

FOR IMMEDIATE RELEASE

Press Conference Wednesday March 4, 2015 12pm Phillip Burton Federal Building & United States Courthouse 450 Golden Gate Avenue San Francisco, CA 94102 on the Golden Gate Ave entrance side.

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PROSTITUTION LAWS UNCONSTITUTIONAL?

Laws Against the Commercial Exchange of Consensual, Adult Sexual Activity Challenged as Violations Free Speech, Due Process & Freedom of Association Rights

San Francisco, CA — The Erotic Service Providers Legal, Education and Research Project (ESPLER), a community-based coalition advancing sexual privacy rights through legal advocacy, filed a complaint today in U.S. District Court against Kamala Harris, California's Attorney General and leading U.S. Senate candidate, and four Northern Californian District Attorneys, alleging the current anti-prostitution law violates fundamental Constitutional Rights.

The complaint contends that California's current anti-prostitution law unfairly deprives individuals the right to private consensual activity, criminalizes the discussion of this activity between consenting adults, and unconstitutionally places restrictions on individuals' right to freely associate.

"We believe it is time to revisit the criminalization of prostitution and put the State to the test. In the light *Lawrence v. Texas* and *Reliable Consultants v. Abbott*, the State can no longer simply say that morality is a sufficient reason for regulating private sexual relationships even when it involves the exchange of money," said ESPLER attorney D. Gill Sperlein. "Social science clearly demonstrates that the criminalization of prostitution puts sex workers at risk of abuse because it discourages them from reaching out to law enforcement."

Maxine Doogan, ESPLER's President added "Just as the *Lawrence v. Texas* decision made same-sex sexual activity legal, and the *Loving v. Virginia* decision struck down laws prohibiting interracial marriage, this complaint seeks to remove the government from restricting basic fundamental and widely recognized civil and human rights."

The complaint asks the court to declare that California's prostitution statute, Section 647(b) of the California Penal Code, is unconstitutional.

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