



A Project of Social and Environmental Entrepreneurs (SEE), 501(c) (3)

[www.Desireealliance.org](http://www.Desireealliance.org)

The Desiree Alliance has serious concerns over the ongoing attacks against sexual freedoms of adult-oriented industries. We view the right for consensual sexual freedoms as fundamental civil liberties every citizen is afforded to engage in without legal recourse, without policing, and without moral repercussions. These intrusions and deprivations debase personal privacy and equality that censor the First Amendment right guaranteed to every citizen. The targeting, profiling, arrests, and convictions against vulnerable populations inherently impair the health and well-being of communities that have limited or no access to services that provide safe working environments and protections against state-sanctioned violence. When the government begins to criminalize sex in the guise of morality and jettisons legal language, we question the validity and reasoning as to why government interference belongs in the consensual labor of sex and online advertising sites that provide safety from second and third party interferences and exploitations.

We consider the unbalanced policing of online adult-oriented websites as a direct assault against the sex worker community. Section 230 of the amended 1996 Communications Decency ACT states that *"No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider"* (47 U.S.C. § 230), therefore, not legally liable for the words of third parties who use their services. The Supreme Court struck down portions of this Act as unconstitutional and was successfully

argued on the First Amendment against the censoring of adult interactions and communications online of sexually explicit nature (*Reno v American Civil Liberties Union* 521 U.S. 844 (1997) (*Shea v Reno* 930 F. Supp. 916 (S.D.N.Y. (1996). When we tolerate and accept government intimidation as sovereign, we must uphold the First Amendment right and question authority regarding protected constitutional freedoms (*Backpage v Dart* No. 15 C 6340 (2015). Elected officials cannot legitimize the piecemealing of constitutional guarantees in the expressions of skewed rhetoric designed upon moral principles. Targeting websites of adult-content as criminal initiates legal vulnerabilities to the entirety of the world wide web. We again defer to the 1996 Communications Decency ACT where legal provisions have been built upon this document for more ardent surveillance on the internet (TVPA 2000, Children’s Internet Protection ACT, SAVE ACT, Palermo Protocol). Many site owners and managers fully cooperate with government agencies taking reasonable and responsible measures to counter the trafficking of adults and minors through awareness, providing online resources, and warning labels directly on their websites. According to the Federal Bureau of Investigations, involuntary servitude and commercial sex acts, trafficking convictions are dwindling, exhibiting online warnings and cooperation have been successful in countering human trafficking. Prostitution and disorderly conduct arrests in the US from 1981 until 2013, data shows 1.8% of these cases involved minors (*Almodovar - Operation Do The Math*). U.S. global policing will affect public entities in all contexts that expands further than websites displaying adult-centered material. Criminalizing the ability to freely engage in consensual adult content has been rejected recurrently by state and federal courts exemplified by *Brown v Entertainment Merchants Association* 564 U.S. 08–1448 (2011), *United States v. Playboy Entertainment Group*, 529 U.S. 803 (2000), *Ashcroft v. Free Speech Coalition*, 535 U.S 234 (2002).

We reject the frameworks of anti-trafficking discourses as conflated and ultimately dangerous to those who labor in alternative economies that the laws do not protect and serve or wholly provide representations. We acknowledge trafficking exists in the most deplorable and heinous conditions through capital means of demand and supply. However, when government entities and funded stakeholders are not held accountable for accurate trafficking data, the burden of proof lies upon public knowledge of such data. Incorrect data purposely distorts the right of the

public to make informed decisions and skews the balance of how far governments can regulate consensual sexual freedoms. We find this deeply problematic as sex trafficking is not epidemic in the United States. No statistics put forth by the US Justice Department, FBI, or credible research has shown an epidemic. Factually, government statistics represent hyper-criminalization and arrests disproportionately affecting communities living in economic disparities and in communities of color. Marketing mass hysteria to gain public support reifies trafficking in all forms, (i.e. labor, sex, and human trafficking) and furthers the demand for these economies to thrive in clandestine markets regardless of government objectives to curb or eradicate trafficking. Enacting laws upon existing laws only expands the consumption for underground labor forces that ultimately hinder and defeat the purpose of the laws designed to aid victims of trafficking. These deterrents do not mitigate or alleviate circumstances of human trafficking, and only exacerbates the installation of fear and retributions of dangerous retaliations put upon by the government itself.

