

Maggie Kerrin ~ Testimony Provided to House Government Operations ~ April 7, 2022

Good afternoon, and thank you for the opportunity to testify before House Government Operations today on behalf of New Englanders Against Sexual Exploitation (NEASE). NEASE works as a regional force to confront sexual exploitation, including prostitution, and sex trafficking of men, women, and children.

(2014-Then Chittenden County States Attorney) Donovan and many others in Vermont law enforcement remember the case of Christal Jones. The 16-year-old from Burlington was a chronic runaway in foster care who was found murdered in New York City in 2001.

Investigators at the time said Jones had been roped into a life of selling sex by traffickers who exploited her desire for money to buy heroin. "These are tragedies we can avoid," Donovan said. "But it's going to take all of us raising awareness and understanding that the issue of prostitution is not about sex. This is about heroin, this is about violence against women, and it's, in many cases, about human trafficking."

This is why NEASE exists - to protect those in our society who are most vulnerable to sexual exploitation. And I am here today on behalf of NEASE to bring awareness to the reality of what removing this language from the Burlington City Charter will mean.

Burlington City Councilors would have you believe this is just about removing antiquated and offensive language from their charter. In fact, testimony was given repeatedly by experts on sexual exploitation, trafficking, and prostitution, and by survivors of trafficking and prostitution themselves, to not remove, but instead, improve the language, while maintaining the ability to regulate trafficking and prostitution in the community. Instead the council chose to move forward with the language removal in its entirety.

This action also removes the City Council's ability to regulate criminality associated with prostitution. As you are aware, that ability would only be re-instated if the City Council chose at some point to re-address this in a future charter change. As we have seen, this is a cumbersome, and lengthy, process. The better move would be for the legislature to reject this misguided and dangerous elimination of all language authorizing the city control of prostitution, and send the City Council back to the drawing board where they could instead replace the antiquated and offensive language with updated language. In fact, several members of the Burlington City Council suggested doing exactly that in public hearings.

Burlington City Council often repeated that this will not, in effect, legalize or decriminalize prostitution due to State laws that maintain criminalization. What Burlington isn't acknowledging is that this charter change does indeed set the stage for legislative decriminalization at the state level. House Representative Selene Colburn (former Burlington City Councilor), who has sponsored all decriminalization bills introduced in the legislative sessions repeatedly since 2020, has publicly and repeatedly stated that she supports, "the full decriminalization of consensual sex work, as I've shared many times with this body (Burlington City Council), for reasons of public health and safety, as well as civil liberties." Representative Colburn was a constant figure throughout the Burlington City Council meeting procedures, frequently providing testimony in support of this movement.

It is very important to understand the effects of full decriminalization, and how this change will indeed effect Vermont and its citizens – especially our most vulnerable.

Over the past few months I have gathered articles regarding prostitution and sex trafficking in Vermont including articles regarding cases in Bennington (2013), Burlington (2019, 2016), Ludlow (2020), Rutland (2021, 2015), South Burlington (2014), and Saint Albans (2021). The vast majority of sex trafficking cases begin as prostitution investigations. If you erase prostitution as a crime you lose probable cause to investigate sex trafficking. Most cases begin on the local level. Burlington has effectively cancelled its ability to detect sex trafficking despite the city council's claims.

In a recent interview on The Morning Drive, Christina Nolan (Former US Attorney) was asked, "Based on your experience of investigating human trafficking, is it a Burlington problem? Or is this a statewide issue?"

Christina's response was, "It's statewide. It's absolutely everywhere."

Amirah, Inc., (Massachusetts) is one of the largest providers of exit and aftercare services to women exiting the commercial sex trade in New England. Amirah works with women who are U.S. citizens, and to date 61% of the women served in the residential program were sold for sex in Vermont at some point while in prostitution.

In its 11 years of work, Amirah served over 400 women bought and sold in the commercial sex trade.

They have learned through the stories of the women from Vermont, who were exploited here in Vermont, that the commercial sex trade is particularly active in Burlington and is directly connected to gang activity. Other areas of well-known activity occur in Montpelier and Stowe.

