

Joel Shapiro

LAW OFFICE OF JOEL SHAPIRO

(503) 222-1507

1420 NW Lovejoy Street, Suite 631

Portland, OR 97209

joel@joelshapirolaw.com

fax: 503-395-1940

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TO: House Judiciary Committee

RE: written testimony of Joel Shapiro in support of HB 4082

Members of the House Judiciary Committee:

I write in support of HB 4082, which would expand the crime of promoting prostitution, ORS 167.012, to include bartering goods, services, or anything of value as part of prostitution activity, rather than simply an exchange of money.

As you are aware, HB 4082 comes from the CSEC work group led by Reps. Taylor and Huffman. (CSEC stands for: Commercial Sexual Exploitation of Children.) I have been a participant in the work since it began meeting three years ago, and have been a lobbyist on behalf of Shared Hope International and the Kids Are Not For Sale campaign, as well as an attorney and advocate on behalf of trafficking victims.

This bill would close an unintended loophole in the promoting prostitution statute. A pimp or trafficker may agree to let someone engage in sexual activity with a trafficking victim in exchange for that person providing goods or services to the trafficker (rather than paying cash). Those goods or services benefit the trafficker and facilitate prostitution. The trafficker is just as culpable as when money changes hands. And these transactions are just as damaging to the trafficking victims who are forced to engage in the sexual activity that derives from the agreements. Simply put, there is no policy rationale for not including exchanges goods and services in the crime of promoting prostitution.

In fact, research backs up the contention that exchanges of goods or services are relatively common in prostitution transactions. The Demanding Justice Report, produced in 2014 by Shared Hope International, found that 16% of the prostitution transactions studied involved an exchange of goods or service. (Of the total percentage, 2% were drug transactions, and 14% involved other goods or services.) See page 53 of the report, here: http://sharedhope.org/wp-content/uploads/2014/08/Demanding_Justice_Report_2014.pdf

HB 4082 would close this significant loophole. Shared Hope International and the Kids Are Not For Sale coalition focus specifically on sex trafficking and sexual exploitation of children. This bill, however, is not limited to only victims who are minors. But as stated above, this broader application makes good policy sense because barter transactions are just as exploitive whether the victim compelled to provide sex is above or below the age of 18.

Adding exchanges of goods and services to ORS 167.012 means traffickers will be held accountable in more criminal transactions, and I urge the Committee to pass HB 4082.