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California SB 1204: Another #Faketool Endangering Lives of Sex Workers

Sex Workers Need Decriminalization Now More Than Ever; Instead Get Legislation Redefining Our Work As Criminal; Putting Our Lives At Risk

SAN FRANCISCO — Today, the Erotic Service Providers Legal, Education and Research Project (ESPLERP) issued the following statement opposing the passage of California Senate Bill 1024 - proposed by Senator Pat Bates (minority leader, Republican 36th District).

CA SB 1024 redefines the CA state law section 266(i) felony of “pandering” to encompass anybody who encourages another person to be a prostitute - which would include our clients, support staff, and potentially friends and partners. This would have a chilling effect on the ability of clients and prostitutes as consenting adults to enter into commercial arrangements for private intimate behaviour - as prosecutors could construe almost anything as “encouraging prostitution” - effectively making us all at risk of felony prosecution. See <https://adultbizlaw.com/2018/04/05/another-bad-sex-worker-bill-on-the-horizon/> for a damning legal take on SB 1024.

This badly framed legislation repeats the same mistakes at the state level as the recent legislation #SESTA and #FOSTA passed by the US Congress. Both do not differentiate between consensual sex work and sex trafficking. And both make our lives less safe, as websites that could potentially be used for consensual sex work, from webcams to dating sites and social networks, will begin closing down (as Craigslist Personals or Nightshift already have), or censoring and banning sex workers. Without safe places to advertise and screen clients we will be forced back onto the streets and into back alleys, where we will be preyed upon by sexual predators and abused by law enforcement. These bills cause real harm.

Senator Pat Bates uses the fake sex trafficking talking points pushed by the “sex prohibitionists”, using fake statistics to argue that there is an epidemic of sex trafficking - and that legislators need “more tools” to address it. But there have been dozens of pieces of legislation over the past 18 years seeking to address trafficking - and law enforcement has signally failed to catch all but a few perpetrators - perhaps because there are hardly any there?

And as usual, all this legislative activity (for example with CA Proposition 35 in 2012, with recent SESTA/FOSTA, with CA SB 1204) is proposed without talking to the people who the laws impact the most - sex workers. All we want is equal access protection under the law, access to free speech and the right to associate. We demand that our elected officials listen to and represent our voices when considering these anti sex laws.

Sex workers will die because of this bill. The politicians that propose bills like SB1204 have blood on their hands. If they are serious about fighting sex trafficking, we call on them to support our fight to decriminalize sex work.

The Erotic Service Providers Legal, Education and Research Project (ESPLERP) is a diverse community-based coalition advancing sexual privacy rights through litigation, education, and research. Contributions to support the court case can be submitted through our crowd fundraiser - www.litigatetoemancipate.com.

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