



The Georgia Green Party

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Ecological Wisdom • Grassroots Democracy • Social Justice • Peace & Non-Violence
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Tuesday, January 14th, 2020

The Honorable Brian Kemp
Governor of Georgia
206 Washington Street
Suite 203, State Capitol
Atlanta, GA 30334

We write to express our shared concern for addressing sex-trafficking and the commercial sexual exploitation of mostly women and children in Georgia. We appreciate the work of Marty Kemp to enlist folks outside of law-enforcement in this effort with training asking that when we see something, that we say something. And we appreciate your focus on the prosecution of the pimps who profit from this exploitation, and the johns whose pandering creates a market for an industry in which women are subjected to rape, sexual and physical assaults and sexual harassment as a part of the 'job' description.

But we urge a more comprehensive approach, specifically that you look to the Nordic Model for the abolition of prostitution and to craft a more comprehensive approach to shutting down the operation in Georgia of this exploitative industry estimated at \$100 billion in global annual revenues, fueled by a carnage measured in the exploitation of the lives of women and children. **Key to doing so is to enlist in this effort our most obvious allies, the mostly women exploited for the profit of the pimps, the very ones who endure daily rape by the panderers.**

Nordic Model reforms have been supported by the Platform of the Green Party of the United States since our 2004 Milwaukee Presidential Nominating Convention. The leadership of the Georgia Party wishes to work with your administration to bring these important reforms to Georgia.

Nordic Model reforms have spread from Sweden (with its 1999 Prostitution Reform Act) till they are now national law in Norway, Iceland, Northern Ireland, Canada, France, Ireland, and most recently, Israel.

A study published in 2008 (accessible to an English speaking audience through the research of Dr. Max Waltman) on the impact of the sex purchase act in Sweden in 1999 showed that the enforcement of laws that

- ✓ criminalize pimping and pandering,
- ✓ protect those prostituted by the industry from prosecution,
- ✓ offers survivors social support sufficient to an exit strategy, and
- ✓ leverages public educational resources to address mens' sense of entitlement to sexual access to women's bodies,

that these initiatives taken together are effective in bringing about the **abolition** of the industry.

The 2008 Swedish study found that the mostly women working in prostitution had declined from an estimated 3,000 before the implementation of the 1999 law to about 600 eight years later. Wire tap evidence used in their prosecution reveal that sex-traffickers in Europe are consciously avoiding Sweden which now shows the lowest rates of trafficking in all of Europe. Meanwhile Germany and Holland which have adopted policies of decriminalization (for johns, pimps and brothel keepers) are showing the most egregious abuses by sex-traffickers.

Our research shows that at least a near majority of women being exploited in prostitution were first victimized by the trade while still minors. The most cautious numbers we have seen come from the Polaris Project which has shared that they do not ask this question, yet 44% of their mostly adult help-line clients who have self-reported their age of entry into the industry, say they were minors at the time. In the nine-country update on PTSD study cited below (by Dr. Farley, et. al.) citing the work of previous researchers, the authors state that 'the average age of recruitment into prostitution in U.S.A. is 13-14 years', suggesting that the rate at which prostituted women are first commercially exploited as minors is far higher.

Regardless of the age at which prostituted women were first victimized by **commercial** sexual exploitation, far too many of them were earlier victimized in non-commercial encounters as children , often in the form of incestuous abuse by family members. That same nine-country study cites eight studies by seven sets of

researchers to conclude that “55% to 90% of prostitutes report a childhood sexual abuse history”. In another article by Dr. Farley, “Prostitution: An Extreme Form of Girls’ Sexualization”, she reviews the literature to report:

- that ‘90% of teenagers in prostitution had been sexually abused by caregivers or neighbors’ (citing Newton-Ruddy and Handelsman);
- ‘an extremely high level of childhood abuse and trauma in the lives of women who were prostituted, including 96% who had run away from home and 78% who had entered prostitution under the age of 18’ (citing research by Silbert and Pines);
- ‘70% of prostituted young women said that the childhood sexual abuse influenced their decision to enter prostitution’ (also Silbert and Pines);
- ‘children who had been sexually abused were 28 times more likely to be arrested for prostitution later in their lives’ (citing Widom and Khuns);
- ‘73% of 45 prostitution survivors had been sexually abused as children, in contrast to 28% of non-prostituted controls’ (citing Bagley and Young);
- ‘women who had been sexually victimized in childhood engaged in prostitution more than twice as often as nonabused detainees did’ (citing research by Foti of 1,240 jailed women).

