

Prostitution and Prostitution-Related Charges in Rhode Island 2000 - Present



Prepared by COYOTE RI
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Call Off Your Old Tired Ethics Rhode Island (COYOTE RI) is a group of current and former sex workers, survivors, and allies advocating for policies that promote the health and safety of people involved in the sex industry.

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Executive Summary

COYOTE RI obtained misdemeanor prostitution related cases for the state of Rhode Island going back to the year 2000, federal sex trafficking cases for the same years, and state felony sex trafficking and pandering cases from 2016 through late 2022. We organized these charging documents into a large database and worked with a focus group of seven current and former sex workers and sex trafficking survivors to help us understand the impacts of Rhode Island's prostitution related laws.

Findings

This report's main findings are:

- After the re-criminalization of indoor prostitution, and again over the last six years, there has been a sharp increase in arrests of Asian spa workers. In 2021, Asian spa workers made up 13 of Rhode Island's 16 total prostitution related arrests. Police target Asian spa workers for re-arrest, sometimes arresting them within a couple weeks of their previous arrest.
- The state financially benefits from the repeated fines levied in these arrests and police and prosecutors were awarded \$650,000 in prostitution earnings in one spa case.
- Since 2000 there have been 11 federal sex trafficking cases with minor victims in Rhode Island.
- Since 2016 there have been 5 state sex trafficking cases with minor victims in Rhode Island's commercial sex industry, and 2 additional cases with minor victims who were not involved in the commercial sex industry.
- Asian women, trafficking survivors, and drug users were overrepresented in cases involving law enforcement sexual contact.
- Of the 2,189 misdemeanor cases we were provided, 288 *people* had more than one arrest, 29 people had 10 or more arrests, and at least 123 had between 3 and 9 charges. Two women had 25 prostitution charges.

Recommendations

- The prostitution, procurement, loitering, soliciting from a motor vehicle, and massaging without a license laws should be removed entirely.
- Expand Rhode Island's sexual assault statute to make it clear that sex or sexual contact as an investigative tactic is not okay and is criminal behavior. This can be accomplished by adding the following as (5) to § 11-37-2. First degree sexual assault and (4) to § 11-37-4. Second degree sexual assault:

The accused is or claims to be a peace officer in the state of Rhode Island and investigates, detains, or arrests the victim for the purpose of sexual arousal, gratification, or stimulation.
- Rhode Island's police departments and state police should not work with ICE officials in prostitution enforcement as ICE involvement is highly correlated with an increase in the targeting and deportation of Asian workers.
- Rhode Island's state trafficking of a minor law could be brought in line with federal law by adding a "reckless disregard" clause or be entirely eliminated as the federal law is sufficient and the state law is redundant.
- Rhode Island police and prosecutors should be instructed to prioritize cases where force, fraud, or coercion are used against minors, and to treat their non-abusive peers respectfully as valuable potential witnesses and reporters.
- Rhode Island police and prosecutors should be instructed to consistently monitor group home staff and prioritize the investigation and prosecution of abusive group home staff. Youth should find state care to be safer than and preferable to the sex industry.

Methodology

An important, yet often overlooked, way of understanding criminal laws is to examine when and how they are applied, who they are applied to, and how those people or those who identify as their victims are impacted. In this project COYOTE RI has used public records requests to obtain charging documents in:

- Thirty-six prostitution related felony cases that were charged in RI by the Attorney General's office over the last five years (we are told the AG's office will provide two missing cases, but have not received them at the time of publication).
- What we believe to be a representative number of misdemeanor charges (2,189) filed by individual police departments. In Rhode Island, police officers act as prosecutors in misdemeanor cases.
- Twelve federal sex trafficking cases charged in Rhode Island with 19 defendants since 2000.

We tracked some quantitative measures such as homelessness, victim status, law enforcement sexual contact, and the involvement of various agencies and task forces and utilized a focus group of current and former sex workers and sex trafficking survivors to help us understand the qualitative data.

State Felony Charges

Felony cases in Rhode Island are filed by the Rhode Island Attorney General's office. We initially requested charging documents in all prostitution related felony cases going back to 2000, but amended our request to only cover the last five years because of the cost. In the first round of document requests, sent in August 2021, COYOTE paid \$2,300.25 and received thousands of pages split across 25 PDFs with the pages out of order and scattered amongst documents.

Beginning on page 506 of the fifth document provided, labeled "Part 1," was a case list. We are in possession of all but two of the twenty two listed prostitution related cases. As of this writing, we are still waiting on the missing two cases which the Attorney General's office has said they will provide.

Included in our request and the respondent records were hundreds of cases of Indecent Solicitation of a Child. While these cases were horrifying to read, none of the dozens we reviewed were related to prostitution, so we did not include them in this report.

In April of 2022, Blake Collins of the Attorney General's office was quoted by the [Boston Globe](#)¹ claiming that current laws are not used against sex workers and referring to 18 cases of pandering charged since 2020. The Attorney General's office had previously provided us with charging documents for what they said was all pandering cases "over the last 5 years." However, in those case files, there were no cases since 2020. We requested these 18 cases and were provided 14 cases for an additional \$300. In addition, we were sent 4 cases from 2019 that should also have been provided in response to our original request. In four of the fourteen pandering cases since 2020, the defendant was a sex worker, in direct opposition to Mr. Collin's quote in the Boston Globe that current laws are not used to charge sex workers.

Our emails asking whether the other cases referenced in the Boston Globe article existed and whether there were additional felony records that were not provided in response to our first request went unanswered. We are unsure whether the omissions and mistruths were intentional, but they leave us suspicious of statements made by the Attorney General's office and unsure whether we have been provided with all of the public records we requested, as required by Rhode Island's Access to Public Records Act.

Misdemeanor Charges

Misdemeanor charges in Rhode Island are [filed by police departments](#)², and police officers act as prosecutors. We requested charging documents including narratives in all misdemeanor prostitution related charges filed between 2000 and July of 2021 (later for some police departments) from 30 of the 39 city police departments in Rhode Island, with 24 of those requests completed online or via email. Three of the remaining departments did not have sufficient information available to contact them at all. Ultimately, charging documents were provided by nine of the thirty requested departments: Providence, Portsmouth, Tiverton, Warwick, East Providence, North Kingstown, Cranston, East Greenwich, and Newport Police Departments. Six departments (Smithfield, West Greenwich, Hopkinton, Barrington, Little Compton, and Narragansett) all responded that they had no cases under any of the listed charges. Additionally, some misdemeanor charging documents were provided by the Attorney General's office.

