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****ASSEMBLY FLOOR ALERT****

Senate Bill 233 (Wiener) — Immunity from Arrest.

SUPPORT

SB 233 allows victims and witnesses of violent crimes to come forward without fear of arrest in relation to misdemeanor drug and prostitution related offenses. This bill also makes the mere possession of condoms inadmissible as evidence for arrest or prosecution for prostitution related criminal charges.

In a report by the World Health Organization (WHO), “Addressing Violence against Sex Workers” it was recommended that “All countries should work toward decriminalization of sex work and elimination of the unjust application of . . . laws and regulations against sex workers.” SB 233 begins the job of giving sex workers fair and just access to police protection. In the section of that report titled “Forms of violence faced by sex workers” the WHO sets forth some “Human-rights violations that should be considered in conjunction with violence against sex workers . . . being arbitrarily stopped, subjected to invasive body searches, or detained by police . . . being arbitrarily detained or incarcerated in police stations . . . without due process . . . being arrested or threatened with arrest for carrying condoms . . .”

The ability of sex workers to come forward and report violent crime without fear of arrest is an excellent step in protecting some of the least powerful in our society. There is a large body of evidence showing that when sex workers are able to report violence, either committed against themselves or that they have witnessed committed against others, that levels of violence against sex workers fall.

The ability of sex workers to carry the necessary number of condoms, without fear of targeting or arrest because of it, will also have a large impact on the public health. Studies conducted by organizations like the CDC and the NIH have found that regular and effective use of condoms can reduce the transmission rate of HIV by 90% - 95%. This coupled with the reduction in violence against sex workers, and the accompanying further reduction of HIV infections, will help to provide safety and stability not only for sex workers but for everyone, in communities throughout California.

For all of the reasons mentioned above, the CCLA strongly urges an “Aye” vote for Senate Bill 233 (Wiener).

“Indifference to personal liberty is but the precursor of the state’s hostility to it.”
— Justice Kennedy, U.S. Supreme Court