We believe it is safe to assume that any behaviors which might otherwise be subjected to criminal sanction by state statutes and local ordinances prohibiting prostitution and solicitation were likely the result of ongoing trauma these mostly women have experienced since being children, and assume that a woman's reaching the age of majority does nothing to end that trauma, or to help her heal from it, or to suddenly make her ready to engage in life absent that trauma.

We also know (Dr. Farley's 9-country study, cited below, which has been frequently replicated by other researchers) that 89% of those in prostitution are not interested in reforming the industry (as self-described sex-worker advocates have told us) but only in finding a way out. That same study found rates of traumatic brain injuries which rival that of pro-football players; rates of PTSD unknown by all except rape victims, combat veterans and survivors of torture.

This evidence directly contradicts the narrative we see in popular culture, by the 'sex-worker' advocates for the industry who paint 'sex-work' in the happy colors of a Julia Roberts romantic comedy, with young women making empowering choices to

pay their tuition. Their pimp-inspired talking points urge the full decriminalization of the industry, and serve to normalize the purchase of sex, by grooming both women and girls for their own objectification, while grooming men and boys to devalue women and girls.

This dangerous narrative has made its way last year into the legislative process in New York, Rhode Island, New Hampshire and Washington DC; into the Presidential Primary campaigns of Kamala Harris, Elizabeth Warren and Bernie Sanders, and served as inspiration for the open letter endorsed by over 350 Survivors of Prostitution and 1,000+ allies (cited in the references, below).

Despite the rhetoric of those advocating (including in publications like Teen Vogue, aimed out our kids) for the decriminalization of pimping and pandering, that women are making an 'empowered choice' to sell their bodies to put food on their plate, a roof over their kids heads, we know from a wide number of researchers that nearly all felt coerced into the trade by a lack of economic alternatives, were prepared for this 'choice' by a history of physical and sexual abuse as children.

And that brings us to OCGA 16-3-6(b)(2), enacted in 2015, as SB-8, the Safe Harbor / Rachel's Law Act. Safe Harbor is built on the premise that minors subjected to commercial sexual exploitation, including that of run aways engaged in survival sex who may have so far avoided exploitation by pimps, need the support of our social agencies, and not to be further traumatized with prosecution by solicitors and district attorneys.

Grateful as we are for the important leadership of Senators Unterman, Butler and other members of the Assembly for this powerful framework, this safe harbor statute leaves the door open for prosecuting women exploited in prostitution where they were not '(a)cting under coercion or deception'.

The reforms we write to recommend for your consideration which takes us a step closer to the Nordic-inspired policies which have been shown to make material progress towards the **abolition** of this exploitative industry would be:

to provide for a presumption that anyone engaged in prostitution or solicitation under Code Section 16-5-46 and related local ordinances was indeed acting under 'coercion or deception'; and ought as a consequence of that presumption, to be protected from prosecution.

We ask that the state of Georgia recognize as a coercive force the desperate economic conditions which largely drive women into such 'choices', even the small

number who may theoretically engage in prostitution of their own volition and without the coercion of a pimp.

We do not want to see law enforcement officers arresting prostituted women in Georgia only to leave it to the Courts to sort out between prosecuting attorneys and some overworked public defender whether 'coercion or deception' was at play. We suggest that the Assembly ought to save them all the trouble.

We urge **a presumption** that whether it be ongoing childhood trauma, or economic deprivation, that at least the 89% cited by the Farley study linked below and who encounter law enforcement while engaged in prostitution **have been coerced** into their predicament, and ought to be provided the support of the state sufficient to constitute an exit strategy, an opportunity to heal from the trauma they have suffered, a chance at building a new life free of such exploitation. We believe that the state interest in bringing about an abolition of this industry founded on mens violence towards women, a sense of entitlement to their bodies, is served by not trying to sort out what motivates the other 11%, or who belongs to which category or whether any individual engaged in solicitation ought to be prosecuted.

If we can address the demand, by focusing law enforcement resources on prosecuting pimping and pandering, there will be no market seeking a supply of women soliciting.

Obviously changing OCGA 16-3-6(b)(2) to provide for such a presumption only gets us part of the way there.