Most police departments, and almost all departments contacted by phone, did not respond. The West Warwick police department denied the request. An email sent to the address on the Middletown department's website came back undelivered. As a result, COYOTE was unable to obtain records from 19 of the city's 39 police departments: Bristol, Burrillville, Central Falls, Charlestown, Coventry, Cumberland, Foster, Glocester, Jamestown, Johnston, Lincoln, Middletown, North Providence, North Smithfield, Richmond, South Kingstown, Warren, West

¹ Milkovits, A. 2022. "Making prostitution legal in Rhode Island: The out-of-state money behind the push." *Boston Globe*. <https://www.bostonglobe.com/2022/04/25/metro/making-prostitution-legal-rhode-island-out-of-state-money-behind-push/>.

² Rock, J. and August, H. 2019. "Rhode Island Police Don't Just Make Arrests. Some Also Act as Prosecutors." *The Appeal*. <https://theappeal.org/rhode-island-police-prosecutors/>.

Warwick, and Woonsocket. Tiverton provided investigative reports from cases where charges were never filed.

The 2,189 cases provided do not align with the twice-yearly reports to the Attorney General's Office required of Police Departments under state law, however, the cases are more closely aligned with the numbers Rhode Island reported for the FBI's yearly Uniform Crime Report. For the purpose of this report we believe that the cases we were provided are generally representative, particularly for recent years.

Federal

Federal sex trafficking cases all include force, fraud, coercion, or minors. We obtained these cases via a search at the federal courthouse to help us understand what abuse and minors look like in Rhode Island's sex industry. In this report, we strive to be specific with our terminology. "Sex trafficking" is a term with such widely varying legal and popular definitions as to be almost meaningless, so we use terms like sex work, abuse, minors, violence, and coercion so that the reader can clearly understand what is being discussed.

Focus Group

A focus group of seven current and former sex workers and sex trafficking survivors reviewed some of the documents and the data in this report and helped provide context and understanding. The group included:

- At least four women who worked in the industry as minors.
- At least four women who have worked with pimps in the past.
- At least two women who identify as survivors of sex trafficking when they were minors.
- All members had experience interacting with police as sex workers or sex trafficking victims.
- Three women of color.
- All members worked in the industry as cis women.

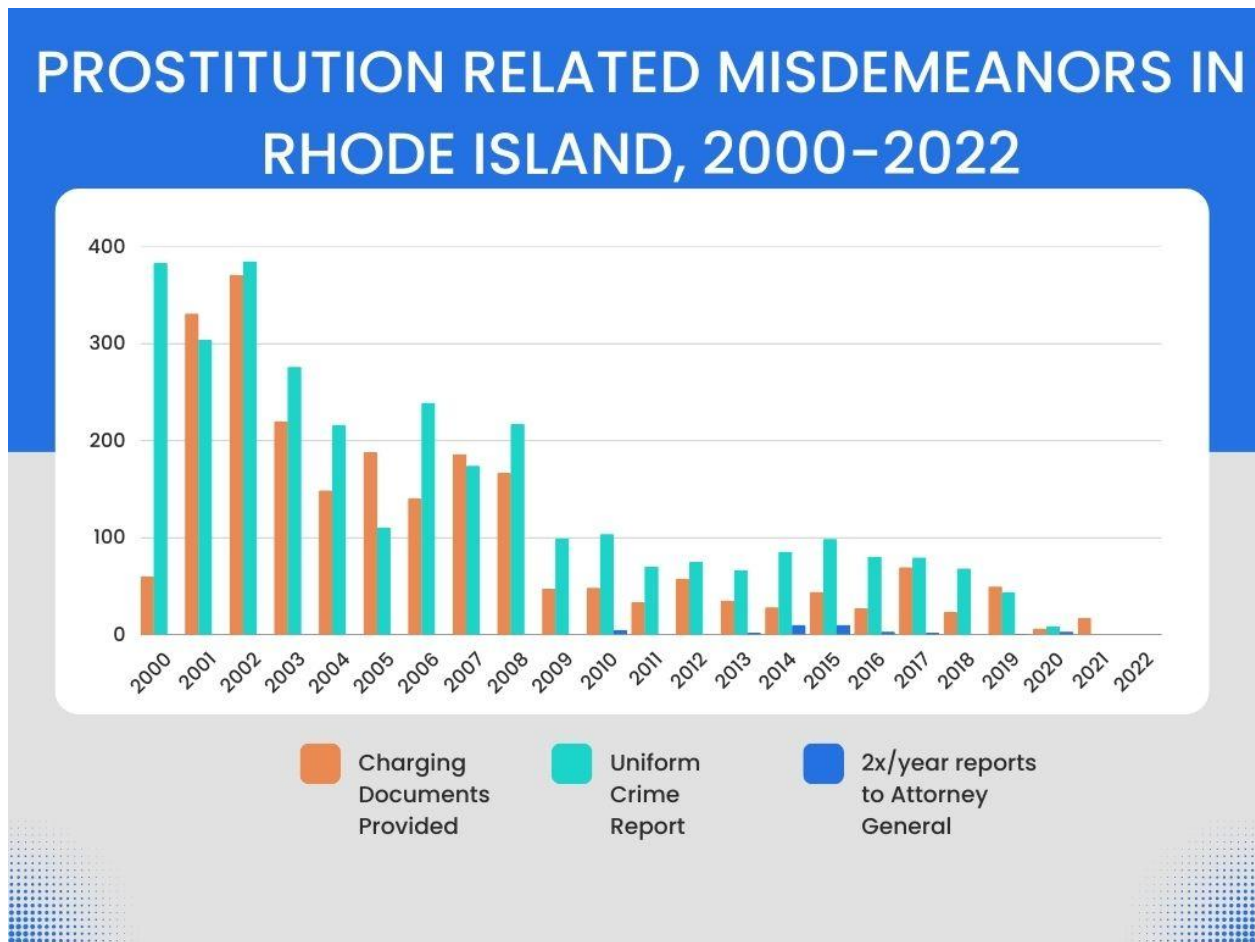
Challenges

The amount and type of data in the documents varied between police departments and cases. For example, almost all of the cases involving minors included the information that they were runaways from group homes. One case included information that the minor had snuck out of their parents' home. The other cases did not include any information about the minor's custody or living situation. Most police departments did not provide information about the races of the people arrested. This made some data points difficult to track.

Prostitution, Soliciting, and Loitering Misdemeanors in Rhode Island, 2000-2021

The Public Records

Requests were sent to charging agencies in Rhode Island, including the Attorney General's office and all municipal police departments, for charging documents filed in misdemeanor prostitution related cases since 2000. The Attorney General's office provided charging documents only going back to 2016. Some police departments were very thorough and sent police reports for cases where charges were never filed. The 2,189 cases provided do not align at all with the twice-yearly reports to the Attorney General's Office by police departments required under state law, however, the cases are more closely aligned with the Rhode Island Uniform Crime Report.



