



BEHIND CLOSED DOORS

An Analysis of Indoor Sex
Work in New York City

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Sex Workers Project at the Urban Justice Center 2005

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This report was written by Juhu Thukral, Esq., Melissa Ditmore, Ph.D., and Alexandra Murphy for the Sex Workers Project at the Urban Justice Center (SWP.) The SWP engages in the provision of legal services, legal training, documentation, and policy advocacy for sex workers. Using a harm reduction and human rights model, the SWP protects the rights and safety of sex workers who by choice, circumstance, or coercion remain in the industry.

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Acknowledgements

The Sex Workers Project at the Urban Justice Center would like to thank the New York Foundation, New York Women's Foundation, Oak Foundation, and the Center for Urban Research and Policy at Columbia University for their generous support of this report. In addition, the researchers would like to thank the Open Society Institute, who initially sponsored this project as part of their "Housing and Criminal Justice Policy in New York City" working group.

The researchers would also like to thank Prostitutes of New York (PONY); From Our Streets with Dignity (FROSTD); Margaret Satterthwaite of the Center for Human Rights and Global Justice at New York University School of Law; Dinh Tran of Advocates for Children; Ejim Dike of the Human Rights Project at the Urban Justice Center; Sergio Sandoval and Margarita Guzman of the Urban Justice Center; NYC Anti-Trafficking Network; Sunny Shiroma of Transgender Asian Pacific Alliance; Sasha Yenwongsuk of Asian Pacific Islander Coalition on HIV/AIDS; Moshay Moses of Positive Health Project; Catherine Poulcallec-Gordon; Ada Chu; Ronaldo Dominique; Carmen Rojas; Justine Lassman; Heidi Dorow; Zachary Levenson; Tania Levey; Chris Chaput; Alena Singleton; Valentina Morales; and Angus McIntyre for their help preparing this report, and others who wish to remain anonymous, but whose input was invaluable to this report.

This work could not have been completed without the assistance and support of Douglas Lasdon, Ian Fisher, and Kim Mosolf of the Urban Justice Center; Sudhir Venkatesh of the Center for Urban Research and Policy and Department of Sociology at Columbia University; and Jeffrey Yamaguchi.

The researchers would especially like to thank all those who answered our questions, particularly the sex workers who were so generous with their time and insights. This report would not have been possible without their assistance. It is dedicated to them.

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EXECUTIVE SUMMARY

“I started when the father of my child decided to take off with another woman. I was living in the Bronx, couldn’t make rent, and [had to] take care of my two children. So, I moved in with my parents. But I couldn’t find a job and still have time for my kids. I knew that my boyfriend’s friends wanted to get up with me, wanted to sleep with me. I was flirting and said, ‘I’ll fuck you for \$100.’ They said, ‘Yeah,’ and then they asked if I wanted to meet their friends. It was easy money. I didn’t have to get up and go to work. I did it when I wanted, and I just had to buy nothing [to do it], no clothes, nothing. And since it was usually friends of people I knew, I felt pretty safe. So, I guess it was really because I had to take care of my kids and I really couldn’t pay my bills. When I made enough, I was able to move to the projects and get my own place . . . [I’d like to leave the work in a] few years, maybe 5 or 6 [more years] until I save money and can go back to school.”
—Angie, age 29

INTRODUCTION

Sex work is a term used to refer to all aspects of the lawful and unlawful sex industry. Sex workers live under the daily threat of arrest, deportation, and violence. These dangers are compounded by the stigma, isolation, and invisibility associated with their work. This report examines the quality of life issues that indoor sex workers face and the impact of law enforcement approaches on this population in New York City.

The title *Behind Closed Doors* refers to the hidden nature of the indoor sex industry (in which solicitation and the sexual exchange occur off the street), and the isolation felt by its sex workers. For the purposes of this study, indoor sex work was defined as any kind of sex work that goes on behind closed doors, as opposed to on the street. This definition includes prostitutes who work in brothels (official or makeshift), independently in their own homes, and as escorts; strippers and bar patrons who connect with prospective clients in these venues and make dates for later meetings; and dominatrices whose services may potentially be defined as “sexual conduct.”

The title of this report also refers to the pervasiveness of the indoor sex industry. Sex workers are woven into most neighborhoods in New York City, and are pivotal in the underground economy, with a large involvement by immigrants and others who are unable to earn a living wage in the mainstream economy.

