



To the Members of the Pennsylvania Legislature:

We are survivors of human trafficking, sexual exploitation, and those who have been criminalized and incarcerated as a direct result of those experiences. We are people currently and formerly in the sex trade. We are advocates, researchers, legal professionals, service providers, clinicians, practitioners and community members who stand with them. We are the people whose lives are most directly shaped by the legislation this body is considering, and those who witness that impact every day. We write to you not as a monolith, but as a community with a range of deeply held and consequential perspectives on what safety and justice actually look like.

We want to be very clear: we share the goal of protecting survivors, children, and our communities from trafficking and exploitation. Our opposition to SB 45 is not about that goal. It is about the approach and about who gets harmed through expanded criminalization rather than evidence-based prevention and protection measures.

We are writing to urge you to **vote no on Senate Bill 45 on June 1**, or at minimum to table the bill until its consequences have been fully considered with the **meaningful input of the people most impacted by it**.

Pennsylvania already has the tools to hold traffickers accountable. Under existing law, human trafficking convictions carry sentences of up to 40 years in prison and Pennsylvania courts are using them. SB 45 does not strengthen accountability for traffickers. It expands the criminalization net around survivors.

Why SB 45 is harmful: SB 45 relocates all prostitution related offenses into the human trafficking chapter and dramatically expands criminalization of survivors, people in the sex trade, and the people closest to them as well as conflating these experiences. Specifically:

1. The definition of prostitution is broadened to include “**any exchange of sexual activity for money or something of value**”, capturing a far wider and more vague range of conduct than current law, including survival sex, which is often how vulnerable people escape their traffickers or meet basic needs in the absence of any other option.
2. The "promoting prostitution" language is an offense broad enough to criminalize anyone financially connected to a person in the sex trade*:
 - Roommates splitting rent
 - Partners sharing household expenses
 - Family members receiving financial support

These are the people survivors depend on most when trying to leave a dangerous situation. This bill gives prosecutors the tools to incarcerate our loved ones for helping us in our most vulnerable moments.

3. Amendment A02992 expands the consequences further. It classifies felony promoting prostitution convictions as a "felony sex offense" for professional licensing purposes, barring people from nursing, social work, counseling, teaching, and any other state-licensed profession.*

According to a National Survivor Network survey, 90% of sex trafficking survivors reported experiences of arrest, often for offenses under similar anti-trafficking legislation. Of those, 81% reported their criminal history as a barrier to obtaining employment and 55% as a barrier to housing. **Given that survivors themselves are most often the ones being charged with these offenses, this amendment would increase the barriers survivors already face in trying to rebuild their lives after trafficking.**

4. The bill includes a catch-all provision criminalizing anyone who receives any benefit in exchange for agreeing to perform any of the listed promoting acts, with **no requirement to prove intent to exploit or harm**. By relocating this language from the prostitution statute into the human trafficking chapter, the broadly worded provision carries felony classifications, sex offense designations, and professional licensing consequences that did not previously apply. The result is an extraordinarily broad grant of prosecutorial discretion against people tangentially connected to the sex trade.

This bill **does not decriminalize anything for trafficking survivors** or people in the sex trade. In fact, it does the opposite by expanding the definition of prostitution to include any exchange of sexual activity for money or something of value, ensuring **even more survivors will be prosecuted**. While the bill flattens the penalty grade for the prostitution offense itself, it simultaneously broadens the definition to capture more conduct, and does nothing to decriminalize the survival strategies, relationships, and support systems that survivors depend on. It adjusts one charge while dramatically expanding the consequences for everything surrounding it.*

By increasing the criminalization net around survivors and the people they depend on for stability, **this bill makes their situations more dangerous, not less**. Survivors cannot safely report their traffickers, access services, or seek help when they risk arrest to do so.

A bill that increases isolation and criminal exposure for the people it claims to protect is not protection. So we have to ask: who is this bill actually for?

We have seen this before, in Pennsylvania and across the country:

- Survivors arrested and charged during trafficking investigations, with charges used as leverage to force testimony against their trafficker
- Survivors unable to testify against their abuser due to ongoing threats of violence, shared children, coercive control or retaliation—leaving them prosecuted while their trafficker goes free
- Survivors losing custody of their children after felony convictions for actions they were coerced into taking on behalf of their trafficker
- Survivors denied housing, employment, and services because of criminal records resulting from their own exploitation
- Survivors too afraid to report their traffickers, seek medical care, or access services because doing so exposes them to prosecution

SB 45 does not address any of these patterns. It expands them.

What this looks like in real life*:

A survivor who recently escaped her trafficker is exchanging sex for housing because her abuser destroyed her credit and she cannot secure a rental.