The Laws

This section pertains to the following RI laws:

- 11-34.1-2. Prostitution
- 11-34.1-3. Procurement of sexual conduct for a fee.
- 11-34-11. Loitering for indecent purposes in or near schools
- 11-34.1-6 Soliciting from a vehicle
- 23-20.8-3 Practicing massage without a license

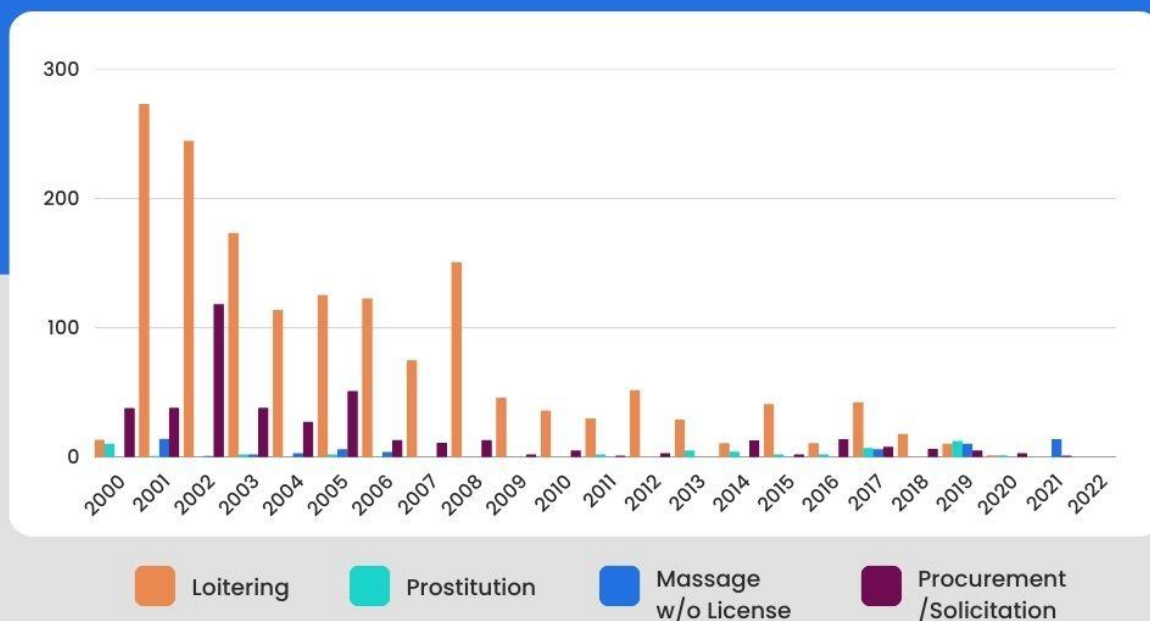
The Cases

After indoor prostitution was re-criminalized in Rhode Island in November of 2009, there was a dramatic decrease in prostitution-related arrests. At the same time, there was an increase in the arrests and deportations of Asian Spa workers, whose jobs had been legal prior to 2009. After 2009, when indoor prostitution became illegal, loitering (outdoor prostitution) charges decreased and charges of prostitution and massaging without a license increased. Massaging without a license charges and charges against Asian spa workers continue to increase or remain the same, while prostitution charges have decreased in recent years.

Working in task forces with the Department of Homeland Security [part of Immigrations and Customs Enforcement (ICE)], local police departments have increasingly targeted Asian spa workers for arrest, re-arrest, fines, and deportation. In 2019, Asian spa workers made up twenty one of the thirty prostitution-related arrests made by the Pawtucket Police Department and twenty one of the forty-nine total prostitution related misdemeanor arrests in Rhode Island. **In 2021, thirteen out of the sixteen total prostitution related arrests in Rhode Island were of Asian spa workers.** Among these 13 cases, two women (Ms. H and Ms. L) were arrested twice, even though one was listed as a victim.

Out of 2,189 total cases, only 406 were for procurement or soliciting from a vehicle (ie, customers), indicating that despite the common rhetoric demonizing clients of sex workers, sex workers are arrested more than four times as often as clients. In more than one case, police describe “dispensing” customers from the scene. **This again demonstrates the unequal application of prostitution-related laws: they are primarily used to hunt and prosecute women (including trans women) rather than men.** In at least 3 of these cases, the customer was arrested with a sex worker, and they received different treatment.

TYPES OF CHARGES



Of these 406 customer cases, nine seemed to be mistakes where the person charged was actually a sex worker. Another 9 of the defendants were homeless. Forty four resulted from reports by neighbors (these cases typically read like harassment cases, where a man was trying to induce a non-sex worker to engage in sexual activities with him for money). In 87% of cases, the charges resulted from street based prostitution stings, and 9 of the defendants were homeless. All of these facts may be indicators of police's reluctance to arrest men "like them" on these sorts of charges.

The loitering law was used broadly to include pimps, customers, and other sex workers who waited outside while sex workers worked. Having someone waiting outside is something that sex workers do for safety, and those safety measures should not be criminalized.

In 11 of the cases, the charging documents described the person being charged as a victim of force, fraud, coercion, or a minor. In ten more cases, the charging documents alluded to but didn't directly call the worker a victim. In three cases, the person charged had been a victim in another case.

Multiple arrests, fines, deportation, sexual contact during prostitution stings, and injuries during arrests are discussed in subsequent sections.

Recommendations

- The prostitution, procurement, loitering, soliciting from a motor vehicle, and massaging without a license laws should be removed entirely.
- Rhode Island's police departments and state police should not work with ICE officials in prostitution enforcement as ICE involvement is highly correlated with an increase in the targeting and deportation of Asian workers.

Revolving Doors and Rhode Island's Prostitution Enterprise

While our data collection system was not set up to flag multiple arrests, we still noticed a disturbing trend of catch and release and catch again for workers in Asian spas, where the workers are also at the highest risk of sexual contact by police officers. After searching our spreadsheets, we found that Asian spa workers have been targeted for arrest and re-arrest within weeks over the last several years, and before that workers of all races were subject to multiple - in some cases dozens - of arrests.

A primary effect of the re-criminalization of indoor prostitution in Rhode Island has been the arrests and re-arrests of Asian spa workers on both misdemeanor and felony charges (sex workers are regularly charged with pandering for having a place of prostitution they share with other sex workers), and prostitution earnings of Asian spa workers being paid to the courts, police, and prosecutors.

