



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

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November 1, 2023

Senator James Eldridge
Chair, Joint Committee on the Judiciary
State House, Room 511-C
Boston, MA 02133

Representative Michael Day
Chair, Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

RE: H1579/S983, An Act to strengthen justice and support for sex trade survivors

Dear Chair Eldridge and Chair Day:

I write in support of H1579/S983, An Act to strengthen justice and support for sex trade survivors, otherwise known as the "Equality Model Bill." This bill would decriminalize the act of selling sex while leaving in place criminal liability and penalties for individuals who pay for sex and/or engage in sex trafficking. The bill also provides for expungement of past convictions related to prostitution-type offenses, such as common nightwalking or streetwalking and prostitution.

I would like to thank Representative Mary Keefe, Representative Tricia Farley-Bouvier, and Senator Cindy Friedman for their leadership in filing this bill and their advocacy on behalf of sex trade and trafficking survivors.

The Equality Model promoted in this bill is consistent with our own Commonwealth's Anti-Trafficking Task Force's philosophy and mission statement. The Commonwealth's Anti-Trafficking Task Force is a statewide, multidisciplinary, collaborative approach for combating both labor and sex trafficking in Massachusetts. As part of our mission statement, we say:

The CAT Task Force believes that adults and children of all genders, races, nationalities, religions, and socio-economic backgrounds should live without risk of exploitation and should be treated with respect. The Task Force commits to prioritizing the safety of individuals trafficked throughout all stages of identifying and responding to instances of human trafficking. By centralizing and coordinating the response to survivors, each person's needs will be identified and addressed in a more efficient, comprehensive, and effective manner. Funding will strengthen the Commonwealth's current collaboration with service providers and law enforcement by formalizing existing partnerships. All identified victims will be offered access to services upon identification, regardless of if an investigation or prosecution moves forward.¹

The Task Force explicitly commits to not prosecuting trafficking victims for engaging in commercial sex. This commitment is consistent with what we have learned from survivors – that commercial sex is not “work,” and it is not a freely chosen career path. At the Attorney General's Office, we too evaluate each case from a multidisciplinary and collaborative approach. The Equality Model fits with our philosophy and understanding of the inherent exploitation of prostituted persons.

The Legislature already recognized this exploitation in 2011 when it enacted “An Act Relative to the Commercial Exploitation of People.” This law created Massachusetts' sex trafficking statute, which criminalized a broader category of conduct with respect to commercial sex and recognized that a person who is sold for sex is a victim of a crime, not an equal participant in illegal activity. This bill expands on the notion recognized in our trafficking statute that buying a person for sex is abusive and dehumanizing.

This legislation acknowledges the lived reality of survivors and is responsive to that reality.

I encourage the Committee to report this bill favorably. If you have any further questions, please contact Anne Johnson Landry, Chief of my Policy and Government Affairs Division, at (617) 963-2027.

Sincerely,

A handwritten signature in black ink, appearing to read 'AJC', with a stylized flourish at the end.

ANDREA JOY CAMPBELL

¹ Commonwealth's Anti-Trafficking Task Force Guiding Principles, at 7.