

To Whom it May Concern:

I am writing on behalf of myself and with the support of Sex Workers Outreach Project Los Angeles (SWOPLA) to oppose the 'Online Safety Bill.'

As a sex worker peer-support group, SWOPLA has seen the devastating effects of legislation that surveils and polices the internet in an attempt to make digital spaces "safer." Our members have had to deal with the devastating fallout of FOSTA/SESTA in 2018, which was supposed to "Fight Online Sex Trafficking." In reality, that bill, which put more responsibility onto internet platforms to surveil, censor and report content -- made sex workers, people of color, young people, and members of the LGBTQ community more vulnerable to sexual exploitation.

I am a transgender woman, and a sex worker, and I have been helping organize as a member of SWOP Los Angeles since shortly after FOSTA/SESTA passed in 2018. Since then, our organization has increased our direct material support of sex workers and helped achieve major policy victories in the City of West Hollywood and the state of California. I have also personally recently experienced homelessness, which I survived by doing sex work. Finally, I obtained a *Juris Doctorate* from New York University School of Law in 2015, in case you think that helps establish my *bona fides* above and beyond the foregoing. (It doesn't.)

When sex workers are less able to advertise online, sell online content, or otherwise communicate online, we lose important tools for survival. As a result we have to lower our expectations about how we will live. We have to do more work, take more risk, or survive on even less money. For a lot of us, we physically cannot work any more than we already do, and we physically cannot survive on less income.

As a result, after FOSTA/SESTA, a bill which created civil liability against internet platforms in cases of sex trafficking, was passed, people in the United States were made substantially more vulnerable to sexual exploitation and trafficking. People here are now less able to access information that might help them avoid abusive dates--whether we are going on those dates for money or for pleasure. People here are now less able to find information about sex and consent, or pornography that contains bodies that looks like their own. People here are now told that they "violate the terms of service" of platforms by posting pictures of their own, non-nude, non-sexualized bodies--after they are targeted by the algorithm for being too young-looking; or for being too thin or too fat or too queer; or for not being White enough.

Most immediately and dramatically, perhaps, the closure of Backpage . com in conjunction with the passage of FOSTA/SESTA made millions of sex workers around the world lose their jobs, overnight. Many lost housing, healthcare, or custody of their children as a result. Many had to begin working outdoors again, or for the first time, having lost the tools to arrange appointments online. It's cold outdoors--or hot--and you have very little protection against a violent client and no way (except your gut) to screen one out beforehand. You're exposed to the police.

FOSTA/SESTA lead to this predictable result, which had been anticipated and voiced by US-based sex workers, because the U.S. Congress did not listen to the voices of sex workers when considering the legislation. When sex workers say "this bill will make our lives more dangerous" --

LISTEN TO THEM. Please listen to your local sex workers when they speak up about bills that will harm them. Sex workers are listening to you, and they will remember how you voted. Please remember to listen to them.

SWOPLA and I strongly oppose the online safety bill as proposed. It will open people up to more abuse, manipulation, and intimidation at the hands of law enforcement or out of having fewer options when it comes to figuring out how to survive.

For a deeper discussion of the impacts of FOSTA/SESTA, please see this letter (and the linked sources) submitted in support of legislation which has been proposed in the US to study the impacts of FOSTA/SESTA by sex worker organizations.

https://www.hivlawandpolicy.org/sites/default/files/SAFESEXWorkersStudyAct_SignOn_121619.pdf

It should also be noted how utterly unaccountable and non-transparent the apparatus created by the bill would be as currently drafted. Please watch the footage of the US Capitol on January 6 of this year if you need to remember the importance of accountability and transparency by an executive wielding government power.

Thank you for abiding by your legal duty to take public comment.

Ashley Madness, J.D.
Secretary, SWOPLA