In one November/December 2019 prostitution case that we were sent by the Attorney General's office in response to our request for 2021-2022 Pandering cases, charging documents explain that after an encounter with "Mika:"

The UC [Under Cover Officer] was displayed with [sic] a picture of [name redacted] who went by the name of "[M]" during the last investigation in March of 2019. The UC positively identified the woman in the picture as the same female who propositioned him and identified herself as "[M]" [sic]. [Name redacted] was arrested and charged with Prostitution during the March 2019 investigation...

Based on the aforementioned facts, your affiant prays an arrest warrant be issued for "[M]", alias: [name redacted] for Prostitution (11-34-.1-2) and License of a Massage Therapist - Employee (23-20.8-11(A)).

About the case, in which 19 spa workers were arrested, Lt. Graham told the Boston Globe they had "decided on a different strategy. Instead of going after the women who work inside the massage parlors, they'd follow the money."³ Eventually, the Pawtucket Police Department and the Attorney General's office were awarded \$650,000 in prostitution earnings as a result of the arrests.⁴

³ Milkovits, A. 2021. "Following the money: Police shut down 3 Pawtucket massage parlors." *Boston Globe*.
<https://www.bostonglobe.com/2021/03/24/metro/following-money-police-shut-down-3-pawtucket-massage-parlors/>.

⁴ Serreze, M. 2021. "Spa Owner In Pawtucket Prostitution Sting To Forfeit \$650K." *Patch*.
<https://patch.com/rhode-island/pawtucket/spa-owner-pawtucket-prostitution-sting-forefeit-650k>.

What happened to “M” the 58 year old migrant worker who traveled to Rhode Island from New York to work? Police told the Boston Globe that they believe women like her are victims - that’s why they arrested them - but that “None of the women would speak to us... We had Korean interpreters, we made sure they had someone available. But they were not happy with us.”

M’s charging documents tell a different story: in 2019, she had three different prostitution related cases. In the first, she was charged with Prostitution and with Practicing Massage Therapy Without a License and fined \$446.75. In the second she was charged with Practicing Massage Therapy Without a License and Pandering or Permitting Prostitution - 2nd+ Offense. Pandering is a charge often portrayed by police and prosecutors as being used against pimps and bad actors, but which is regularly used against workers like M if they have a place of prostitution that they let other sex workers also use. The Court portal does not show financial information for this case. In the third case Mika was charged with Practicing Massage Without a License and charged \$96.75.

A 2021 report reads that on July 6, 2021, police went to a location and “were greeted by an Asian female who was, in fact, the same Asian female who was arrested at this location 6-17-21.” The report went on to say that a man was also present who had also been arrested on June 17th. Both were arrested again and charged with massaging without a license again.

In total, without having a way to filter for these cases, we identified ten cases of Asian spa workers being re-arrested for prostitution, massaging without a license, or pandering within weeks or months of their original arrests.

In searching the spreadsheet for multiple arrests, we initially thought we had erred by entering documents multiple times. When we checked the Rhode Island Court Portal, we found that in almost every case the worker actually had more, not less, cases than we were made aware. This is due to some police departments not providing records, not providing complete records, or arrests spanning more years than our requests.

One worker, Ms. B, has survived 25 prostitution cases and one pandering case spread over 19 years and currently has an open disorderly conduct case. In just ten of those cases - the only ones in which the court portal shows financial information - Ms. B paid or was ordered to pay \$2,639. She currently owes the courts \$476.90.

Another worker, Ms. T, also survived 25 prostitution arrests over 23 years. Over the years, in the 20 cases that show financial information, she has been charged \$4,554. She currently owes the courts \$2596.50 and, according to the court portal, in 2018 she was convicted of “Restitution Payments.”

In her book, Saloons, Prostitutes, and Temperance in Alaska Territory, Catherine Holder Spude called these fines a "sin tax," noting that arrests were so regular that it seemed prostitutes effectively arrested themselves to the magistrate's office every 91 days to pay the fine. The book noted that prostitution arrests were necessary to appease the moralizing but that "the women of

the restricted district and the men of city hall had cooperated in keeping a low profile regarding the [prostitution] district, to each other's benefit."

Under Rhode Island's Pandering law, a person who derives support from or shares in the earnings of prostitution is guilty of the felony crime of Pandering. However, the courts, police, and prosecutors in their official capacity are allowed to do so with impunity. In fact, they garner praise for "rescuing" sex workers when they arrest us and demand money from us under threat of imprisonment.

Of the (2,189) misdemeanor cases we were provided, there were 288 *people* with more than one arrest, 29 people had 10 or more arrests, and at least 123 had between 3 and 9 charges that were provided to us. Two women had 25 arrests. There are likely many people for whom the police departments only provided one or two charging documents, but who have more if we were to look them up in the court portal. Several of the people for whom police provided two or more charging documents have no cases in the court portal, implying that their cases were expunged and should not have been provided to us as public records.

Recommendations

- Repeal all of Rhode Island's prostitution and massaging without a license laws to stop this vicious cycle.
- Remove the mechanism that allows courts to award prostitution earnings to police and prosecutors from state law.
- Stop fining sex workers.

Sexual Contact by Law Enforcement

The Data

Of the 1,716 misdemeanor charging documents for prostitution, loitering for the purpose of prostitution, massaging without a license, and pandering provided by police departments, fifty five included allegations, which were sometimes blacked out but still easily understood, that police engaged in sexual contact with the defendant before arresting them. In most of these cases, consent for the sexual contact was gained by the police officer fraudulently claiming that he was not a police officer and/or fraudulently agreeing to pay for the sexual contact.

Marginalized workers were over represented in these fifty five cases: one seemed to be a trafficking victim (compared to .6% of the total misdemeanor cases), six were immigrants (compared to .8% of the total misdemeanor cases), and five were drug users (compared to 4.8% of the total misdemeanor cases). Cases with sexual contact involved the Providence Police Department (49), Pawtucket Police Department (6), Homeland Security (2), and a sex trafficking task force (3).

Corroborating Reports

Our conversations with local sex workers as well as the focus group indicate that sexual contact and penetration by police officers is common, and most often coerced under threat of arrest. A recent letter from House of Hope social worker, Megan Smith, explained:

“One of the most appalling is the reports we hear about people being victimized by police officers. We have heard multiple people - primarily female identifying clients - describe being raped, having sexual favors demanded of them, and being otherwise coerced both in lieu of and prior to arrest. The individuals who have told us about these events have said that they did not report the police violence because they will face retribution or they will not be believed.”

A Tiverton police report focused briefly on these issues, saying:

“06/03/2010 I emailed AG Ania Hopkins requesting legal advice on how to proceed with the case.

