



March 29, 2022

Re: Opposing SB 189

Dear Senate Judiciary,

We are writing to oppose Senate Bill 189 and Committee Substitute version I due to our concerns about how it will impact public safety and constitutionally protected privacy rights. As currently written, SB189 will further isolate victims and witnesses, pushing them farther away from working with law enforcement to stop predators.

AKPIRG is a non-partisan, non-profit mission whose mission is to research, educate, and advocate for consumers and the public interest. Founded in 1974, AKPIRG is a non-profit, non-partisan organization. To our knowledge, we are Alaska's only state-wide, non-profit consumer or public interest organization.

The public interest includes public health and safety, and we do not believe this bill advances either of these priorities, instead decreasing reporting on sex trafficking and therefore allowing it to proliferate.

We appreciate the elimination of the outrageous definitions in the original bill, but there are still significant problems with Sex Trafficking in the Third Degree - see Section 3, 11.41.350 (2). Under this definition, sex workers who share work space would face felony charges for having a Place of Prostitution. Sex workers and sex trafficking survivors share hotel rooms or use each other's homes for safety, so that they don't end up alone in a hotel room with a predator like Alaskan serial killer Brian Smith, Israel Keyes, or Robert Hansen. Current and previous versions of the trafficking statute have had provisions to prevent sex workers from being charged with trafficking for sharing space.

Criminalizing sex workers and sex trafficking survivors for normal safety practices actually prevents the reporting of sex trafficking. It discourages sex workers and victims from cooperating with police investigations. Currently sex workers and sex trafficking survivors have immunity from misdemeanor prostitution charges when reporting heinous crimes, but there is no immunity in this bill to allow sex workers to report violent crimes without being charged with felony sex trafficking for sharing a hotel room.

SB189 would make clients of sex workers felons, which creates another a barrier for victims of sex trafficking that are seeking help. In criminalizing some of the only people that victims of sex trafficking have contact with, clients risk being charged with a felony if they report sex trafficking to police.. This essentially creates conditions where sex trafficking is more likely to continue without intervention. This law should instead find ways for the police to partner with clients to increase reporting of sex trafficking.

Senate Bill 189 also fails to add fraud or coercion to the sex trafficking statute to be in line with the federal definition. Definitions of force, fraud, coercion, or minors are the bare minimum that should be included in a state trafficking law.

In order to address some of the issues that we have pointed out, and to better address the public interest, we support the suggested committee substitute provided by Community United for Safety and Protection (CUSP).

Thank you,

A handwritten signature in black ink, consisting of a large 'V' followed by a stylized, cursive-like flourish that ends in a horizontal line.

Veri di Suvero
Executive Director