

WOMEN ON THE RISE!

Women on the Rise is a membership based organization of women impacted and/or targeted by the criminal justice system. We work to educate, heal, and empower ourselves, one another, and our communities, and demand deep changes needed in the criminal justice system. **Women on the Rise opposes** the proposed Ordinance to amend Chapter 106, Article IV, Division 1, Section 106-127¹ and proposes alternative solutions to the complex problem of street level sex work.

Why We Oppose:

We are women, many of whom know firsthand about poverty, drug addiction, exploitation, incarceration, and discrimination against those with criminal records. We know firsthand about the epidemic and trauma of sexual abuse and how it can drive a young woman or transgendered person into painful and dangerous behaviors, including street walking. We know that no young girl aspires to be a street level prostitute – that it is a profession of desperation and last resort. And we know from experience what helps women make better choices and build a better life, and what drives us deeper into dangerous shadows and leaves us more vulnerable and without choices or options for a better life.

It is from this perspective that we oppose any sanction that we believe punishes victims of exploitation and are ultimately ineffective at reducing prostitution. If the Council's real objective is not merely to make certain areas of Atlanta "prettier" for tourists nor to simply jail and banish poor, sexually exploited girls and women, but to truly address the causes and consequences of street level prostitution, we contend that there are far better solutions.

We are disappointed that the Council, when looking to address this important issue, seems to have relied primarily on the Police Department for suggestions and information. It is common understanding that street level prostitution is a **public health issue** and that here in Atlanta there are organizations and agencies which do the daily hard work of trying to get women off the streets and into a better life. We haven't found even one that was contacted by anyone in the Public Safety Committee requesting input or suggestions. Further, we are troubled that the committee did not seek to speak to any of the women or transgendered people actually engaged in this work or with prior convictions for it. Certainly the Council agrees that these individuals are stakeholders in this conversation and their voices should be heard.

As Women on the Rise, we are deeply invested in stopping the exploitation of women and transgendered people, and in strengthening communities, and reducing violence and crime. It is with this concern and investment that we offer the following suggested solutions.

Our Solution:

(1) Invest in prevention services:

First and foremost, we propose that the city council invest heavily in proven **prevention and intervention services outside the jurisdiction of the police department** and the criminal justice

¹ *This ordinance calls for increased criminal penalties for sex workers and those who solicit them - including increasing the mandatory sentence of imprisonment for a first offense from 15 days to 180 days and banishment from designated areas of the city ("Areas of Prostitution") for the duration of their probation. It reaffirms existing law to allow for banishment from the entire city of Atlanta and maintains steep fines for anyone convicted of a second violation.*

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system. Organizations and agencies such as the Atlanta Harm Reduction Coalition and others understand this problem and what it takes to address it and are woefully underfunded and under-resourced. We contend that intervention and services outside of jails are the most cost-effective and have the best results. Again, if what the council is interested in is curbing and reducing street level sex work, organizations that provide crisis intervention, mental health care, family reunification, education, and other services are what is needed. We request that the City Council research possible funding streams from the federal, state, and local level for future funding. And as the council has indicated this is a time sensitive issue that needs immediate attention, we ask the council to immediately divert funding to these services as well.

(2) Accountability Courts:

In the case of arrest, we suggest an amendment that mandates the person arrested be sent to one of the available Accountability Courts/Community Courts which order direct services through court approved agencies and community providers for a 180 day period. For those convicted of prostituting, one set of services would be made available, for “johns” another, including “john schools” and programs designed to reduce sexism and violence against women such as Men Stopping Violence and others. “Johns” could also be fined and the resources put toward a Sex Victim of Sexual Exploitation Fund. We suggest that judges be given the discretion to order and provide safe zones around the women as abuse victims and to provide TPOs as a sanction for “johns” and pimps. As part of this amendment, the following would be true:

(a) No banishment: Eliminate any reference to or mandates for banishment as a penalty for street level prostitution.

(b) No jail time and no additional fines or fees for women arrested for street walking!

Jail and excessive fines and fees cause additional trauma and financial burdens on women and families that adversely affect intended outcomes. *Eliminate* jail time for those arrested who participate in and complete accountability court mandated programs. In addition, *waive all fines and fees* upon successful completion of the court mandated program.

(c) Dismissal of charges and expungement of arrest upon completion of the court mandated program. As many of us know, criminal records create further barriers to housing and employment -- basic needs, which, if unattainable, can send a desperate person back to the streets. If a person completes the program set by the court, the underlying charges should be dismissed and the arrest record expunged.

(3) Focus on the Exploiters, Not the Exploited

We understand that laws governing trafficking and “pimping” are the jurisdiction of the state. However the City Council can play a leadership role in refusing to punish and stigmatize women who are exploited by pimps and traffickers. The City Council can convene a task force or commission to explore holistic solutions to prostitution and submit recommendations to the state which clearly target those who are abusing and exploiting women. Laws governing prostitution should prioritize protecting those who are being sexually exploited from the pimps and johns who keep them in bondage.