

Chair Barker, members of the committee, thank you for the opportunity to speak.

My name is Susan Shepard. I'm a writer in Portland and I have reported on the labor and legal issues of sex workers for the last six years for outlets including BuzzFeed, SBNation, Pacific Standard, Salon, VICE, and Jezebel. I founded a community journalism project for sex industry workers in 2011. I'm here at the request of STROLL, a Portland-based sex workers' outreach program, to convey serious concerns about the impacts of HBs 2141 and 2142 on people doing sex work.

Let me first be clear that our concerns are not with the clients of prostitutes or those who profit from the avails of prostitution; our concerns are with people selling sex and the impact on those people of additional laws targeting clients. There is a large body of research that demonstrates that client-targeting laws, often known as "End Demand" laws or the "Nordic Model," increase law enforcement pressure on sex workers themselves, despite claims that they are intended to shift the focus of policing to customers and pimps.

Amnesty International, after years of investigating prostitution law around the world, issued a call last year for an end to this approach¹. Amnesty's position is that sex work should be decriminalized in order to protect the human rights of both people selling sex and those who are trafficked by force, fraud, and coercion. Neither are served by laws that make them criminals or that rely on law enforcement making a determination that they are a victim.

The Transgender Law Center said that laws increasing customer penalties "...impede sex workers' ability to negotiate condom use and force many to work in hidden or remote places where they are more vulnerable to violence."² Laws targeting purchasers also impede the ability of anyone harmed by a client to go to the police; they then become a target for law enforcement seeking to arrest buyers, not to mention are at risk for arrest themselves.

While punishments for compelling or promoting prostitution are intended to target people who are profiting off of someone else's actions, often people working in the sex trade are charged themselves. If they are working together for safety, like sharing a space to work in or monitoring advertisements or phones for each other, they can be and are charged with promoting prostitution. And someone doing sex work who, say, loses a cosmetology license or her OLCC license, because she answered phone calls for a friend who was also engaged in sex work or paid for a shared hotel room, what will she do for money?

The definition of promoting is so broad that a cab driver who accepts payment knowing that his customer earned that money from prostitution can be charged with it; same with a landlord who knows her tenant's rent was paid because that tenant sold sex, regardless of whether or not it was on premises³. So to claim that laws penalizing clients or people profiting from prostitution don't target the people engaged in prostitution is not supported by the reality when the laws make sex workers homeless or make it impossible for them to work safely.

All of the crimes targeted in these bills have existing punishments; that is, they are already crimes. Solicitation is a Class A Misdemeanor. Promoting is a Class C Felony. Compelling is a Class B Felony. Purchasing sex with a minor is a Class C felony on the first offense and subsequently a Class B felony. If someone convicted of these crimes is expected to pay the maximum fine allowed under law,

1 <https://www.amnesty.org/en/documents/pol30/4062/2016/en/>

2 <https://transgenderlawcenter.org/archives/10400>

3 http://www.nswp.org/sites/nswp.org/files/Criminalisation%20of%20Clients_Summary-c.pdf

from around \$6,000 for a misdemeanor solicitation conviction to \$250,000 for a Class B compelling conviction, allowing them the means to earn a legal living would seem to be an important component of collecting that money.

I would ask that if you feel there are surplus state resources and an existing emergency that you focus resources on services for people trying to stop doing sex work or for minors who have been solicited, rather than adding an administrative burden and the cost of revamping forms for all licenses in the state. Please don't let these bills move forward. Thank you for your time today.

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