

Call Off Your Old
Tired Ethics



COYOTE's Immunity Bill Toolkit

By COYOTE RI

We created this to share what we've learned and hopefully support sex worker activists in other states in getting immunity in reporting bills passed. This drive is a living toolkit that will continue to be updated with more stories as they come in, a longer paper about immunity bills, and examples of lobbying materials. If you're going to work towards an immunity bill in your state, please reach out! We would love to support you. Email Bella@coyoteri.org.

[11 Steps to An Immunity Bill](#) has the basic steps to getting a bill introduced and passed.

[Why do sex workers and sex trafficking survivors need immunity in reporting](#) has the data and basic arguments for an immunity bill. In addition to data, you will need stories. You can collect stories from local sex workers, print relevant local news articles or public black list type alerts, or check the [Stories](#) folder and choose stories you think will work best in your context. If you [email us](#) we can send you storybank stories from your state. If you would like an anonymous way to gather more stories in your state, share the [link to the storybank with local sex workers](#).

[This](#) longer, more academic document is better to share with some allies and legislators.

The [Important Elements of an Immunity Bill](#) is important to read, understand, and advocate for. That document and [Bill Language From Other States](#) will help whoever is drafting your bill get it right.

We tried to address all of the common questions about immunity bills in the [FAQ](#), but let us know if we missed anything!

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Why do sex workers and their clients need immunity in reporting violent crimes?

Currently many sex workers and sex trafficking survivors are more afraid of police than they are of violent perpetrators. A misdemeanor prostitution charge can mean losing housing, custody of children, and employment opportunities. Clients of sex workers are the people most likely to encounter a sex trafficking survivor, but reporting to police can mean criminal charges - in some states felonies - that can affect their employment and family.

Sex Workers and Sex Trafficking Survivors Aren't Reporting Violent Crimes

Several surveys have asked people in the sex industry if they have ever been the victim or witness of crimes they did not report to police. In Alaska, 74% said they had. In Rhode Island, 47%, and nationally, 86% reported being the victim or witness of a crime they did not report to police. That's a lot of violent perpetrators who are free to continue victimizing vulnerable members of our communities.

There Are Valid Reasons Sex Workers and Sex Trafficking Survivors Aren't Reporting Crimes

When they did try to report crimes, 66% of Alaskan sex workers, 79% of Rhode Island sex workers, and 44% of US sex workers said they were turned away without having their report taken. Even worse, 39% of Alaskan sex workers, 27% of Rhode Island sex workers, and 24% of US sex workers were arrested or threatened with arrest while trying to report a violent crime. Additionally, 26% of Alaskan sex workers, 11% of Rhode Island sex workers, and 2% of US sex workers

reported being sexually assaulted by a police officer. While many police departments have changed their policies around sex workers, that hasn't changed the historic trauma that sex workers and sex trafficking survivors have with police.

In a 2022 survey, 77% of sex workers said that they would report violent crimes to police if there were an immunity law in place to protect them.

Clients Are Important Too

Many states have passed laws requiring businesses in industries with high rates of trafficking - restaurants, hospitality, carnivals, etc - to display awareness signs asking customers to report potential labor trafficking to police. Logically, we know that customers are the people most likely to encounter trafficking victims. There needs to be a clear path for them to come forward and make these reports.

Without immunity in reporting, customers and other sex workers are left to attempt to "rescue" victims on their own, potentially creating more dangerous situations.

Public Safety Demands Equal Protection Under The Law

When sex workers and sex trafficking survivors don't have access to the equal protections of the justice system because their sex is criminalized, everyone is less safe. Serial killers like Gary Ridgeway, Robert Hansen, Joel Rifkin, the Long Island Killer, Samuel Little, and federal Border Patrol Officer Juan David Ortiz have gotten away with killing sex workers and sex trafficking survivors for years before targeting other marginalized women. It's time for policy makers to take a strong leadership role in guaranteeing sex workers and sex trafficking survivors equal access to the protections of the justice system.

Burns, T. 2021. "People in Alaska's Sex Trade: Their Lived Experiences And Policy Recommendations." COYOTE RI. <https://coyoteri.org/wp/wp-content/uploads/2021/12/People-in-Alaskas-Sex-Trade-Their-Lived-Experiences-And-Policy-Recommendations.pdf>.

Lutnick, A. 2019. "The 'Prioritizing Safety for Sex Workers Policy': A sex worker rights and anti-trafficking initiative." *Anti-Trafficking Review* (12): 140-154.