06/08/2010 I spoke with AG Daniel Guglielmo. He reported that an undercover operative would need to receive an offer of sexual conduct for a fee. He reported that such an investigation would have several pitfalls. He stated that other agencies have experienced the suspect asking the

undercover operative to touch themselves, undress, or touch the suspect prior to asking for a fee. He also stated that the case is a petty misdemeanor, and questioned whether or not our agency would want to expend the resources to investigate.

06/09/2010 I informed Chief Blakey of my conversation with the Attorney General's office.

As of 10/29/2010 we have received no further complaints regarding this issue.

10/29/2010 case closed due to lack of leads. Case folder filed in Detectives.”

Research Confirms These Reports

In a 2015-2016 survey of 63 Rhode Island sex workers done by COYOTE RI and Brown University students, it was reported that 11% of those surveyed said that a police officer had “collected a freebie” from them. Again, marginalized workers were over represented in this 11% - 17% were transgender (compared to 3% of all respondents), none had college degrees (compared to 43% of all respondents), half of them entered the sex industry as minors (compared to 12% of all respondents) and the other half at 18 years old, and 17% were black (compared to 7% of all respondents). One of these respondents explained:

“The cop told me that if I told anyone that he raped me, other cops would come looking for me, and they would rape + kill me. He took my ID and copied down my name and address and he knows where I live.” Another one wrote, “I have had some good clients that worked in law enforcement, but there are just as many bad cops running around shaking down escorts and expecting us to give them freebies. I had never been exploited by a police officer until after I tried to report a violent man that raped me.”

In similar [research](#)⁵ done at the University of Alaska Fairbanks the year before, it was reported that 26% of sex workers and 40% of sex trafficking survivors said that a police officer had collected a freebie.

A 2012 [research report](#)⁶ by the Young Women’s Empowerment Project called the Bad Encounter Line found that 30% of violence faced by youth in the sex trades was violence from police, while only 4% was from pimps.

⁵ Burns, T. “People in Alaska’s Sex Trade: Their Lived Experiences and Policy Recommendations.” *Sex Trafficking Alaska*. <http://www.sextraffickingalaska.com/pdfs/AKSWR.pdf>.

⁶ Torres, C. A. and Paz, N. 2012. “Bad Encounter Line: A Participatory Action Research Project.” *Young Women’s Empowerment Project*. <https://ywepchicago.files.wordpress.com/2012/09/bad-encounter-line-report-2012.pdf>.

Police Sexual Contact Promotes Sex Trafficking and Violates Constitutional Rights

Sex trafficking survivors who have been coerced into sexual contact or penetration with a police officer in lieu of arrest or tricked into sexual contact or penetration with a police officer before being arrested do not see police as caring about their well being or being viable avenues through which to obtain help or justice. Policy that is focused on addressing sex trafficking and other violence against sex workers or sex trafficking survivors must prioritize a trusting relationship between police and victims.

A [2021 article](#) from Volume 38 of the Alaska Law Review, published by Duke Law, explores the issue of sexual contact during prostitution stings.⁷ The author finds that such sexual contact may violate rape by deception laws and our fourth amendment privacy rights, and further that police using “sex as a weapon in it’s investigatory arsenal” is “shocking to the universal sense of justice” and therefore violates due process.

Recommendations

- Decriminalize every aspect of consensual adult prostitution to prevent these incidents.
- Expand Rhode Island’s sexual assault law to make this clearly a criminal and not a personnel issue. This can be accomplished by adding the following as (5) to § 11-37-2. First degree sexual assault and (4) to § 11-37-4. Second degree sexual assault: “The accused is or claims to be a peace officer in the state of Rhode Island and investigates, detains, or arrests the victim for the purpose of sexual arousal, gratification, or stimulation.”

⁷ Goldberg, K. 2021. “Time’s Up: A Call to Ban the Use of Sex as an Investigatory Tactic In Alaska.” *Alaska Law Review*.

<https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1592&context=alr>

Federal Cases

Federal Sex Trafficking Cases in Rhode Island, 2000-2020

Since the inception of the federal sex trafficking law in 2000, twelve cases with nineteen defendants have been charged in Rhode Island. Because the federal sex trafficking law defines trafficking as the use of force, fraud, coercion, or minors in the sex industry, federal cases can help us understand what abuse within the sex industry looks like.

When did they happen?

The majority of cases were charged in 2015 (9), followed by 2014 (4), 2016 (3), and 2017 (2). There was additionally one case in 2013. During this time Rhode Island had a sex trafficking task force, with federal money allotted to sex trafficking investigations.

How did police find these victims?

Of the twelve cases, none were discovered through prostitution stings or prostitution investigations. All but two cases (with four defendants) were reported to police. In the only case where a minor was kidnapped and forced into prostitution, the minor victim called the group home she had run away from for help. In other cases reports came from the victim's family (3), friends (4), emergency room staff (1), and two reports seemed to come from a customer or driver. Customers and drivers often have access to much more information about a trafficking crime than a victim's friends or family, but they are at risk of being charged themselves if they come forward. Two cases, with four defendants, were discovered during the course of other investigations, one where a customer was being extorted by a pimp, and one where police were called to a disturbance when a family tried to forcibly take a minor victim from a pimp.

Violence or Minors?

The good news is that these cases indicate that force, fraud, and coercion are fairly rare in Rhode Island's sex industry. The bad news is that all but one of these cases (with two defendants and two adult victims) involved minors.

There were three cases involving force, fraud, or coercion. In two of these cases the trafficker used deception to lure the victims to a new environment - in one case a trafficker lied to induce homeless women from another state to come live with him in Rhode Island, and in the other case the trafficker used a teenage boy to convince two minors to sneak out and smoke

marijuana and then threatened them with a taser. Victims in both cases were vulnerable due to homelessness, addiction, or being afraid of their parents. Both cases involved significant threats of violence, but did not allege that any physical violence occurred.

In the third case, a minor who had run away from a group home was kidnapped from a train station. While there were no allegations of violence towards the minor victim, the victim described seeing an adult victim physically assaulted. That adult victim was indicted on one charge of conspiracy to sex traffick a minor.

In the case where two adult women were trafficked, someone who seemed to be a customer or driver made a report to police. This indicates an intolerance for abuse in the Rhode Island sex work community, and underlines how important it is for members of the community to know that they can make such reports to police without being arrested themselves.

Conspiracy

In five of the cases someone was charged with conspiring with the trafficker. In three of the cases, these people were drivers or drug dealers or friends who were not accused of participating in any abuse. In one case, an adult sex trafficking victim was charged with conspiring to traffick a minor even though the charging documents also described her being beaten for turning down a client.

