



October 17, 2019

The Council of District of Columbia, Committee on Judiciary and Public Safety

Oral Testimony in Opposition to Bill 23-0318 as currently written The "Community Safety and Health Amendment Act of 2019" Rochelle Keyhan, Collective Liberty

My name is Rochelle Keyhan and I was one of the first prosecutors handling human trafficking in Philadelphia, where I was a prosecutor for 6 years. In that time, I prosecuted over 10,000 gender-based violence crimes, and processed the charges for another 10,000. In those over 20,000 cases, I handled domestic violence, stalking, rape, human trafficking, attempted murder, hate crimes. Sex workers and trafficking victims were heavily, disproportionately represented in those victim populations. That criminal justice experience informs my current work.

I am currently the CEO of Collective Liberty, a national non-profit working collaboratively across sectors and agencies to end human trafficking. We are based in DC and work with thousands of detectives, legislators, and service providers across 36 states in the US. We leverage data and intelligence, including directly from survivors and sex workers, to create informed policies and strategies that work. Part of that work has involved myself and my board chair advising on over 30 city, county, and statewide laws related to human trafficking. We are also engaged with nations across Europe with varying degrees of the nordic model implementation. I have assisted with passage of trafficking related laws in similarly heated contexts as we are experiencing today, and would be happy to assist with facilitation as needed here as well. When those laws have succeeded was when legislators meaningfully engaged all interested parties, as you are doing today. Reaching a resolution across the aisles would show national leadership.

CONFLICTING REALITIES:

Reality is complex, nuanced, and full of grey area. It sometimes also seems contradictory and often carries the weight of life-or-death decisions.

1. SW: It is true that consensual sex workers exist across a spectrum of services, from remote cam girls and phone lines, to erotic dancing, or even physical sexual acts.
 - a. Many will testify today to their experiences, both positive and negative, and their needs for safety and protection. Those experiences, those requests, are important and must be considered.
2. HT: It is also true that some strip club managers enable human trafficking recruitment on their premises, that some pornographers engage in force and coercion, and many people who find themselves in the sex trade were first trafficked and sold by their own family members, or in exchange for basic needs like food, shelter, human company, and even others found themselves with desperate addictions traffickers were too ready to exploit.
 - a. These were the cases I prosecuted in Philadelphia, and I have helped thousands of detectives investigate across the United States. You will hear many of these



October 17, 2019

The Council of District of Columbia, Committee on Judiciary and Public Safety

experiences from people testifying today as well. They are also vital, and must be considered when deciding on the value of this legislation.

3. SW: It is true that sex workers are targeted by serial rapists and murderers who hope that the marginalization and stigmatization of sex workers will help them get away with their violence.
 - a. From serial killer Jack the Ripper in 1888, to Gary Ridgeway in the 1990s - women in the sex trade have been targets of serial predators for over a century.
4. HT: It is also true that traffickers recruit their victims in reliance on that same marginalization and stigmatization to protect them from being detected as they exert force and coercion to control their victims. They target vulnerabilities.
 - a. One of the traffickers I prosecuted, in a letter he wrote from prison, dehumanizingly described the women he targeted as “always down to f***”, and want nothing in return. Sometimes I give them a little weed and they’re happy.” He also described finding and recruiting homeless women “eating out of trash cans and willing to do anything”. This man was trafficking 15-25 year old girls and women across city, county, and state lines. He is but one of many.
5. In nearly every buyer sting we have done with our law enforcement partners - the men attempting to purchase sex online were overwhelmingly eager to buy a minor when the option was available. These are not gentleman or upstanding citizens, and we need to be sure not to create viable paths towards predation and sexual violence.

This is not the type of legislation where we can regroup in two years and just say “mea culpa” if we decide it was the wrong choice. Our actions with this legislation will be measured in the lives we are willing to lose - that includes sex workers we don’t protect by removing the ability to penalize them for selling themselves, but it also includes sex trafficking survivors we leave behind if we create legal and viable paths toward their exploitation.

Our primary shared goal is to decrease arrests of people in the sex trade, both consenting and not consenting. This is urgent and must be achieved as rapidly as possible. I ask that you spend today not gathering evidence to decide whether you should vote “yes” or “no” on this legislation - but that today we can treat this hearing as an exercise in what amendments we need to make to this proposed policy so that we can actually pass it by the end of this legislative session.

Even if after today this task seems insurmountable - I am here to tell you that it is in fact possible. It will be difficult and possibly heated - but it is necessary for us to persevere toward a resolution that is collectively beneficial. Lives depend on it. To the extent that you need assistance facilitating dialogue, bridge building, and amending the policy, Collective Liberty is here to help.