



March 21, 2022

Re: Opposing SB 189

Dear Senator Kiehl,

We are writing to alert you to the egregious threat to public safety and constitutionally protected privacy rights that is Senate Bill 189.

Section 2 of Senate Bill 189 bill would make it an unclassified felony to have a prostitution enterprise or a place of prostitution. With new incredibly broad definition of sexual conduct given in section 8, strip clubs, or even two people watching a PG13 video that includes sexual contact, could be considered a prostitution enterprise. A sex worker's home or hotel room would be defined as a place of prostitution, also an unclassified felony.

**These proposed changes in Senate Bill 189 threatens to send us back to the “dark ages” of 2013, when Alaska charged an independent adult sex worker with sex trafficking for “aiding or facilitating” her own prostitution, an action that the John Oliver show recently made fun of Alaska for. Under this bill, any employer that required employees to sometimes witness sexual contact would be defined and criminalized as a sex trafficking enterprise. This could include movie theaters, hot springs monitors, and even police departments who directed staff to review a video of two people having sexual contact.**

Criminalizing sex workers and sex trafficking survivors to this extent would prevent the reporting of sex trafficking and prevent workers and victims from cooperating with police investigations. Imagine if you and a friend were assaulted during a duo appointment, or if a man showed you child pornography or described assaulting a minor during a duo appointment - would you report it to police, knowing that you could face two unclassified felony charges for working with a friend and having a hotel room? 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.

Additionally in section 2, the bill introduces an exception to trafficking charges if a person who forces a victim into prostitution also patronizes them, but removes a similar exception for patrons who induce someone into prostitution without the use of force. Alaskans want no such exception for perpetrators who force someone into prostitution, nor do they want a patron who merely "induces" someone into a commercial sex act without the use of force to be charged with an unclassified felony.

Section 2 also unduly makes a client a felon if they patronize a victim of sex trafficking (using yet another unnecessary definition of sex trafficking). This will absolutely prevent the only people that genuine trafficking victims often have contact with from reporting these crimes to police. **Alaskans want to incentivize reporting of sex trafficking, not threaten witnesses with felonies if they report. This would increase sex trafficking in Alaska.**

With all of these expanded definitions, Senate Bill 189 falls short in that it **still does not propose adding fraud or coercion to the sex trafficking statute to be inline with the federal definition.** Force, fraud, coercion, or minors are the bare minimum that should be included in a state law.

**Bills like SB189 are designed to alienate victims and witnesses from law enforcement and give predators free reign. Do not force Alaskans in 2022, to live in a Handmaid's Tale State.**

Please find attached our suggestion for a Committee Substitute and a review of cases brought under Alaska's sex trafficking statute since it was passed in 2013.

Thank you,  
Terra Burns  
Maxine Doogan