The Desiree Alliance and the undersigned individuals and organizations believe losing the ability to freely engage in constitutional freedoms is negligent on behalf of legal systems that are designed to uphold First Amendment decisions of the courts. As representatives of sex workers' rights and our allies, we reject the continued legal attacks on sex workers in erroneous retaliations in the pretext of suppressing human trafficking.

Desiree Alliance  
Sex Workers Outreach Project USA - SWOP USA  
BAYSWAN (Bay Area Sex Worker Advocacy Network)  
COYOTERI (Call Off Your Old Tired Ethics)  
COYOTELA  
Power Source Tucson  
ACT UP NY  
ISWFACE  
SWOP Maryland  
Anna Forbes MSS, Independent Consultant  
Sex Workers Outreach Project Tucson  
Prevention Access Campaign  
JD Davids  
Sex Professionals of Canada  
Strass - Syndicat du Travail Sexuel  
STROLL - Portland

Barb Brents, PhD, University Nevada Las Vegas  
SWOP Behind Bars  
Sex Worker Open University, UK  
International Committee on the Rights of Sex Workers, Europe  
Woodhull Freedom Foundation  
Maggie McNeill  
Eric Sprankle, PsyD  
PACE Society, Canada  
New Jersey Red Umbrella Alliance  
Diana Hemingway  
Maggie's- Toronto Sex Workers Action Project  
Way Pass Program  
Phoebe Dodd Vanderhorst  
Shane A. Petzer, South Africa  
Zandra Ellis, Rise Above Counseling  
Desmond Ravenstone - COSWAC  
HIV-Modernization Movement - Indiana  
Carrie Foote, PhD  
AIDS Alabama  
Professor Elena Shih, Department of American Studies-Center for the Study of Slavery and  
Justice, Brown University  
Heather Berg, PhD, University of Southern California  
Stella, l'amie de Maimie (Montréal, Canada)  
Loren Jones, Positive Women's Network  
Sex Workers Outreach Project Sacramento  
Positive Women's Network USA - PWN USA  
Trans Masculine Advocacy Network  
Counter Narrative Project  
Red Light Legal  
Sex Workers Outreach Project Tampa Bay  
SisterLove, Inc.  
Free Speech Coalition  
Dr Hernando Chaves  
The Body.com  
Global Network of Sex Work Projects-NSWP  
US PROStitutes Collective  
Clients of Sex Workers Allied for Change -CoSWAC  
Sex Workers Project  
Second Chance Reentry, Inc  
Tax Domme  
Greggor Mattson, PhD - Oberlin College Associate Professor of Sociology  
Rick Pettit  
The Well Project  
Empower Foundation, Thailand  
Helping Individual People Survive - HIPS