- Under SB 45 she is charged with prostitution

- She loses her housing, making her more vulnerable to further exploitation and/or trafficking
- Her trafficker is not charged with anything

A survivor asks a friend to drive her to do sex work so she can save money to escape her trafficker, but she is arrested in a prostitution sting while her friend is right outside in the car.

- Her friend is charged with promoting prostitution for providing transportation
- Her friend loses her nursing license
- The survivor has lost the one person helping her get out

A survivor is being trafficked and is forced by her trafficker to recruit another woman. The survivor is the one visible to law enforcement because she is the one working on the street, known to police as a sex worker, while her trafficker operates in the background. When police become involved:

- She is charged with promoting prostitution. He is not.
- They share a child. She will not name him out of fear of further violence and losing access to her child.
- She faces a felony sex offense and loss of professional licensing
- Her trafficker, who orchestrated everything and is making all of the money, faces no consequences
- Even after her sentence, her trafficker maintains control of her because with a felony and no ability to obtain professional licensure her options are extremely limited

A harm reduction outreach worker regularly meets with someone she knows is currently in the sex trade and has few other options. She provides free safety supplies such as condoms, connects her to sexual health services, and helps her navigate a housing application. She does not encourage her to leave the sex trade because her client has not expressed that desire and the worker is trained to follow the client's lead.

- A prosecutor argues she "encouraged another to remain a prostituted person" by continuing to provide services without promoting exit
- She is convicted of promoting prostitution
- She loses her social work license

- Her client loses her only consistent point of contact with services
- No trafficker is involved. No exploitation occurred. A helping relationship became a criminal one.

A person working in the sex trade is secretly paying rent on an apartment in her mother's name and sending her money so she has a safe place to go next month when she escapes her abusive partner. Her abuser finds out and reports them both to police.

- Her mother is charged with promoting prostitution for knowingly receiving money connected to prostitution
- Her mother faces loss of any state-licensed professional credentials
- The survivor's escape fund is seized as evidence
- Her abuser — who initiated the police contact — faces no charges
- Her abuser has used the law as a weapon to eliminate her support system and her path out, thus increasing his control over her moving forward

These are not hypotheticals. These are the predictable and documented consequences of bills like SB 45. As survivors and professionals in this field, we see and support people through situations like these every day. We are speaking from experience.

The impact:

Isolation is the primary condition that makes trafficking possible. This bill only creates more of it.

By criminalizing the people closest to survivors and attaching devastating, lifelong consequences to those convictions SB 45 ensures that survivors in dangerous situations have fewer resources, fewer people to turn to, and fewer paths out. And with zero provisions to decriminalize survivors, it makes going to the police an enormous risk for everyone involved. This legislation would not only harm survivors, **it would deter survivors and their loved ones from reporting trafficking.**

We have seen this pattern before. For decades, anti-trafficking legislation has been passed without meaningful survivor input, driven by emotional rhetoric rather than evidence, and wielded against the very communities it claims to protect. The result has been mass criminalization of survivors, not a reduction in trafficking. This is extensively documented by many organizations, including Freedom Network USA and the federal government's own Trafficking in Persons Report.

There is also extensive data showing that criminalization falls hardest on communities already disproportionately impacted by policing and incarceration: Black and brown communities, LGBTQ+ people, disabled folks, immigrants, and young people coming out of the foster care system and/or living in poverty who have very limited options.

What we are asking:

Vote no on SB 45 as currently written, or table the bill until it has been reviewed by the people it will most directly impact. No anti-trafficking legislation should advance without the meaningful input of survivors and people in the sex trade with a broad range of experiences, identities and perspectives. Pennsylvania has no formal mechanism to ensure lived experience expertise is included in legislation, and SB 45 is a direct consequence of that failure.

Meaningful input means trafficking survivors with diverse perspectives, including criminalized survivors and people currently/formerly in the sex trade, as well as the survivor-led organizations that represent them, must be consulted before legislation is drafted—not tokenized after decisions have been made. Their labor must be compensated. And it must include voices that may dissent from the bill's framework.

At a time when this country is publicly reckoning with how deeply its systems have failed survivors, Pennsylvania has an opportunity to do something different. Every name below is someone who is clear that survivors deserve far better than this from our systems. We are simply asking you to believe us.

Respectfully,

(For safety, signatories may sign by full name, first name only, initials or anonymously. All signatures can be verified by the coordinating organizations.)

Survivors and people currently/formerly in the sex trade — Pennsylvania:

[signatures]

Survivors and people currently/formerly in the sex trade — national: [signatures]

Survivor-led organizations: [signatures]

Allied organizations: [signatures]

Individual advocates, researchers, legal professionals and service providers:

[signatures]

Family members, friends, partners and community members of survivors and/or people in the sex trade: [signatures]

*Minor edits were made to this letter following further review of the bill text to ensure accuracy of complex statutory references. The substance and position remains unchanged.