Those who survived the Vermont sex trade experienced:

- Brutalization from gangs
- Hospitalizations for broken pelvis, complete jaw replacement, severe beatings
- Physical humiliation (i.e. head shaved by trafficker to force submission)
- Encouragement to use opioids and fentanyl, along with continued support in abusing these substances
- Their family members were targeted by traffickers and gang members
- Inability to go back to hometown and former residences out of fear for lives

What I hope you will understand by the end of my testimony is that this act is not simply about removing antiquated and offensive language from Burlington's City Charter. It is removing the City's ability to be able to handle situations that are already occurring in their city district. It is about paving a road towards full decriminalization. And it is about stamping a seal of approval on these types of abuse of men, women, and children.

As I testified before the Burlington City Council, once you create a market, you need to be able to supply that market. That market is fed by the trafficking of innocent, vulnerable citizens through force, fraud, coercion, deceit, manipulation, and drugs necessary to feed an addiction. It is rarely by free choice. The vast majority of those in the sex trade either began as a minor (which is by definition, a human trafficking victim) or were compelled by force, fraud, and/or coercion. Most of the small remainder were pushed into it by poverty and a lack of other options, and would leave the sex trade if they had other means of survival.

I want to share the perspectives of three Subject Matter Experts: Former VT Us Attorney Christina Nolan; New England Survivor Leader Nikki Bell; and (then) Chittenden County State’s Attorney T.J. Donovan.

Transcript of Kurt Wright and Christina Nolan, Former US Attorney on The Morning Drive (2021)

Kurt Wright: “I’m looking at this right now, the proposal was by Councilor Perry Freeman, and what she put into her resolution as benefits of legal sex work included reduced client violence, a greater willingness for sex workers to report violence, increased safety for LGBTQ sex workers, reduced transmission of HIV.”

Christina Nolan: “I think it’s a really important issue. And you know, as we’ve talked about previously on the show, the first responsibility of government is public safety. And every form of government needs to be thinking about whether Vermonters, and people coming into Vermont, are going to be safer for particular policy proposals. And I’m here to say now that, emphatically, people are going to be less safe if we decriminalize or legalize prostitution. And the people who are going to be most at risk are going to tend to be young women. Typically, not only women, men too. Transgender people are at risk for this. But people who, in our cases we’ve uncovered in Vermont tend to be young women who have suffered very serious trauma in their past, and/or are addicted to drugs. They tend to be the victims of sex trafficking. Prostitution, there’s almost no such thing as simple prostitution, almost no such thing. It almost always involves a dark power dynamic, involving force, threats, or coercion, such as the withholding of drugs, forced prostitution, coerced prostitution, threats of violence or actual physical violence, to coerce prostitution. Financial coercion. You have immigration status threats.

I think Councilor Freeman, everyone else on the city council, who by the way, is responsible for public safety, that council’s responsible for public safety. They know that sex buyers are notoriously violent. Physical and sexual assault by sex buyers is commonplace.

Anti-Trafficking Groups Raise Concern over Burlington Sex Work Measure (2021)

Nicole Bell is a survivor of prostitution from Massachusetts and helps others cope with their trauma. She points out that prostitution is seldom consensual and that the buyers and exploiters should be held accountable. “Is it really two consenting adults or is it someone in a position of power exploiting another person’s vulnerability” she said.

<https://www.wcax.com/2021/10/25/anti-trafficking-groups-raise-concern-over-burlington-sex-work-measure/>

Vt. Prostitution Sting Spotlights Links Between Heroin, Sex Trade (2014)

“What we have to do is raise awareness,” **Chittenden County State’s Attorney T. J. Donovan** said of prostitution. “It’s putting women at risk.”

Donovan said many prostitutes are drug addicts desperate to feed their habits. “We can’t separate the issue of prostitution from the heroin epidemic that’s happening in this state.”

Donovan said he believes reminding the public that prostitution goes hand-in-hand with drugs and violence may be a first step toward turning the tide and maker for safer communities.

<https://www.necn.com/news/local/vt-prostitution-sting-spotlights-links-between-heroin-sex-trade/97356/>

This Burlington Charter change has implications for the whole state, in fact, implications for the region because sexual exploitation, prostitution, and sex trafficking know no borders.

The state legislature should not endorse a misguided policy promoted publicly as a mere language fix but celebrated privately as an important step toward decriminalizing the entire, violent, abusive sex trade.

Respectfully submitted,

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