This report focuses on indoor sex work primarily because, while these sex workers are largely invisible, they face many of the same problems as the more visible street-based prostitutes. The stereotypes of indoor sex workers encompass only extremes of either wealth and glamour or coercion and violence. The true picture reveals a more nuanced reality—the majority of indoor sex workers in this study live surprisingly precarious lives, and encounter a high level of exactly the same problems faced by street-based sex workers, including violence, constant fear of police interference, and a lack of substantive support services. In fact, some of these problems are exacerbated by the clandestine, and thus invisible, nature of indoor sex work. In addition, indoor sex workers also face many of the same problems as other populations among the working poor and recent immigrants, such as unstable housing and an inability to earn a living wage in the mainstream economy. Current law enforcement approaches are problematic because they drive sex workers further underground and alienate them from sources of support and from the mainstream of society. This problem is compounded by the fact that police rarely respond to the complaints of sex workers, even in cases of violence. Finding concrete and reality-based solutions to the needs of this invisible, vulnerable, and marginalized community is imperative to helping them create safe and stable lives.

KEY FINDINGS

The sample of this study includes 52 indoor sex workers. Researchers met sex workers of all genders through direct outreach at a gang clubhouse, through law enforcement officials, at a nightclub, via the internet, through other sex workers and through cooperating organizations. While the sample is not large, it is extremely varied, and many of the experiences described by this highly varied group of sex workers are extremely similar. The emergence of significant common themes suggests that the data reflects systemic phe-

nomena and is not merely anecdotal. Additionally, service providers and advocates were able to corroborate much of the information we received and attest to the general reliability of the respondents.

In many ways, the indoor sex workers in this sample were much like many of the working poor. Specific problems faced by respondents included violence, which is often disregarded by police; fear of arrest and its consequences; lack of supportive services; and extreme isolation.

Demographics

- 40% (21 of 52) of respondents were foreign-born, representing countries in Asia, Latin America, the Caribbean, and Europe.
- 27% (14 of 52) of respondents identified as Latino/a; 12% (6 of 52) identified as Asian; 15% (8 of 52) identified as Black; 44% (23 of 52) identified as European Descent; and 2% (1 of 52) identified as mixed race.
- With respect to gender identities, 73% of the participants identified as women (non-transgender); 12% (6 of 52) identified as transgender women; and 15% (8 of 52) identified as men. No transgender men were interviewed.
- The majority of participants were 20-39 years of age. Three respondents did not want to share their age. Four percent (2 of 49) of respondents were younger than 20 years (both were 19 at the time of the interview); 45% (22 of 49) were between 20-29 years; 43% (21 of 49) were between 30-39 years; 4% (2 of 49) were between 40-49 years; and 4% (2 of 49) were older than 50 years.

Entrance into Sex Work

- Most respondents entered the sex industry in times of financial vulnerability. The vast majority became involved in sex work because they were either unable to find other work or their other work did not pay a living wage. Often, a friend or an acquaintance with contacts in the business vouched that sex work would bring in more money. Respondents expressed a willingness at these points in their lives to do anything that might improve their economic situation. Others cited family pressures that coincided with economic pressures. A minority of participants got involved because of drug use or addiction.

Prior Employment

- Many respondents had held or currently had other jobs. These jobs ranged from low-wage labor to well-paid career tracks. The low-wage end of the spectrum included such jobs as babysitting, cleaning, passing out fliers, and food service. Freelance work included graphic design and writing, as well as the arts. Respondents in middle-class careers included civil servants, construction and electrical workers. The most well-paid work included real estate and accounting.
- The respondents whose experience was largely in low-wage work were not able to earn a living wage in these jobs. For these respondents, it was clear that the economic gain of sex work was the driving factor behind their participation in the sex industry.
- 67% (35 of 52) of respondents reported not making enough money to survive in the jobs that they held prior to their involvement in sex work, which included waitressing, food service, retail work, and domestic work.

Housing

- 57% (30 of 52) of respondents had stable housing, while the majority of those who did not stayed with friends or family or in a shelter.
- 43% (22 of 52) of respondents reported having moved three or more times in the past two years, a frequency that is indicative of unstable settlement conditions.

Police Interactions

Researchers asked how often respondents had “run-ins” with police, meaning interactions that were not initiated by the respondent. Responses were placed on a scale from 1 to 5, where 1 meant that the respondent had no non-initiated contacts with police, while 5 meant that the respondent had near-daily or daily non-

initiated contacts with police.

- 63% (32 of 51) of respondents reported having experienced run-ins with police. For those who did experience run-ins, 63% (20 of 32) reported the level of interaction as a 2, meaning that they perceived their level of uninitiated contact with police as rare.