Small tweaks will be needed to the enabling legislation for the Safe Harbor Commission and its fund 'to provide care and rehabilitative and social services for sexually exploited' survivors of the sex trade, whether they be children or not.

Although the Safe Harbor for Sexually Exploited Children Fund created with the adoption of Constitutional Amendment #2 during the 2016 General Election implies that it is specifically for children, in fact, its constitutional mandate is somewhat broader, having been established "for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative and social services to individuals in this state who have been or may be sexually exploited". The reforms we urge will require no new amendment to the constitution for their implementation, and the Assembly would be operating within its existing power to expand on the assessments already in place to fund the broader programs we urge to provided the programs critical to a successful exit strategy for the 89% of prostituted people who have told researchers they want a way out.

This additional funding will be needed to accommodate the larger client base for social services which these changes will generate. And we will have to find funds to build new capacity for the battered women's shelters and other social services necessary to facilitate an effective exit from the industry. We will have to ask the folks at the Georgia Peace Officer Standards and Training Council to develop new protocols, to help retrain law enforcement officers across the state to treat these mostly women and children as victims of criminal exploitation rather than as criminal defendants.

But there will also be advantageous budget impacts for our county jails and prosecuting attorneys offices which will no longer be used to re-traumatize those exploited by the sex trade, to treat victims as if they were perpetrators and criminals. Our state will benefit by denying organized crime syndicates the women whose exploitation funds their profits.

And as Nordic-inspired policies take hold in Georgia, traffickers will cross state lines and leave our runaway kids alone.

Our Party stands ready to help your administration engage with the work of the researchers who bring peer-reviewed scientific knowledge on the operation of the sex trade, as well as the survivors whose lived experience informs their work to the task of building agreement among members of the General Assembly for these important reforms.

We look forward to working with you towards these ends.

Yours for a just and sustainable future,

Kweku Lumumba, co-chair
Denice Traina, co-chair
LeRoy Bartell, treasurer
Hugh Esco, secretary

P.S. Throughout this letter we have used gendered language to reflect the largely gendered nature of commercial sexual exploitation. This is not intended to deny that boys and men are also exploited by men's sexual predation, nor that male victims of commercial sexual exploitation need not be afforded the protections we urge above for girls and women who are similarly situated.

P.P.S. We urge that you communicate with our party Secretary directly whom we have asked serve as a point person for our work on the issues raised above. Hugh Esco can be reached at 912-571-1833 (cell, sms).

References:

SB-8(AP) Safe Harbour

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An open letter from Survivors of Prostitution and Trafficking

<https://www.spaceintl.org/media/survivors-say-no-full-decriminalization-of-prostitution/>

Prostitution Research and Education

<http://prostitutionresearch.com/>

Nordic Model Now

<https://nordicmodelnow.org/>

Equality Model New York

<https://www.equalitymodelny.org/>

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Kajsa Ekis Ekman, *Being and Being Bought: Prostitution, Surrogacy and the Split Self*

<https://www.charisbooksandmore.com/book/9781742198767>

Dr. Melissa Farley, *Prostitution and Trafficking in Nevada: Making the Connections*

<https://www.charisbooksandmore.com/book/9780615162058>

Rachel Moran, *Paid For: My Journey Through Prostitution*

<https://www.charisbooksandmore.com/book/9780393351972>

Dr. Max Waltman

Prohibiting Sex Purchasing and Ending Trafficking: The Swedish Prostitution Law

<https://repository.law.umich.edu/mjil/vol33/iss1/507/>

Dr. Melissa Farley, Ann Cotton, Jacqueline Lynn, Sybille Zumbeck, Frida Spiwak, Maria E Reyes, Dinorah Alvarez and Ufuk Sezgin

Prostitution & Trafficking in Nine Countries:

An Update on Violence and Post-Traumatic Stress Disorder

<http://prostitutionresearch.com/prostitution-trafficking-in-nine-countries-an-update-on-violence-and-post-traumatic-stress-disorder/>

Dr. Melissa Farley

Prostitution: An Extreme Form of Girls' Sexualization

Eileen L Zurbriggen and Tomi-Ann Roberts,

The Sexualization of Girls and Girlhood: Causes, Consequence and Resistance

<https://prostitutionresearch.com/wp-content/uploads/2016/08/Sexualization-of-GirlsProstitution2013.pdf>