

No On HB68

March 14, 2023

Dear House Judiciary Member,

My name is Amber Nickerson.

I oppose HB68.

This bill does not combat sex trafficking in Alaska, as it plainly criminalizes sex workers without any force, fraud or coercion when they work together for any kind of safety. This bill criminalizes sex workers and clients.

3) A person manages, supervises, controls, or owns, either alone or in association with others, a prostitution enterprise or a place of prostitution.

As was answered plainly by Skidmore on the hearing on 3.20.23, this bill will further enable the criminalization of sex workers.

This does nothing to combat sex trafficking and wastes Alaska's resources and funds, and does not address the horrors of sex trafficking. When references, a commonly used screening tool for sex working safety, were discussed, Skidmore stated that sharing information back and forth doesn't make it organized. "Organized is a question of law", he states he wouldn't be comfortable to bring that as a case but a different prosecutor could.

The other broad wording is about *working alone*.

3) A person manages, supervises, controls, or owns, either alone or in association with others, a prostitution enterprise or a place of prostitution.

I know first hand what broad wording can do to someone, as I plead guilty for with Sex Trafficking in the Second degree in 2015. This was because I was charged with 8 different charges of Sex Trafficking. I was working as a sex worker, with a group of other sex workers, in what many have called a sex worker co-op. All had signed independent contractor agreements. We worked together for safety. We screened and had a place that we had control over. I was charged with sex trafficking because we worked together. I had no victims. This bill will enable that to occur to others.

I do not appreciate the comments alluding I have a self serving motive behind speaking out against these proposed changes. I want other sex workers to be safe and not be charged with sex trafficking, fighting against a charge that not only criminalizes an act of prostitution with a change of up to 99 years, but the additional stipulations that would make a sex worker a sex

offender. As you know, sex offenders have to list their place of employment. This would make sex workers additional targets for predators.

Skidmore has already stated that the state will address terminology such as "organized" on a case by case basis. This means that less advantaged sex workers, POC, LGBTQ+, would be at more of a risk for charges brought forth from the State for UNCLASSIFIED FELONIES.

An unclassified felony, a sex crime, presumptive sentencing range of 20 years and up to 99 years.

This bill also criminalizes all of our customers as sex traffickers.

We heard from both survivors last week that they were able to get assistance from clients or others that were providing resources.

Clients should be granted the same immunity protections as sex workers, the ability to report when they are victims or witnesses to serious crime, such as sex trafficking.

Vote No on HB68.

Thank you,
Amber Nickerson

Jake Almeida

From: Hannah Hill < >
Sent: Tuesday, March 7, 2023 16:31
To: Sen. Matt Claman; Senate Judiciary; Rep. Sarah Vance; House Judiciary
Subject: No on SB66 & HB68

Good afternoon Senator Claman, Representative Vance, Senate Judiciary Committee & House Judiciary Committee -

I am writing today in opposition to Senate Bill 66 & House Bill 68.

SB66 & HB68 would make almost all independent sex workers as well as sex trafficking survivors in Alaska guilty of felony sex trafficking. Recriminalizing sex workers & sex trafficking victims does not serve public safety or the greater good.

Assuredly, the intent of these bills is to protect people but a similar trafficking bill in 2012 resulted in an independent sex worker being charged with trafficking herself. In a state where it is still [legal for police to engage in sexual acts with sex workers before arresting them for sex work](#), we cannot trust police or prosecutors to not charge those they say they want to protect.

There are other, better ways to protect vulnerable Alaskans – ways that have been identified & are supported by current & former sex workers & sex trafficking survivors. The ones with lived experience best know what help is needed & they are willing to talk if you are willing to listen.

The legislature changed Alaska's trafficking statutes in 2016 & again in 2017, with the help of [Community United for Safety & Protection](#). Let's respect their good work & stop SB66 & HB 68.

Thank you for time,
-Hannah C. Hill
Fairbanks, Alaska

"Love is an act of will,
both an action & an intention."
-bell hooks



March 6th, 2023

Dear House & Senate Judiciary Committee:

COYOTE RI is writing to you today in strong opposition of SB68 & HB68.