Recruitment

Recruitment was mostly by introduction (5) or online (4). Several of the charging documents did not explain how the victim was recruited. In cases of introduction, it appears that the minors sought out pimps. Online recruitment was by Facebook, except for one case that originated on a dating website. Two adult homeless women were recruited from the streets. In one case, a runaway was actually kidnapped.

Other Findings

- None of the victims were immigrants.
- In two cases, police had the opportunity to identify a victim during a traffic stop and did not.
- In almost every case, information was subpoenaed from Backpage and Backpage provided the information on the same day.

RI State Felony Charges

The Data

Of the thirty six total state felony prostitution related charges filed since 2016 provided to us by the Attorney General's office, only ten defendants were charged with trafficking of a minor in seven cases. Two cases were for patronizing a minor, but both of these cases happened outside of the commercial sex industry. Whether for minors or adults, the most common thing defendants were charged with was driving.

The Law

Under RI 11-67.1-3 a person is guilty of trafficking of a minor if they recruit, transport, transfer, harbor, receive, provide, obtain, isolate, maintain, or entice a minor in relation to prostitution.

Under RI 11-34.1-7 a person is guilty of pandering or permitting prostitution if they induce someone into prostitution or if they drive, rent to, or receive money from a prostitute. This is so broad that a person who forces someone into prostitution and a person who babysits for a prostitute would both be guilty of the same crime.

The Law is Overbroad and Results in Unwarranted Charges

Of the thirty six cases, only four had any allegations of force, fraud, or coercion within the sex industry. In a fifth case involving violence, a man sexually assaulted a minor in a park and told bystanders who intervened that he would have paid her. The remaining cases were charged simply for giving a minor a ride or being in association with them, or for running a place of prostitution or being employed as a driver for sex workers.



Peers Charged with Trafficking Each Other

In one case, two youths ran away from a group home. One was eighteen, the other fifteen. The eighteen year old, Ms. I, texted her nineteen year old friend, Ms. L, to come and get them. Ms. L had just left her pimp, and the two runaways wanted to work with her. At some point, the girls had a falling out with Ms, L, and parted ways. The fifteen year old, unable to rent her own hotel room, moved into the room of Ms. A, an eighteen-year-old sex worker, and began working independently.

Ms. I turned herself in to the group home and told police where to locate the fifteen year old with Ms. A. Ms. I, Ms. L, and Ms. A were all charged with sex trafficking of a minor. These eighteen- and nineteen-year-old sex workers are far from what the public thinks of when they envision sex traffickers, but they represent more than half of those charged with trafficking a minor in the commercial sex industry under Rhode Island state law over the last five years.

In a 2020 case, “Source One” provided information that Ms. S, a sex worker, provided other “girls” to clients as well, one of whom was a 17-year-old from Michigan. In our experience, much of this sort of information provided by informants to police looks the same because police script informants with the information they need to provide to avoid punishment. Source One went on to book a duo appointment for an undercover officer with Ms. S and the alleged minor, and provided texts from Ms. S confirming that she had spoken with the alleged minor and she agreed to the appointment time. The source even provided police with a picture of the alleged minor, which they were able to use to identify her with hotel staff who gave them her real name and room number. She was a 48-year-old adult independent sex worker. Because Ms. S had contacted another independent sex worker to book the duo appointment, she was charged with felony pandering.

Several members of COYOTE’s focus group worked in the sex industry as youth, on their own or with others. “When I was a minor working with another minor (splitting the hotel room and getting a small cut), or having other students from my high school drive me to my motel for the day, I can’t imagine either of us being charged with trafficking for it,” said one focus group member. “In reality, it was making me safer or at least feel safer because in one case I had another girl in the room and in the other case I was getting rides from people I trusted. And they were making some money by driving me. I just...think it’s evil to charge for trafficking in that case. And it’s also just not trafficking. There was no force or coercion. It’s just not trafficking.”

Prosecutorial Discretion

In 2017 Reysean Williams, a supervisor of a DCYF contracted group home, was arrested for trafficking several minors whom he had recruited from the group home. A young adult man, whom he had also recruited from the group home, Leandro Gomes, was acting as his driver and

enforcer. During questioning by police, a witness described Gomes using force and coercion to prevent a minor who was trying to leave from doing so.

Gomes was not charged with trafficking - he was charged instead with the lesser crime of pandering. Isabel, the eighteen-year-old who ran away from a group home (it is unknown whether or not it was the same group home that was supervised by the pimp), worked alongside her peer, whom she was not accused of abusing, and then assisted police in locating her, received no such leniency.

Cases like these and those described above illustrate that neither prosecutorial nor police discretion are sufficient to prevent trafficking and instead promote these laws to be used against the same people they are intended to protect.

Recommendations

- Rhode Island's state trafficking of a minor law could be brought in line with federal law by adding a "reckless disregard" clause or be entirely eliminated as the federal law is sufficient and the state law is redundant.
- Rhode Island police and prosecutors should be instructed to prioritize cases where force, fraud, or coercion are used against minors, and to treat their non-abusive peers respectfully as valuable potential witnesses and reporters.
- Rhode Island police and prosecutors should be instructed to consistently monitor group home staff and prioritize the investigation and prosecution of abusive group home staff. Youth should find state care to be a safe and viable option.

Violence in RI's Commercial Sex Industry: Characteristics and Successful Interventions

Prevalence of Force: State Charges

Out of the thirty-six state cases of pandering and sex trafficking, four involved allegations of physical force or violence relating to the commercial sex industry. Two of the cases involved vulnerable people who relied on perpetrators for housing: one victim was a homeless woman who had recently been released from jail, the other was a youth who had run away from a group home. In the third case, a woman who had been present during a client's overdose and then took his car told police that she was beaten by a pimp. In the fourth case there was no description of violence; the defendant and other workers at the business were all charged with prostitution - it's unknown if there were actual allegations of violence that didn't appear in the charging documents, or if someone made a mistake with the paperwork.

There were additional cases which involved violence but did not relate to the commercial sex industry, such as a strange man at a park attacking a teenager and then telling bystanders who intervened that he would have paid her. To call this, or other cases of child molestation that are not related to the commercial sex industry, sex trafficking of a minor does a disservice to both the victim who is told that they have been sex trafficked and to the public who are led to believe that these children are being forced into the commercial sex industry. These cases should be charged under the applicable laws (kidnapping, sexual assault, etc.) and the element of paying the victim should be a benchmark for an enhanced sentence rather than a different charge.

Prevalence of Fraud or Coercion: State Charges

There were only two cases involving specific allegations of fraud or coercion. The perpetrators in both cases were professional pimps, and both victims were minors. In a third and fourth case, a woman who was present during a client's overdose and then stole his vehicle told police she was controlled by a pimp, and a sex worker was charged with having a place of prostitution. However, while the word "coercion" appeared in her charging documents, the documents did not describe any coercion.