Arrests

Despite the fact that they experience less police interference and a lower rate of arrest than street-based sex workers, indoor sex workers in this study were extremely concerned with and vigilant about the issue of criminal justice contacts. They were fearful of the consequences of arrest, such as having a criminal record, stigma, impact on housing and family members, and immigration consequences, such as possible removal from the country. Many indoor sex workers also found their treatment by police during the arrest process to be quite disrespectful and sometimes dangerous.

- 47% (24 of 51) of respondents had been arrested in relation to sex work, and 12% (6 of 51) said that they had been falsely arrested at least once.
- In the vast majority of cases where a respondent had been arrested, 88% (21 of 24) were offered no services/alternative sentencing by the criminal court. Of the three people who had been offered services, only one received any services that were remotely substantive. This respondent was supposed to receive job training—however, she found that the program was not helpful at all.
- Two women who had been trafficked into prostitution received services after having been arrested and held in immigration detention. These services were not offered through criminal court as a result of an arrest, but after the women were designated as trafficked persons.
- In addition to arrests, 29% (15 of 51) of respondents stated that they had at times been taken into police custody, but then released instead of being arrested. For some, this meant that they were issued a summons, and in some cases, they were completely free to go.

Police Violence and Sexual Situations

- 14% (7 of 51) of respondents experienced incidents of police violence, and victims of such violence felt they had no recourse.
- 16% (8 of 51) of respondents have been involved in sexual situations with the police.

Violence and Robbery From Customers

Respondents in this study experienced high rates of violence, which interviewers defined as being forced to do something that the respondent did not want to do; having been threatened or beaten because the respondent was a sex worker; and/or having been robbed by a client.

- 46% (24 of 52) of respondents have been forced by a client to do something he or she did not want to do.
- 42% (22 of 52) of respondents have been threatened or beaten for being a sex worker.
- 31% (16 of 52) of respondents have been robbed by a client.

Violence and Coercion From Traffickers or Pimps

- 8% (4 of 52) of respondents were trafficked into the country for prostitution. Two of the trafficked women thought that they would be involved in other types of work and did not know that they were going to be involved in prostitution. The other two had worked as prostitutes in their native countries and knew that they were to continue as sex workers in the U.S. However, they did not realize that they would be beaten or threatened, and have their money taken from them. For the women who did not know that they were going to be prostitutes, the act of engaging in prostitution itself was a violent one because they were being forced into having sex with customers against their will.
- Whereas non-trafficked respondents were very concerned about violence from customers, the violent experiences that affected the trafficked women more deeply were the threats and assaults from the traffickers themselves. The women told of being threatened, beaten, raped, and having their money

withheld by the traffickers as a means of keeping them in line.

- Some respondents who worked in a gang clubhouse were also involved in violent situations where the gang leader beat them. Additionally, one of these women was working in the clubhouse to pay off a debt for drugs.
- Other respondents mentioned that while they were not subject to violence or coercion from the people for whom they worked, they did experience the type of worker exploitation that a worker in another industry may experience, such as not getting paid the amount they were owed or were told that they would receive.

Safety Precautions

- The vast majority of respondents, 92% (48 of 52), had a standard set of safety precautions that they utilized when working. Common safety precautions included: trusting his or her gut/instinct; screening customers; being aware of surroundings; ensuring that a friend or co-worker knows of their location; seeing only regulars; keeping a weapon or mace on hand; relying on the house or agency to maintain safety.
- For 79% (41 of 52) of respondents, the safety precautions included more than trusting their instinct.
- 21% (11 of 52) of respondents specifically mentioned using condoms as a safety precaution.

Reporting Violent Incidents to the Police

- 16% (8 of 51) of respondents had gone to the police for help, as a sex worker, and found the police to be helpful.
- 43% percent (22 of 51) of respondents stated that they were open to the idea of asking police for assistance. However, many of these same respondents also expressed strong reservations about how helpful police might be, and despite their openness to the idea of asking for help, they ultimately thought of the police as unhelpful and untrustworthy.

Good Police Interactions

- Despite their apprehensions regarding the police, a few participants did have positive experiences with the police, and these experiences can guide police in creating best practices when assisting sex workers who come to them for help. It is clear that when police view sex workers as legitimate members of society, they are more likely to offer the same level of assistance that they would offer another complainant and follow-through on appropriate procedures. Unfortunately, this willingness to view a sex worker as a human being who may be a crime victim appears to be the result of enlightenment or understanding on the part of individual officers, as opposed to the result of training and best practices issued by the police department.