Freedom United. 2022. "Immunity for sex workers reporting crimes will help trafficking victims." *Freedom United*. <https://www.freedomunited.org/news/immunity-sex-workers-new-york/>.

Kenney, A. 2022. "Bill to protect sex workers reporting crimes passes the Colorado House unanimously." *CPR News*. <https://www.cpr.org/2022/03/21/colorado-sex-workers-reporting-crimes-protection-legislation/>.

Stardust, Z., Treloar, C., Cama, E. and Kim, J. 2021. "'I wouldn't call the cops if I was being bashed to death': Sex work, whore stigma and the criminal legal system." *International Journal for Crime, Justice and Social Democracy* 10(3): 142-157.

NYCLU. 2022. "Legislative Memo: Immunity from Prosecution for Prostitution Offenses for Sex Workers, Survivors, & Witnesses Who Report Crimes." *ACLU of New York*. <https://www.nyclu.org/en/legislation/legislative-memo-immunity-prosecution-prostitution-offenses-sex-workers-survivors>.

COYOTE RI. 2022. "Do Sex Workers and Sex Trafficking Survivors Report Crimes? A survey/story bank for sex workers and sex trafficking survivors who have been victims or witnesses of violent crimes." <https://www.surveymonkey.com/r/3Q8Z9GS>

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11 Steps to an Immunity Bill

1. Before talking to legislators, gather your *stories*, *data*, and *public support* for the immunity bill. You'll find stories in the "Story Bank" document and the folder of other stories and data in "Why sex workers and their clients need immunity in reporting violent crimes?", but email bella@coyoteri.org for stories we may have collected from your state. You can also collect stories from your local colleagues and from publicly available blacklist warnings. For now public support might just be allied groups you say would be in support of the bill. Once the bill is introduced, you can start a petition, collect letters of support, and/or try to get supportive media.
2. If you have an attorney that works with your group, ask them to draft the bill so that you can bring a draft to the legislators. This helps things go more smoothly. If you don't have an attorney's help, the legislator who decides to sponsor your bill will have a draft made, it will just take longer.
3. Go to your state's legislative website and find members of the committees dealing with criminal laws. They are often called the Judiciary Committee, the Public Safety Committee, or similar. There will be one in the Senate and one in the House (or your state's equivalents). To get a bill passed, it needs to be sponsored and passed in the Senate and House and then signed by the governor.
4. Email all of the members of the committees individually introducing your group and asking for a meeting about this important public safety issue. You may choose to attach all of your information to this email or not. Call the next day to follow up and schedule appointments.
5. If the appointment you get is with an aid, ask for it to be the aid who works on the Judiciary/Public Safety/etc committee. Don't be discouraged if you

are meeting with an aid - they do most of the work and often guide their bosses decisions.

6. Introduce yourself and briefly mention anything you have in common or connections you have.
7. Explain why an immunity bill is needed, the data, briefly tell a couple stories, and tell them about the support for the bill, then ask if they will sponsor it. Give them printed material only after you're done talking or as you go over the page. You want them listening to you, not reading your material. If they're taking notes, you're getting through to them.
8. Remember this is not a republican or democrat issue, this is about public safety. Don't get drawn off into disagreements about other issues, stay focused on your goal.
9. Once you have sponsors for the bill, schedule follow up meetings with other members of the committees and ask for their votes. Solicit letters of support from your allies, positive media, and get people to give public testimony at the bill's hearings.
10. Once the bill has made it through its committees, it will go to the floor on both sides of the legislature to be voted on by everyone. You may want to meet with or write as many legislators as possible and ask for their yes vote.
11. Next the governor has to sign it, and then it's passed!

Do you want support during this process? Email Tara Burns at hobostripper@gmail.com

Credit where credit is due: Tara learned all of these lobbying tips from Maxine Doogan when they were lobbying together for Alaska's immunity law.

The logo features the text "Call Off Your Old Tired Ethics" in a stylized, hand-drawn font. The words "Call Off Your Old" are on the top line, and "Tired Ethics" is on the bottom line. The text is positioned over a map of the state of Rhode Island, which is colored in shades of orange and brown.

Important Elements of an Immunity Bill

1. Ensure Protections for Victims AND Witnesses Who Make Good Faith Reports

Sex workers and sex trafficking survivors may be victims of a crime, witnesses to a crime, or may have information about a crime shared with them by a client.

2. Include Clients

Clients are first responders in cases of actual sex trafficking and need to be able to report to police without personal, social, or legal risk.