Choice and Circumstance

In an additional case, a massage parlor manager required sex during job interviews. Police interviewed several workers, and most said they understood going into the interview that sex was part of it and they consented. One said she felt like she had no choice but to consent if she

wanted the job, and another said she refused to have sex with him or clients and still got the job. This woman described offering no or only very limited sexual services and said that the manager did not try to coerce her into doing more, but did advise her that women who offered more services got more clients and made more money. This case illustrates that people in the same situation can experience a range of empowerment, agency, and victimhood.

Federal

Two federal cases (over the last 21 years) involved threats or implied threats of violence and two involved fraud - perpetrators lying to get victims to go with them or to do sex work when they wouldn't have otherwise.

Does this accurately represent the extent of force, fraud, and coercion in Rhode Island's commercial sex industry?

Since at least 2015⁸ Rhode Island has had a Sex Trafficking Law Enforcement Task Force, comprised of ICE and FBI agents, local police department officers, the Rhode Island Attorney General's office, and the local US Attorneys' office. According to the Uniform Crime Report, police in Rhode Island made 354 prostitution arrests in just 2015-2019. [According to Day One](#),⁹ the Sex Trafficking Law Enforcement Task Force have "recovered and worked directly with more than 200 child victims and more than 100 adult victims in Rhode Island" between 2015 and 2019. While the five total cases involving allegations of force, fraud, or coercion in the commercial sex industry likely do not represent all of the force, fraud, or coercion that has occurred, it seems safe to conclude that after interacting with 300 victims and arresting 354 sex workers and trafficking survivors in just one four-year period, the Task Force would have found more than five chargeable cases of force, fraud, or coercion if it were a common occurrence.

Recommendations

- Provide no-barrier housing to all Rhode Islanders, including formerly incarcerated women, women on probation or parole, and youth on the run from their parents, foster homes, or group homes.
- Institute guidelines for agencies receiving state funding to use "sex trafficking" only to refer to minors or victims of force, fraud, or coercion within the commercial sex industry.

⁸ WPRI. 2019. "Day One: Sex trafficking a 'huge problem in RI.'" *WPRI*. <https://www.wpri.com/news/local-news/providence/day-one-sex-trafficking-a-huge-problem-in-ri/>.

⁹ Ibid.

East Greenwich: A Case Study

In 2014, East Greenwich Police Department carried out an investigation into a massage parlor that ended with a woman falling from a roof injuring her leg and breaking her foot, and police following an ambulance to the hospital to charge her with misdemeanor prostitution. According to East Greenwich Police Department's response to a 2021 records request, this was their only prostitution arrest since the year 2000.

EGPD reports receiving anonymous complaints that a massage business offered "happy endings." In response, they conducted "several weeks" of surveillance, identifying the women coming and going by their license plates, drivers license photos, and photos in online advertisements. Eventually, two undercover officers booked massages with two women. One woman offered a handjob, and the other woman offered no extra services. This demonstrates that women working in parlors have agency to choose what services they offer to whom and at what price.

After receiving the massages and leaving, officers returned to the door with their badges. The two women escaped through a back window, and one fell 20 feet to the parking lot, injuring her leg and ankle and breaking her left foot. Police followed the ambulance to the hospital and charged her with prostitution and obstructing an investigation before turning her over to the care of the hospital. She was later sentenced to one year of probation.

The case foreshadowed a 2017 case in New York city where Yang Song, a masseuse, fell from a fourth story balcony and died. Song's family explained that she had previously been sexually assaulted and pressured to become an informant by a police officer who threatened to arrest her. There are many reasons for sex workers and sex trafficking survivors to fear police: in a 2016 survey, eleven percent of Rhode Island sex workers reported having been sexually assaulted by police. The stigma associated with a prostitution charge can make it impossible for workers to access housing and employment outside of the underground economies, and causes them to face discrimination in child custody, education, and access to financial instruments. It is not surprising that some women would rather jump from a building than come face-to-face with a police officer.

We asked focus group members to explain why a sex worker or sex trafficking victim may prefer jumping twenty feet to encountering a police officer. Here are their responses:

- "I was arrested in 2004. I was sitting on the bed opposite of the undercover cop when their recording device fell. After multiple attempts to get me to talk, I refused without a lawyer...they finally gave up. The undercover cop that arrested the woman before me walked over to the nightstand that the cop recording device fell from and used hand motions to display that the girl before me "was so fucked up when I was doing her her legs went everywhere". This cop actually motioned with his arms how her legs flailed and hit the night stand. The officer actually banged his hand off the night stand for

dramatic effect during his admission of raping someone who was "too fucked up" to consent. I sat on a hotel bed, handcuffed, listening to a cop describe raping an alleged prostitute that was "so fucked up". At what point of "so fucked up" are the police held accountable for raping someone who couldn't possibly consent to the violent assault levied by those who are paid to protect and serve? Rape is always a crime, except nobody is holding police accountable for raping during arrest. This makes me wonder how many sex trafficking victims are also being raped by the police and then wrongly identified as a prostitute and punished accordingly by the very same police who just raped them? This is what "saving" sex trafficking survivors looks like. Survivors of a form of rape, sex trafficking, further abused and then criminally punished for being a victim of a crime? This is why we run from the police. The police are not a safe space, they do not protect and serve. The police utilize their power to target and rape or worse. This is why we run. As a sex trafficking survivor, we need protection from the police. As an alleged prostitute, we need protection from the police." ~ Gabrielle Monroe

- "I've been lucky that I've never witnessed or endured injuries as a result of a police sting. However, I understand why these women would run. I will list the following reasons that I have come across: 1. Police lie. Not all police. But of about 17 police officers that I've come in contact with due to motor vehicle infractions and criminal activity, I only met one police officer who gave an accurate report as things actually happened. The majority of the time the reports are grossly underdramatized (if you fit their description of a sweet, pretty girl even if you're a criminal) or grossly overdramatized (if you're an activist, are not a racist, and/or will not give a fake story about someone to get out of your charge). These girls probably ran because they knew they might not fit the description of someone who's charges are normally dropped and knew the cops would throw the book at them (write them up for worst charges than they actually committed). Both stereotypes by officers have happened to me which is how I know. 2. Police will take as much from you as they can; the law doesn't apply to them. Circa 2012, I witnessed an officer pulling a friend of mine over (who was an African American man) for having a car-light out. All car lights were working however. The officer had the man come out of the vehicle for a pat down. The officer found a \$100 bill in the offender's pocket. The officer put the \$100 bill right into his own pocket. When my friend started calling him out for taking his money, the officer arrested him and charged him with disturbance of the peace. My friend was arrested for BEING robbed. The officer was African American too. I was caught by police for committing prostitution in 2013 and the police kept the money they found in my room as "evidence". In 2019, a patron in the gentlemen's club I was working at was an undercover officer who was hired to complete a sting. I happened to be the woman who approached him so he paid me for the VIP room. I did not offer nor give any extras as it explained in the police report. The club was a nude club, so this officer accepted a nude dance from me, enjoyed the dance, witnessed that I did not offer nor do any illegal activity, and still arrested me anyway. I took him to trial and won. The prosecutor actually apologized to me. But I was \$1500+ in the hole from the lawyer fees plus all the money that I had missed out on during the months I was unemployed while the trial was going on. Is "sorry" appropriate? No. These officers should not be told/insinuated to that they're