SB66 and HB 68 would make it an unclassified felony, sex trafficking in the first degree, to have a place of prostitution - something all prostitutes who don't work outdoors are guilty of. We saw in the aftermath of the 2012 trafficking bill, when an independent sex worker was charged with trafficking herself, that police and prosecutors can't be trusted to use their discretion to not charge those they say they want to protect. That's why we oppose SB66 and HB68.

House Bill 68 and SB66 also creates a Class B/C felony, not for those who buy sex from sex trafficking victims, but from those who merely solicit someone who meets the definition of a trafficking victim created by this bill, which includes practically every prostitute in Alaska. The bills focus on those who solicit, rather than engage, in a commercial sex act revealing law enforcement's intentions to do sting operations where they pimp out fake victims and then arrest customers for solicitation.

As the sex industry is self regulatory, due to being too criminalized to call the police for help, many of the customers soliciting these fake victims would likely be doing so out of concern, to offer assistance. Customers of actual trafficking victims would risk being charged with a felony if they called the police. This drives sex work and actual sex trafficking further underground, where abuse and violence proliferate. Instead, customers who encounter a sex trafficking victim should be able to call the police and make a report without being arrested at all.

The legislature changed the trafficking statutes in 2016 and 2017. Let's respect their good work.

We oppose SB6 & HB68 and ask you to VOTE NO on them

Bella Robinson

Tara Burns

Kayla Katt

Ramona Flour

Ms Sheila

COYOTE RI Call Off Your Old Tired Ethics, Rhode Island (COYOTE RI) is a group of current and former sex workers and sex trafficking survivors working on "policy" for improved health and safety for people in Rhode Island's sex industry. Learn more at www.coyoteri.org



February 14, 2023

No on HB68

Dear legislators,

We are writing to urge you to vote no on House Bill 68, the bill that would make almost all prostitutes and sex trafficking survivors in Alaska guilty of unclassified felony sex trafficking.

The Community United for Safety and Protection is a group of current and former sex workers and sex trafficking survivors that formed in the aftermath of Alaska's 2012 sex trafficking bill, when we saw sex workers and sex trafficking survivors being charged with trafficking themselves. In the first two years of that law, three quarters of those charged with sex trafficking were sex workers, not pimps. Representatives LeDoux, Lynn, and Senators Gardner and McGuire sponsored bills and amendments to SB91 that made the sex trafficking and prostitution laws less harmful in 2016. Now the governor's bad sex trafficking bill is trying to undo all their hard work by making sex workers and our clients felons.

House Bill 68 would make it an unclassified felony, sex trafficking in the first degree, to have a place of prostitution - something all prostitutes who don't work outdoors are guilty of. We saw in the aftermath of the 2012 trafficking bill that police and prosecutors can't be trusted to use their discretion to not charge those they say they want to protect.

House Bill 68 also creates a Class B/C felony, not for those who buy sex from sex trafficking victims, but from those who **merely solicit** someone who meets the definition of a trafficking victim created by this bill, which includes practically every prostitute in Alaska. The bills focus on those who solicit, rather than engage in, a commercial sex act reveals law enforcement's intentions to do sting operations where they pimp out fake victims and then arrest customers for solicitation.

As the sex industry is self regulatory, due to being too criminalized to call the police for help, many of the customers soliciting these fake victims would likely be doing so out of concern, to offer assistance. Customers of actual trafficking victims would risk being charged with a felony if

they called the police. This drives sex work and actual sex trafficking further underground, where abuse and violence proliferate.

These efforts to expand the definition of sex trafficking to include virtually all prostitution and solicitors of fictitious victims reflects the desperation by police and prosecutors to produce hundreds of victims and traffickers where there are actually very few, and create conditions that would allow actual sex trafficking to flourish along the way.

The bill is quite long and most sections are problematic. Out of respect for your time we are keeping this letter to these two points, and we would love the opportunity to meet with you via zoom for a full sectional analysis.

In the meantime we are attaching a draft of what we believe would be a good committee substitute. Our draft would decriminalize sex sellers, enfranchise buyers into immunity in reporting heinous crimes, and allow for the expungement of all prostitution convictions with no requirements that a person prove they were a victim. It does not change the current trafficking statutes, which were tweaked in 2016 and 2017.

Please vote no on HB 68 or consider sponsoring the suggested committee substitute.

Thanks for your time and attention,

Maxine Doogan
Amber Nickerson
Terra Burns
Kat McElroy

Committee Substitute included.