

September 12th, 2023

Governor Gavin Newsom  
1020 O Street, Suite 9000  
Sacramento, CA 95814

Dear Governor Newsom,

I am writing on behalf of COYOTE RI in support of AB 1726. COYOTE RI is a grassroots organization of sex workers, trafficking survivors and formerly incarcerated women, who conduct research and policy work to improve public safety. Passing AB 1726 is very important to us. In 2022 COYOTE published the following report for the Rhode Island H5250 legislative study commission, which was created to better understand the impact of criminalizing prostitution. ["Prostitution and Prostitution-Related Charges in Rhode Island 2000 Present"](#)

Our research focus was on how these laws are applied, and who they are applied to, and the outcomes. 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.

AB 1726 is a technical fix to ensure that the record clearing provisions enacted in recent bills also work for purposes of immigration relief. AB 1726 ensures that vulnerable immigrant populations can benefit from the reforms that resulted from repealing Penal Code sections 647 f and 653.22. Many Californians are subject to brutal immigration enforcement and deportation for even minor criminal infractions.

[The broad subjective nature of California Penal Code § 653.22 created opportunities for law enforcement to engage in discriminatory policing that targeted Black and Brown women and members of the transgender community. Penal Code Section 647 f was based on fear and limited medical science at the time and penalized sex workers who were living with HIV. Both

these laws were repealed in the last few years in attempts to solve these problems, and persons with prior convictions under these penal code sections were able to clear their records. However, the prior bills] did not include the specific language needed to help persons who need to have a prior conviction cleared for immigration purposes despite the intention of both bills to provide relief for immigrants. For immigration purposes, a conviction must have been legally or procedurally defective at the time it was entered. AB 1726 simply adds language that would allow immigrants to benefit from the record clearing provision enacted in recent years, by creating a presumption that all convictions for Penal Code sections 653.22 and 647 f were invalid from the beginning, thereby ensuring equal protection for all Californians.

We urge you to support AB 1726 to ensure that immigrants can benefit from these reforms to our penal code. Now that Penal Code sections 653.22 and 647 f have been repealed, we must ensure that prior convictions cannot be used in immigration proceedings, in the same way that we have removed the consequences of past criminal convictions.

Thank you for your time and consideration

Bella Robinson, Executive Director

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