being sent in to arrest for a certain charge. That arrest is to be made no matter what and the bounty that the officers find, they may keep. Instead, legislation should be passed to create efficient checkpoints so that if a sting is designed and the offenders are indeed innocent or guilty of only a lesser charge (or even guilty of the proposed charge or a greater charge), the offender may only be convicted according to his/her actual guilt. The women who ran probably knew the officers would take them for all their worth and leave them with nothing. 3. There are far more horror stories with the police than fair stories. We hear weekly, if not daily, about officers unrighteously shooting, harming, or framing citizens. Very very rarely do we hear about someone who was saved by police officers. These women very well may have heard only the horror stories and assumed (maybe rightfully so) that their interaction with an officer will equate to an interaction with a gangster.”

- “I was handled roughly during a sting operation, officer stated I was resisting arrest that resulted in me 5’2 and 140 lbs being body slammed against a car by a 6 foot man. The officer never read me my rights and tried to get me to incriminate myself without legal representation. The fear of losing my kids due to arrest would make me want to jump out the window too. Cops are never in a position to “help” there is no line between victim and criminal.”
- “#1 my kids. I’ve always had family court custody/visitation issues because I had my kids while in foster care-I aged out at 24 1/2. The idea that a prostitution charge could impact my being with my children would make me risk it all to get away if my place was being raided. #2 the idea of being put on probation for prostitution. I served a lot of time on probation/parole. If I was on probation/parole the idea of a violation. If off, the idea of going back on. I would jump quick. #3 I have spent days in central processing with no food, in overcrowded & unsanitary pens sleeping on cold hard floors. The idea of jail ALWAYS made me run. I would most likely instinctively jump out the window if I was in an incall location that was being raided and there was no other way out. Probably the first out. #4 Police are never kind. They invoke an inherent flight response in me. They never approach us as potential victims. We are criminals first despite what our circumstances may be. They are unnecessarily violent. I’ve been pepper sprayed on approach to be arrested, cuffed till I bled from both wrists. Not one officer ever asked was I being forced to do the work, if I was a victim. Sad part is, most of my rap sheet I was being trafficked. Nobody ever asked, I never thought they’d help if I told them.”
- “I can see someone jumping out a window for a number of reasons. A prostitution charge can really jeopardize your future and like [redacted] said, cause you to lose your kids, job, be kicked out of school, lose your housing, all because you’re making a living by doing something that people do for free every night. For black and minority sex workers and poor sex workers, police have an even worse track record of beating, abusing and traumatizing them. Sometimes the trauma of police interactions is worse than whatever the police like to tell themselves they’re “rescuing” us from. Add in legal fees that you’ll have to work to pay off, and everything else associated with being arrested. I’d be more

understanding if people were actually being harmed or scammed. But it sounds like this business was operating quietly and everything was consensual. Men were paying for orgasms, big deal. I probably will pay for a sex worker too one day- I hope too! Why are we destroying lives over this?? The man could have gone out and had an affair and tricked the woman into thinking he wanted a relationship when he really just wanted to get off- that would have been perfectly legal. These people could have met at a bar and went home together and she could have given him a handjob for free. That would have been perfectly legal. Why is it wrong for her to profit off of something that harms NO one, there is an extremely high demand, and ***people can do it for free as much as they want **” It is, however, unacceptable for those tasked with improving public safety to spend so many hours surveilling and receiving services from sex workers and then frightening them into jumping from buildings because of consensual, private, adult sexual behavior. No one should lose their life or sustain a serious injury because of a moral/victimless crime.”

Case Study: Group Home Supervisor as Trafficker

Sex workers and sex trafficking survivors overwhelmingly distrust police officers, correctional officers, parole officers, etc. Focus group members brought up experiences with sexual assault by police officers and group home workers and managers, and expressed frustration at the lack of accountability in these cases. In these records there was one case involving a police officer and one involving a group home supervisor.

Group Home Supervisor

According to a Justice Department Press Release, Reysean Williams was a twenty-eight-year-old supervisor of a DCYF contracted group home in Pawtucket. Williams recruited a young man who aged out of the group home to act as his driver and enforcer while he continued to supervise and recruit minors from the group home. Although Williams was charged with trafficking only one minor, a woman who claimed to be his girlfriend told police that there was another minor in the house who wanted to leave but was prevented from doing so. Williams carried out his pimping business in the official group home van.

Before Williams was caught, police received reports through DCYF that multiple girls were recruited to work for a pimp who worked at a group home. Although he was only charged with trafficking one minor, Williams shaped a generation of group home girls' understanding of authority and corruption. A focus group member shared her experience trying to keep Pennsylvania youth safe, saying "the Allegheny County Department of Human Services did nothing and still continues to fund Adelphi [a group home for youth] after 2 people submitted their personal abuse experience connected to actual sex trafficking by employees."

Another focus group member commented, "It's hard for me to have a clear view of what happened with the pimp because I didn't encounter minors while I was on the street (that I was aware of). The only information I have that I can contribute to that story is this: all the men and women who I met on the street while I was on the street (including myself) was on the street by their own wills, having come from a very very poor or very very unsafe home with no resources and nowhere to turn to. The street life (prostitution, drug-dealing, etc) was their (and my) way of surviving. I can also say this: there should be services offered to minors of very poor or dangerous homes so that they can be given the resources, the guidance, and the support system to follow their dreams."

The large majority, possibly all but one, of the minor trafficking victims in state and federal cases had run away from group homes. Any serious attempt to end youth involvement in Rhode Island's sex trades must involve making group homes safe for children. "We need to abolish the entire children's and youth system across the country," said another focus group member. "They are built by abusers to enable the abuse of children deemed less privileged...in their eyes this means less worthy and undeserving of protections. Their goals are to restrain and jail

children...scare them to not talk about the abuse they experience at the hands of our broken foster system. You can't fix this...abolishing the entire children's and youth system, including kid jails...is necessary to help end and prevent child sex trafficking.

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