Dear [Decision Maker],
As your constituent, I urge you to vote against SB 1388, which contains human rights abuses against those who work providing erotic services.

Currently, our state receives an “F” on the implementation of 2010 statement of the Obama Administration in the Universal Periodic Review of Human Rights which states "We agree that no one should face violence or discrimination in access to public services based on sexual orientation or their status as a person in prostitution." I would like to see California raise that grade. However, positioning sex workers as criminals creates abuse and judgmental treatment in social services.

Laws criminalizing prostitution impede sex workers’ ability to negotiate condom use and force many of us to work in hidden or remote places where we are more vulnerable to violence. Senate Bill 1388 will expand and facilitate police abuse and extortion of sex workers, both in and out of detention. It’s common for sex workers to be more afraid of police and arrest then of any other potential danger.

Since SB 1388 re-criminalizes sex with minors which raises the question, what evidence based methods will law enforcement use to target ‘buyers’ or necessary to prove the ‘offense against a minor’ without involving sexual contact with minors.

[separate point] The new high fines for the Commercial Sexual Exploitation of Children Services Fund to fund counseling centers and services for child victims of human trafficking and commercial sexual exploitation are completely not regulated and counselors do not have to be licensed. Much of the counseling is provided through faith-based/religion-run organizations and can be very judgmental and insensitive to survivors’ real needs. ‘Conversion therapy’ is harmful and disempowering. SB 1388 offers no accountability for said services nor any accounting as of the actual numbers of ‘victims’. Arresting minors for prostitution then calling them victims doesn’t count as its unclear as to what they’re actual victims of when being prosecuted for prostitution which is against conditions set forth in the 2013 reauthorization of the Violence Against Women Act.\* (I’ll have to find the citation).

Without strict standards and audits in place, these fines will fund administrative costs and payroll without providing evidenced based services that survivors need or want. Child victims are exploited again by a system that forces religious “counseling” on them. How can we protect them from predatory counseling?

The phenomena of trafficking is driven by poverty and institutionalized race and gender inequalities. To further criminalize customers of sex workers undermines our independence, adding negative stigma and discrimination onto us and erasing our voices.

There is a lobby which is focused on ending human trafficking. Much of that lobby is also focused on limiting or abolishing any sex they constitute as immoral. Remember, a little over a decade ago some American states still had laws criminalizing adult sodomy in private? Some of the prostitution abolitionists are known to say things like “prostitution=rape.”They are using human trafficking as a means to abolish prostitution and try to end the demand for it. Prostitution is not rape, nor is it inherently violent or coercive. To abolish prostitution is to abolish peoples’ work, their means to survive. It’s a violation of working peoples’ human rights.

Legislation that is centered on victim needs would allow for vacatur(??) of criminal convictions that occur as a result of human trafficking to ensure that trafficking survivors who have been treated as criminals have access to an effective remedy to allow them to rebuild their lives, free from the collateral consequences of a criminal record.

Let’s take important steps towards actually abolishing domestic minor sex trafficking in California without violating everybody’s’ human rights in the process. Scrap this bill and address the real human rights abuses that are happening because of criminalization.

Thank you in advance for voting NO

Sincerely,
[Your Name]
[Your Address]
[City, State ZIP]