



Jordyn Close
Opponent Testimony for House Bill 431
Ohio House Criminal Justice Committee
Wednesday, February 26, 2020

Good afternoon, Chairman Lang, Vice-Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for allowing me to testify in opposition to House Bill 431.

My name is Jordyn Close. I am the State Coordinator with URGE: Unite for Reproductive and Gender Equity. URGE is a reproductive justice organization led by and for young people of color and LGBTQ+ folks in the South and Midwest, which includes our work in Ohio.

At URGE, we firmly believe that reproductive justice is when people have the economic, social and political power, resources, and agency to make healthy and informed decisions about their bodies, sexuality, and reproduction. It is only then that our people can live, love, create families, and live safely and with dignity in their communities. On behalf of our hundreds of youth members in Ohio, I urge you to vote no on House Bill 431.

As a 23-year-old Black woman who personally knows sex workers and professionally works with many people who identify as sex workers, what I continue to hear in Ohio and in states across the country, is that ***sex work needs to be destigmatized and sex work must be decriminalized.***

For the purpose of my testimony today, it is important that I define the terms that I'll be using.

Sex workers are adults who receive money or goods in exchange for consensual sexual services or erotic performances, either regularly or occasionally. Sex workers sell sexual services in order to earn a livelihood. The vast majority of sex workers choose to do sex work because it is the best option they have available to them.¹ The Report of National Transgender Discrimination Survey from the National Center for Trans Equality shows that transgender people are

The morally charged term, "prostitution", has been associated with deviance, corruption, and criminality. It still is today. The use of the terms like "prostitution" and "prostitute", restrict a person's identity to the activities in which engage. The negative labels or words like "prostitute" reduce a person to one dimension: engaging in sexual activities for money. Sex workers need

¹ Sex Workers Outreach Project Behind Bars. *Sex Work and Sex Trafficking*. <https://www.swopbehindbars.org/about-swop-behind-bars/the-difference-between-sex-work-and-sex-trafficking/>



these activities to be defined as work because they view their occupation as an activity that generates income, like any other job.

Human trafficking is an egregious human rights violation involving the threat or use of force, abduction, deception, or other forms of coercion for the purpose of exploitation. This may include forced labor, sexual exploitation, slavery, and more.²

Where do the differences lie? Sex work is a consensual transaction between adults, where the act of selling or buying sexual services is not a violation of human rights. Conflating trafficking with sex work is harmful and counterproductive.

All organizations who believe in sex work decriminalization also believe that trafficking is wrong. Sex workers and advocacy organizations like URGE are united in the acknowledgment that **any** form of trafficking is **wrong** and that the most effective way to support survivors and those wanting to exit sex work is to decriminalize it.

House Bill 431 would do the opposite. Databases or registries like the one proposed under this bill only further stigmatizes and criminalizes the industry and will fail to keep communities safe.

Unfortunately, Ohio is not the first state to attempt this endeavor. Last year, sex workers across Florida and throughout the country spoke out against databases because of the fear and risk of their information still ending up on the list and making them vulnerable to violence and exploitation.³ The vagueness of this legislation could potentially target family members, loved ones, and people who provide care and services to sex workers to help keep them safe.

There is no evidence that criminalizing or otherwise penalizing sex workers' clients has reduced either trafficking or sex work. Instead, penalizing clients have made sex workers more vulnerable to exploitation and trafficked survivors more reluctant to report any exploitation to the police for fear of retaliation from traffickers and because of their deep distrust of the authorities.⁴

This proposed database would be just another form of criminalization. The failed methods we've seen be used in Columbus and in other cities across the state like the VICE Unit, sting operations, raids, and constant surveillance of communities have only resulted strained community relationships, violence, and death of sex workers like Donna Dalton Castleberry.

These tactics have not solved the issue of trafficking or improved the conditions for sex workers in Ohio. And neither will creating a database. If anything it will only continue to drive sex work

² Id.

³ The Intercept. *Florida is Poised to Create an Anti-“Trafficking” Registry That Will Inevitable Hurt Sex Workers.* <https://theintercept.com/2019/04/05/florida-human-trafficking-registry-sex-work/>

⁴ Deering KN, Amin A, Shoveller J, Nesbitt A, Garcia-Moreno C, Duff P, Argento E, Shannon K. Am J Public Health. 2014 May; 104(5): e42-54.



more underground.⁵ This type of violent policing and criminalization of sex work are among the primary ways Black women, girls, trans and gender-nonconforming folks experience racial profiling, police violence, and mass incarceration. State resources spent policing and stigmatizing sex work could be better used to effectively fight human trafficking, which is a resource-heavy process and centers a rights-based preventative approach that focuses on measures such as housing, safe reporting mechanisms, and access to comprehensive health care.

We must stop this predominantly white savior and protectionist approach. We must start listening to the experiences, needs, and wants of sex workers and survivors. We must educate ourselves. We must set aside our judgment and center agency, respect for individuals' choices, and challenge the systems that oppress and silence marginalized communities.

Policy and action that is based on shame, stigma, and fear is not effective and will never get at the root of the problem. I ask you to vote no on House Bill 431 and I'm happy to answer any questions you have.

⁵ Decker MR, Crago AL, Chu SK, Sherman SG, Seshu MS, Buthelezi K, Dhaliwal M, Beyrer C Lancet. 2015 Jan 10; 385(9963):186-99.