacature of such charges from the past, and complete repeal of the crimes of prostitution and promoting prostitution unless force, fraud, or coercion is involved.

Thank you very much.