Sex Workers Outreach Project Denver  
Rachel Carlisle  
Gregory Mitchell, PhD Assistant Professor of Women's, Gender and Sexuality Studies  
Williams College  
Kari Lerum, PhD, University of Washington Bothell  
Joelle Ruby Ryan, Ph.D. Senior Lecturer In Women's Studies, University of New Hampshire  
LaGender Inc, Atlanta  
SWITCH Support Group, Atlanta  
Juliana Piccillo  
Monica J. Casper, Professor of Gender and Women's Studies, University of Arizona  
Kym Cutter  
Jennifer C. Jones, MSW, LCSW  
Sex Workers Outreach Project San Antonio  
Mike Crawford  
TransLatina Coalition, Florida  
Sex Workers Outreach Project Orlando  
Alex Andrews - SWOP Behind Bars  
Philadelphia Red Umbrella Alliance  
Julie Bates, Principal Urban Realists Planning & Health Consultants, Sydney, Australia  
Adrian Mintzmyer  
Prostitution Policy Watch, Federal University of Rio de Janeiro Brazil  
Dr. Thaddeus Blanchette, Federal University of Rio de Janeiro Brazil  
Dr. Ana Paula da Silva, Federal Fluminense University Brazil  
Alexandra Lutnick, PhD, Senior Research Scientist, RTI International  
James F. Pivonka, La Crosse, KS  
Martha Lampley, Sex Workers Outreach Project Los Angeles  
Amy Oden  
St. James Infirmary  
Women's ReEntry Network  
Sonyka Francis  
Dr Alan D Brown Assistant Professor Southern Connecticut State University New Haven, CT  
Marco Castro-Bojorquez, Venas Abiertas: Una red de inmigrantes Latinxs viviendo con el  
VIH/Sida  
Ruby Corado, Casa Ruby  
Alex S. Morgan  
Las Organización de Trabajadoras del Sexo de El Salvador - OTS-ES  
Best Practices Policy Project  
Sex Workers Outreach Project, Chicago  
Scarlet Alliance, Australia  
Stepping Stone Association of Halifax, Nova Scotia  
Barb Cardell  
Positive Women's Network Colorado  
Cheryl Overs, Senior Research Fellow, Michael Kirby Centre for Public Health and Human  
Rights. Monash University, Melbourne Australia  
Civil Liberties and Public Policy

Transgender Law Center  
FemmeAppeal  
Sex Workers Outreach Project, Las Vegas  
Keiko Lane, MFT  
Logan Haynsworth  
Asian Pacific Network of Sex Workers-APNSW  
Bob Aquavia  
Danielle Ellis  
Ms. S. Hawkins  
Noa Suprihmbé  
Semona Baston  
Alex Tigchelaar  
Laura Holloway  
Maria F. Bareiss  
J Anthony Trimble, Deputy Director & Co-Founder - Trans Sistas of Color Project - Detroit;  
Executive Producer & Director - "WHAT'S T? Exploring the Narratives of Transgender Women  
of Color in Detroit" Docufilm & Book Project  
James F Pivonka  
Janice Daniels Knudson  
People Exchanging Power - PEP  
Sweet Lilly Bee  
Jessie Ross  
Bruce Richmond, Prevention Access Campaign  
Jenny Heineman, PhD  
Kristen Lickens  
Lola Davina, author of "Thriving in Sex Work: Heartfelt Advice for Staying Sane in the Sex  
Industry."  
Black Sex Worker Collective  
The Sex Workers of Winnipeg Action Coalition  
Shawna Ferris, Ph.D. Associate Professor, Women's and Gender Studies University of Manitoba  
The Sex Workers of Winnipeg Action Coalition  
Dr. Laura Agustin  
Rychelle Hawker  
Lorelei Lee  
Sex Law and Policy Center  
Black and Pink  
Lisa Vargas - Project Hope/Las Muchachas East Los Angeles Women's Center  
Sex Workers Outreach Project - Michigan  
Zee St. James  
English Collective of Prostitutes, UK  
Anlina Sheng  
Jiz Lee, Editor "Coming Out Like A Porn Star: Essays on Pornography, Protection, and Privacy"  
Sex Workers Outreach Project Los Angeles  
Clara Taylor  
Adrienne Graf, School of Social Work, Portland State University

Free Speech Coalition

Courtney Trouble

Emberlyn Kelley

Anna Bjornberg

Jinx Lierre

Tyler Dårilig Ulv

Rowan Ruin

Matthew A. Green

Women With A Vision Inc

Chibundo Egwuatu, PhD Candidate, University of Illinois, Urbana-Champaign

Danny Cruz

Ava Killian

Noa Jones

TT Baum

Faith Cheltenham, Vice President - BiNet USA

International Union of Sex Workers - IUSW

Jody Tidwell

Madeline Marlowe - SWUP Media Relations

Michael Chlopicki, NSW Australia

Stefan Lucke, PhD Student of Human Sexuality

MMMedia

Sex Workers Outreach Project Los Angeles

Lexas Gadison

The International Entertainment Adult Union (IEAU)

Shannel Pittman