3. Protect Associates

Currently, immunity bills protect only the reporting person, leaving associates (those who have shared housing or hotel rooms, or are otherwise associated) vulnerable to prostitution, promoting prostitution, pandering, or sex trafficking charges in various states. In states where existing statutes would allow, protection from these kinds of charges for associates should be included in the bill.

4. Expand on Reportable Crimes

Though some states have tried to limit the scope, reportable crimes should include all crimes against people. These are not limited to, but include all degrees of assault, sexual assault, extortion, robbery, trafficking, child pornography, sexual assault of minors, and murder.

5. Establish True Immunity

Evidence gained from the report should be permitted to be used to charge or investigate the reporter or their non violent associates in the future.

6. Nullify Any Requirements after Reporting

Long term requirements for the reporter to obey police or testify at a trial to avoid future arrest harm reporters and discourage reporting. Providing true immunity means excluding these requirements and focusing on protection for the reporter.

The logo features the text "Call Off Your Old Tired Ethics" in a stylized, hand-drawn font. The words "Call Off Your Old" are on the top line, and "Tired Ethics" is on the bottom line. The text is positioned over a light-colored background that includes a faint outline of the state of Rhode Island.

Frequently Asked Questions

Won't sex workers just go report something to the police right away so that they can never be arrested?

No. First, that would not be a good faith report. Second, they wouldn't be protected from future arrest unless the arrest was made with the information gained from their report. Third, sex workers and sex trafficking survivors are afraid of police. We usually won't contact them voluntarily unless we are motivated by a serious danger to our community.

What if they save a crime and try to report it when they're caught in a sting to avoid arrest?

That wouldn't be a good faith report, and the evidence against them that was gained in the sting would not be subject to immunity.

Should we just let anyone get away with any crime if they report some other crime?

There are certainly arguments to be made for prioritizing crimes against *people* above crimes against *property*, but that's not what this bill is about. This bill is about prioritizing public safety over charging someone with a misdemeanor for having private, consensual, adult sex that is a crime against some people's *morals*.

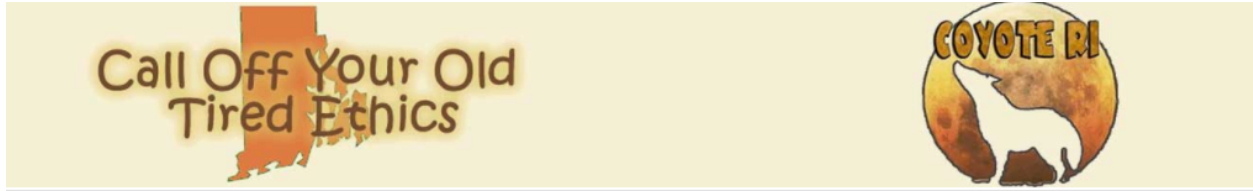
Is there a fiscal note? Will this cost money?

When victims and witnesses of violent crimes don't fear police a lot of investigative resources can be saved.

Why not an affirmative defense bill instead?

An affirmative defense allows someone who has been charged with prostitution the opportunity to prove that they were a sex trafficking victim in order to get the charges dropped. Before they can access this defense, they have to be arrested and charged with prostitution, which often involves having their name published in the newspaper. Victims rarely want to attempt to prove in a public hearing that they were victimized in order to get charges dropped, especially if they've already gone through the arrest and public stigmatization.

Aside from being such a horrendous process for victims, affirmative defenses do nothing to increase the voluntary reporting of sex trafficking or other violent crimes.



Examples of Immunity Bills

[Alaska, 2016, SB91](#)

<https://www.akleg.gov/basis/Bill/Text/29?Hsid=SB0091Z#:~:text=Enrolled%20SB%2091%3A%20Relating%20to,service%20of%20a%20sentence%20of>

[California, 2019, SB233](#)

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB233

[Colorado, 2022, HB 22-1288](#)

https://leg.colorado.gov/sites/default/files/documents/2022A/bills/2022a_1288_01.pdf

[Montana, 2021, HB520](#)

<https://leg.mt.gov/bills/2021/billpdf/HB0520.pdf>

[New Hampshire, 2021, HB123](#)

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?id=93&txtFormat=html&sy=2021

[Oregon, 2019, SB596](#)

<https://olis.oregonlegislature.gov/liz/2019R1/Measures/Overview/SB596>

[Utah, 2019, HB40](#)

<https://le.utah.gov/~2019/bills/static/HB0040.html>