Sex Workers and Migration

- 60% (31 of 52) of respondents were born in the U.S. and its territories. This number includes one participant who was born in the U.S. territory of Puerto Rico.
- 40% (21 of 52) of respondents were born outside the U.S. and its territories. Participants who were born outside the U.S. and its territories came from a wide variety of countries, including Brazil, Canada, Jamaica, Japan, Mexico, New Zealand, Taiwan and Thailand.

Immigration Status of Foreign-Born Respondents at the Time of Interview

- Of those respondents who were born outside the U.S. and Puerto Rico, 62% (13 of 21) had some form of legal immigration status at the time of the interview, although not all were authorized to work in the country. Thirty-eight percent (8 of 21) were completely undocumented and had no legal status.

Reasons for Moving to the United States

- When asked why they came to the U.S., some respondents referred to the “American dream,” while others referred to sexual freedom and other cultural forces in the U.S. Respondents indicated that the “American dream” is inextricably linked to jobs and financial opportunities.

Immigrants' Involvement in Sex Work

- It is clear that the decision to enter the sex trade was not always an easy one for the immigrants in the sample. For respondents who did not have legal immigration status or proper documentation, the ability to settle, find housing, and support themselves was compounded by fear of deportation and a lack of employment authorization. This led some participants to look at sex work as their best economically viable option. Respondents in this situation discussed the fact that they could work out of their apartments independently without involving an employer. In addition, many escort agencies and brothels do not check for legal immigration status.

Desire for Permanent Legal Status in the U.S.

- All (14 of 14) of the respondents who were not U.S. citizens or legal permanent residents reported that they wanted permanent legal status to remain and work in the U.S. Respondents mentioned a desire to stay here and earn more money, but also stated that permanent legal status would allow them to travel freely between the U.S. and their native countries.

Legal and Other Needs

Many respondents were low-income women and men who were part of the working poor, and were unable to find work that paid them a living wage, or that allowed them to maintain a balance between work and family. Transgender sex workers faced additional problems due to discrimination and insensitivity to their gender identity. Immigrant sex workers, especially those who did not have legal status or did not speak English, also faced additional hurdles in trying to find mainstream employment that paid a living wage.

Respondents mentioned numerous areas in which they had needs. These included:

- Health Care (Comprehensive);
- Counseling (“Someone to talk to”);
- Finding Stable Housing;
- Peer Support (How to be safe and protected in the business);
- Legal Assistance (Criminal, Immigration, Housing, Domestic Violence, Family Law, Child Welfare issues);
- Immigration Assistance;
- Mentoring in Alternative Employment (If they want to leave the work, it is difficult to learn about viable alternatives);
- Advice on How to Manage Money (Comes in fast and goes out fast);
- Translating Skills to Straight Jobs;
- Language Classes; and
- Accessing Education.

Leaving the Sex Industry

- 69% (36 of 52) of respondents said that they would like to leave sex work eventually. Many respondents voiced ambivalence about their continuing involvement with the sex industry. However, some explained that they like the work itself. The difficulties of leaving the sex industry are compounded for transgender women and people with arrest records. For those who are working in conditions that are coercive and the sex workers' safety is threatened, leaving is problematic and potentially dangerous.

Future Plans and Attaining Goals

- Many participants used their income from the sex industry to finance goals outside the sex industry, such as education, start-up businesses, and involvement in the arts. Most respondents had goals for the future and sex work was a part of their plan to reach these goals. Many respondents had begun other careers, while others planned on careers in sex work.

KEY CONCLUSIONS

This research shows that indoor sex workers in New York City experience a number of severe problems, including but not limited to:

- Violence at the hands of customers, abusive employers, traffickers and police;
- Fear of arrest and its consequences, including stigma;
- Lack of intensive supportive services which could assist them in finding stable housing and alternative employment that pays a living wage; and
- Extreme social isolation from friends and family, neighbors, other sex workers, service providers, and certain mainstream institutions such as banks.

Not everyone would agree that this population represents a priority among those in greatest need. However, the City administration, police, and residents in some neighborhoods continue to target the control of sex work. Unfortunately, the chosen methods consume police, court and other resources but fail to create any appropriate long-term resolution. This report calls for a reasoned, fact-based, and informed debate regarding sex work in New York City.

Sex workers experience a great deal of violence, from customers, traffickers and pimps, and even police. The criminal justice system has a direct impact on the ability of indoor sex workers to avoid violence and create stability for themselves and their families.

