

**California SB 1388 is two pronged failed approach:  
It recriminalized customers of prostitutes with the purpose of creating a  
funding scheme from new high fines to pay for counseling services for  
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**Where's the evidence?**

The author of this bill has yet to present any evidence that mandatory jail time and new high fines to be shared with non profits to provide counseling to minors and law enforcement has any positive effects on anybody. <http://www.diplomaticourier.com/news/topics/politics/2105-devoid-of-research-an-evaluation-of-human-trafficking-interventions>

The author of the bill is Indifferent to the existing human rights violation of criminalization

by bringing mandatory penalties onto customers of prostitutes. SB 1388 places the burden on us newly defined 'performers' to protect our customers by forcing us to work in more secluded spaces. Carrying or insisting on using condoms to protect ourselves will put additional risks on an already vulnerable population.

UN General Assembly. The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS): Report of the Secretary-General. Human Rights Council, 16th session. UN doc. no. A/HRC/16/69, 20 Dec. 2010.

**Why legislate failed policy?**

The author of SB 1388 has yet to show that the cost of mandatory jail time, in combination with the bounty incentives it creates for law enforcement to make arrests and prosecutions will be covered by the proposed high fines let alone cover the cost of counseling.

The authors of SB 1388 have ignored this already failed policy embodied in the San Francisco's First Offender Prostitution Program administered by the District Attorney's office that clearly shows this very same fine scheme in San Francisco DOES NOT cover the cost of said 'counseling' let alone the cost of criminalization.

<http://rightswork.org/wp-content/uploads/2012/09/John-Schools.Lovell.Jordan.7.12.pdf> MOU Between San Francisco Police Department/DA/SAGE

Management Audit of the San Francisco First Offender Prostitution Program

The authors of SB 1388 have ignored widely published studies that show that long term housing is the priority for youth in prostitution, not counseling. <http://ann.sagepub.com/content/653/1/225.full.pdf+html>

### **Why Does SB 1388 Get To Violate State Professional Standards?**

Given that the California State Legislature has allowed non credentialed 'peer counselors' to provide counseling, SB 1388 has yet to show how these unaccountable non profits avoid the pitfalls of unethical and 'self- dealing' actors from being allowed to use and further risk the most vulnerable to more harm?

<http://oaklandnorth.net/2013/12/06/juvenile-hall-in-oakland-plans-to-create-a-girls-camp- for-sexually-exploited-youth/comment-page-1>

Ms. R's testimony

California Senate Public Safety Committees' Analysis of SB 1388

2013 VAWA pp101 <http://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS- 113s47enr.pdf>

### **Why do they get to rename us?**

SB 1388 renames us prostitutes as 'performers' and our customers as 'purchaser'. This renaming of our identities, our relationships and our work as 'commercial sex acts' without our permission is a human rights violation of the most egregious kind and is completely unacceptable!

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