



Sex  
Workers  
Project

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**THE SEX WORKERS PROJECT (SWP) OF THE URBAN JUSTICE CENTER (UJC), PARTNERS WITH THE FEDERAL APPELLATE IMMIGRATION CLINIC AT THE UNIVERSITY OF MARYLAND SCHOOL OF LAW, FILES AMICUS BRIEF ARGUING THAT PROSTITUTION RELATED CHARGES SHOULD NOT TRIGGER DEPORTATION CONSEQUENCES**

**New Orleans, LA May 16, 2023-** The Sex Workers Project of the Urban Justice Center, with the University of Maryland School of Law’s Federal Appellate Immigration Clinic as counsel, has filed an amicus brief with the United States’ Court of Appeals for the Fourth Circuit asking the court to vacate the decision of the Board of Immigration Appeals (BIA) that solicitation of prostitution categorically involves moral turpitude.

“This amicus brief has presented us as sex workers ourselves with a rare opportunity to educate the Federal courts on the evolving norms related to adult consensual sex work and the value-creating, life affirming, positive aspects of the sex trades,” says RJ Thompson-Rodriguez, Esq., Managing Director of the Sex Workers Project of UJC, human rights attorney, and long-time sex worker. “Criminalizing adult consensual sex work violates the human right to work, the human right to bodily autonomy, the human right to self-determination and the human right to sexual freedom. Support for the full decriminalization of sex work is continuously increasing as society comes to understand that sex work is legitimate and often empowering labor for many of us. Many migrants depend on the sex trades who face deep discrimination in accessing employment in other labor sectors. The legal concept of ‘crimes involving moral turpitude’ has often been applied arbitrarily and in deeply gendered, patriarchal, and assumptive ways, resulting in great harm to migrants in matters before the BIA and the Federal courts, including removal from the U.S., barring access to relief from removal, or mandatory immigration detention.”

**The amicus brief argues that: only offenses that violate contemporary moral standards that prevail in society qualify as crimes involving moral turpitude; solicitation of prostitution does not violate contemporary moral standards that prevail in society because both public opinion and public policy reflect a growing acceptance of commercial sex between consenting adults; and the agency precedents on which the BIA relied reflect outdated, gendered norms.**

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"The outmoded designation of sex work as "a crime involving turpitude" continues to cause harm to our sex worker clients on a daily basis. At SWP, we fight every day for clients who are refused admission to the United States or risk prolonged detention without bond because the law deems them and their work to be "vile and reprehensible." The amicus brief filed today helps push for a more sensible and humane interpretation of the law for sex workers nationwide." says Clement Lee Esq., Associate Director, Immigration Legal Services.

"As an organization, the Sex Workers Project of the Urban Justice Center advocates every day for the human rights of sex workers and the human rights of migrants. This issue is squarely situated at the intersection of immigration law and sex work, an intersection SWP has become the leading national expert providing immigration legal services to sex workers and survivors of human trafficking for over two decades. We are uniquely positioned as an organization led by sex workers who are also attorneys, social workers and educators to speak to the reality that sex work, like all labor sectors, involves a spectrum of experiences inclusive of choice, circumstance and coercion; and that there is nothing inherently wrong, bad or immoral about consenting adults providing or purchasing sexual or erotic services. A migrant consensually selling or buying sexual or erotic services should have no bearing on their immigration status nor their right to remain in the United States," said Thompson-Rodriguez.

Founded in 2001, the Sex Workers Project of the Urban Justice Center is a national organization that defends the human rights of sex workers by destigmatizing and decriminalizing people in the sex trades through free legal services, education, research, and policy advocacy.

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