

ANNEX

Specific concerns about the proposed curriculum of Senate Bill 2330

1. Human trafficking

Human trafficking is essentially the crime of enslavement, of which sexual enslavement is a subset. If we are going to talk about human trafficking in an honest way, we would talk about **ALL** modern day slavery, including in hotels, casinos, nail salons, homes, and farms.

When I was five years old, I learned the word “Shanghai” as not only a place name for a city but also as a verb – a verb that described the kidnapping of drunken men in San Francisco and then forcing them to work on ships where the next port of call would be Shanghai.

Yet, this curriculum seems to focus almost entirely on sex trafficking.

2. Informing students about the dangers...

Sex trafficking is important for children to learn about. Delicately. I'm not sure how children can be fully informed about the dangers they face without exposing them to the very “sexually explicit material” that this bill's authors seek to shield children from at public libraries.

Children should be told to not let anyone touch their rectums, their genitals, or their breasts. And they might not have a clue what sexual assault – or sex – really is unless they know that “Tab A goes into Slot B”.

In Matthew 10:16, Jesus Christ charged his disciples to first be “wise as serpents” and then to be “innocent as doves”. Not the other way around. Be watchful. Be wise. Be informed.

3. Victim profiling tactics of human traffickers

What is there to say? Weakness. It would be easier to kidnap a man if he is drunk or drugged than if he stays sober. Similar if a young woman feels emotionally vulnerable due to relentless body shaming.

Remember this – for every nine people one might help in warning them about the dangers of kidnappers, there will be a tenth who will perceive this subject matter to be training on how to hurt other people.

I doubt that human traffickers all use one technique. While they probably trade tips with one another, each has his or her own style.

4. The role of pornography

The role of pornography? Which one? There are many roles.

We can talk about how pornography trains its viewers to learn unrealistic – even comical – expectations of what sex really is, or can be.

What appalls me about much pornography is how **unerotic** it is. It often becomes as boring and mechanical as watching a washing machine.

Even prostitutes will sometimes complain about pornography because of both its lack of realism and how men who watch too much pornography often lose interest in the physical act of sex altogether.

But what about the role of outlets such as OnlyFans and Fansly? They provide an online pipeline to turn civilian women out. Many of these women eventually become “full service sex workers” – prostitutes.

5. Methods to identify a potential victim...

This might be useful, if it weren't for one problem –

The very people who would be the most effective for identifying victims of human trafficking may risk jail time if they say anything to the police.

This is particularly the case for sex trafficking. Prostitutes and their clients generally know “the lay of the land” and would be able to identify victims of sex trafficking most effectively. Yet, they can't exactly report anything to the police without outing themselves as criminals and potentially getting themselves arrested.

No, I'm not calling for decriminalization of prostitution – I resolutely oppose that route – but I am saying it is self-defeating to expect people to identify potential victims whenever they get penalized for doing so.

6. Information about...

It is good to make information available to people how to defend themselves against force, fraud, coercion, grooming, abuse, indoctrination, and manipulation. That said, we should not turn this session into an instructional primer on how to become a pimp!

7. The difference between human trafficking and prostitution

Prostitution is when a hooker gets paid for highly intense emotional and physical labor. Human trafficking is when a trafficked victim is forced to perform highly intense emotional and physical labor against her will.

Why does this bill intend to force school teachers and college freshmen to perform highly intense emotional labor without even paying them?

At least a hooker gets paid!

8. How human trafficking and exploitation demand is created...

Criminalizing industries where there is a robust demand for the services is an excellent way to ensure that these industries become dominated by professional criminals. By definition, sex workers are professional criminals here. So, there is not only a niche for professional kidnapers to exploit, but there is little incentive for the kidnapers to get reported.

9. Alternatives

Teaching teachers and college freshmen how to spot a trafficked victim is only half the story – not arresting them for talking is the other half.

If the 69th Legislative Assembly were truly serious about stopping sex trafficking in North Dakota, it would restructure the legal code surrounding prostitution. Rather than focus on Title 12.1 (the Criminal Code), prostitution would be put under Title 23 – Health and Safety.

The Legislature would pass a study resolution to promote health and safety with a focus on (1) reducing sexually transmitted infections, (2) reducing sex trafficking, (3) reducing violence (especially murder) against prostitutes, (4) reducing economic exploitation of prostitutes, and (5) providing nonjudgmental exit strategies for prostitutes.

Legislative Management would then arrange for an interim study on how to accomplish these five goals, with a bill ready for next session.

If this Legislature were serious, that is...