

10 **A RESOLUTION CONCERNING THE LEGALIZATION OF BROTHELS IN MARYLAND**

20 **WHEREAS:** Prostitution is the “the world’s oldest profession” yet it is highly stigmatized
30 in the Western World; and,

40 **WHEREAS:** In the ancient world, prostitution was legal in Cyprus, Corinth, and Sardinia;
50 and prophets Hosea and Ezekiel disapproved of the Jewish law banning
60 prostitution in ancient Israel; and,

70 **WHEREAS:** Prostitution was legal in the United States until the 1900s when states
80 started to ban prostitution as a result of the Woman’s Christian Temperance
90 Movement which was also responsible for the prohibition of alcohol; and,

100 **WHEREAS:** Today, prostitution is a misdemeanor in the United States except in some
110 counties in Nevada where it is completely legal, and;

120 **WHEREAS:** Banning prostitution does not dissuade its practice, rather it forces it to go
130 underground where the government cannot regulate it. This leads prostitution to
140 be a retreat for criminal activities, the spread of diseases, and countless violent
150 and nonviolent crimes; and,

160 **WHEREAS:** Banning prostitution leads to empty “catch and release” arrests, consumes the
170 judicial system, and does not deter those arrested from prostituting themselves
180 again because the punishment is insignificant compared to desperate need of
190 income and demand for sex; and,

200 **WHEREAS:** There is little evidence correlating prostitution to the infection of sexually
210 transmitted diseases because prostitution is not regulated; and,

220 **WHEREAS:** The inability to track the spread of diseases is highly problematic not only to
230 prostitutes and their clients but also to society as a whole which functions
240 blindly under the threat of infection; and,

250 **WHEREAS:** Legalizing prostitution would allow health institutions to monitor, treat and
260 educate sex workers without government’s intrusion. In New South Wales and
270 Victoria, Australia, where prostitution is legal; sex worker organizations
280 regularly visit brothels and provide free condoms, sex education and health
290 information to prostitutes, and have successfully decreased the spread of disease
300 and;

310 **WHEREAS:** Violent crimes are common in prostitution, both in its legal and illegal form.
320 However violent crimes are more prevalent in countries where prostitution is
330 illegal. Indeed, a study by Kirby Cundiff shows that legalizing prostitution
340 would decrease rape by 25,000/year. Moreover legalizing prostitution would
350 minimize the societal taboo associated with it and therefore allow victims to
360 report rapes to the police; and,

370 **WHEREAS:** In the Green River murders, eleven African-American prostitutes from Los
380 Angeles were found dead under rag piles in Detroit as part of “gender
390 cleansing;” and,

400 **WHEREAS:** Legalizing prostitution would stop the sexual and economic exploitation of
410 prostitutes by pimps. According to civil rights and feminist lawyer Catherine A.
420 MacKinnon, “Women in prostitution not only begin poor, they are

430 systematically kept poor by pimps who take the lion's share of what they earn.”
440 Furthermore because pimps treat prostitutes as property, pimps are allowed
450 unlimited control over them; and,

460 **WHEREAS:** Human trafficking for sexual exploitation is more prevalent now than ever.
470 Legalizing prostitution would secure that such persons are not illegal aliens or
480 held against their will. MacKinnon cites that ninety percent of street prostitutes
490 in Toronto wanted to leave but could not and that, “If they are there because
500 they cannot leave, they are sexual slaves.”

510 **WHEREAS:** MacKinnon concludes that because prostitutes are predominantly women and
520 girls, that the social and legal stigma of prostitution is outright discriminatory
530 and indeed a violation of basic civil rights. “Criminal prostitution laws make
540 women into criminals for being victimized as women. Then these laws are often
550 enforced for bureaucratic, turf-protective, funding, political, or advancement
560 reasons--that is, arbitrarily, against women.” The Fourteenth Amendment
570 provides equal protection under the law yet criminal laws against prostitution
580 are clearly gendered against women. Additionally, the Thirteenth Amendment
590 prohibits involuntary servitude and slavery, yet the practice of sex slavery,
600 which is component of prostitution, undermines this.

610 **THEREFORE BE IT RESOLVED:** That the Maryland Student Legislature urges the Maryland
620 General Assembly legalize brothels as established businesses under the
630 Maryland Department of Assessment and Taxation; and,

640 **BE IT FURTHER RESOLVED:** That, included in this initiative, the Maryland General
650 Assembly regulate brothels under the auspices of the Maryland Department of
660 Health or a similar health organization to regularly monitor brothels and to
670 ensure the health and safety of prostitutes.

680 **MANDATES:** Governor Robert L. Ehrlich, Jr.
690 Speaker of the House Michael Busch
700 President of the Senate Mike V. Miller

SPONSOR:

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