

Colorado District Attorneys' Council

3600 South Yosemite Street, Suite 200
Denver, Colorado 80237

(303) 830-9115

FAX (303) 830-8378

Dear House Judiciary Committee Members,

This letter is to provide support of HB22-1288, concerning safe reporting assaults. Serious crimes committed upon our community members such as murder, felonious assault, menacing, sexual assault and more – go unreported everyday because of a fear of reporting and being criminally prosecuted for an ancillary crime. When it comes to those serious crime victims who are also engaged in prostitution, often through human trafficking rings, the lack of reporting means a lack of access to victim services and resources that would assist the person to get to a better life.

It is difficult to estimate the number of victims of human trafficking due to the hidden nature of the crime, the difficulty in identifying individual victims and the power that human traffickers hold over the victim to prevent reporting to the police. In addition, the nature of human trafficking creates barriers to reporting serious crimes that are committed on the victims *in addition* to the trafficking. When living in vulnerable, impoverished, emotionally and physically controlled environments, the additional barrier of fear of prosecution for now-petty offense prostitution crimes is one more reason for reluctance to report even sexual assault or first-degree assault to the police. And a lack of reporting to 911 means a lack of access to immediate health care, public safety response, victim compensation, restitution and long-term survivor resources to help these victims get out of the environment that others most often put them in in order to exploit them.

HB22-1288 relates immunity for three commonly charged petty offenses of prostitution (CRS 18-7-201); soliciting prostitution (CRS 18-7-202) and prostitute making a display (CRS 18-7-207) to the reporting of the most serious crimes in Colorado. From 2018-2021, there were only 48 cases of prostitution charged in Colorado, only 7 of which resulted in guilty pleas – 20 were dismissed and 7 resulted in deferred sentences. CDAC believes in removing barriers to reporting criminal activity so that victims can access much-needed services and appreciate the bill sponsors for recognizing this relationship between reporting and immunity. We are also grateful for the sponsors engaging in stake-holding with prosecutors to ensure the bill does not extend broadly to other crimes aside from those petty offenses and expressly ensuring the bill does not have unintended consequences of suppressing evidence gathered from reporting that would support more serious crimes than prostitution and the related petty offenses or soliciting and making a display.

Please feel free to contact me with any questions and thank you for considering HB22-1288.

Jessica Dotter, Sexual Assault Resource Prosecutor, CDAC
jessica@cdac.state.co.us

Michael Dougherty
20th Judicial District
PRESIDENT

Daniel Rubinstein
21st Judicial District
PRESIDENT-ELECT

Ben Sollars
9th Judicial District
FIRST VICE-PRESIDENT

Alexis King
1st Judicial District
SECRETARY/TREASURER

Christian Champagne
6th Judicial District
IMMEDIATE PAST
PRESIDENT

Tom Raynes
EXECUTIVE DIRECTOR

Carron Barrella
ADMINISTRATIVE
OFFICER/TRAINING
COORDINATOR

Arnold Hanuman
DEPUTY DIRECTOR

Tuan Nguyen
CHIEF INFORMATION
OFFICER