The unlawful nature of most sex work often results in extreme isolation and invisibility. One of the most significant findings of this study is that there is unquantifiable value for indoor sex workers in simply knowing others who are in this work. There is a clear need for peer support.

These problems are even more severe for immigrants and for trafficked sex workers, most of whom fear deportation and already find it difficult to obtain mainstream employment that pays a living wage due to a lack of proper work authorization, and in some cases, a lack of language skills.

The failure to address problems faced by this population is an obstacle to finding long-term and viable ways to assist low-income and middle-income people who feel pressure to turn to sex work in order to create some kind of stability for themselves and their families. Current policy and law enforcement efforts are not effective, as indicated by the fact that many prostitutes who exit sex work return to the trade when they find themselves at vulnerable or frightening points in their lives. There exists a critical need for targeted and substantial programs and support systems that will help indoor sex workers who want to leave the life now, or at some point in the future, reach economic self-sufficiency and stability. This is especially true when one considers the high frequency of an expressed desire to exit the trade found in this sample. Often, these individuals desire a new life, with greater opportunities. Because of this, they should be considered prime targets for service delivery as they are a population ready and willing to receive such assistance.

RECOMMENDATIONS

The following recommendations are based on findings derived from this research and include recommendations suggested to the researchers by the respondents themselves. They provide ways that stability and economic security may be achieved among indoor sex workers in New York City, specifically touching upon the ways in which public discussion, criminal justice practices, and programs and services can contribute to this stability.

Public Discussion

- Based on these findings, which include the needs and concerns of sex workers, this report recommends an informed and fact-based public discussion and further inquiry to erase the idea that prostitution is merely a criminal justice issue; to focus on the real economic needs of many indoor sex workers, who are part of the working poor; and to find ways for police to be productive in ensuring the safety of sex workers.

Violence and Coercion Against Sex Workers

- Whatever one's feelings about sex work, no one should be willing to condone incidents of violence against sex workers, or coercion into sex work. In no other occupation does society regularly blame

the victims of violence for acts committed against them in the way that it does for sex workers. It is imperative that the police department adopt best practices for dealing with violence against prostitutes and that police officers be properly trained.

- Complaints by sex workers should be met with the same respect and regard that would be given to any other crime victim, and complaints must be addressed and investigated by law enforcement agencies without penalty to these victims of violence, even when they were subjected to violence or attempted violence while committing prostitution or other illegal acts. It is critical that police assure prostitutes that they will not be investigated or arrested for illegal behavior if they come forward to report a crime of violence.
- Police who commit violence or other crimes against prostitutes must be held accountable for their acts. These acts include sexual assault or abuse, sexual harassment, theft, and extortion of sexual services in exchange for not being arrested. Police leadership must make it known that they take such exploitation seriously. Police and the courts must aggressively investigate and punish police officers who engage in sexual harassment or violence of any kind against sex workers.

Police Interaction with Sex Workers

- Policymakers should carefully consider the extent to which they make prostitution a criminal justice priority. It is important to bear in mind that many in this population are engaging in prostitution in order to support themselves and their families, and could benefit from substantive services and assistance rather than arrest.
- Where a person has not engaged in a violation of the law, police should not initiate contact.
- Arrest statistics are useful tools for government, community members, and advocates, as they inform all invested parties about significant problems and changes in criminal justice trends. Currently, arrest data is disaggregated by age, race/ethnicity, gender, and borough. We recommend that arrest data be further disaggregated by age and race/ethnicity; race/ethnicity and gender; age and gender; and gender and gender identity. Furthermore, arrests are often reported as “prostitution-related offenses” or “loitering” and are not disaggregated by individual offense. NYPD should keep these records of individual offenses and make them available to the public, and report them to the New York State Division of Criminal Justice Services.

Trafficked Sex Workers

- Police must be trained and willing to identify trafficked and other sex workers who are in coercive or violent situations, and to refer them to agencies that can assist them. Sex workers must be made to feel that they can step forward, that there will be a proper response to their victimization, and that they can seek justice on their own behalf.
- Trafficked sex workers should not be arrested or held in detention. Instead, they should be directly referred to safe housing, service providers, and attorneys who can assist them.
- Trafficked persons should not be compelled to cooperate with law enforcement in order to access services and legal immigration status. Many trafficked persons are willing to cooperate in investigations and prosecutions. However, they should not be expected to do so until they are emotionally and financially stable, physically well, and safe. Even those trafficked persons who never feel able to cooperate with law enforcement deserve necessary services and legal protections.
- Funding streams for anti-trafficking efforts should not restrict recipients’ advocacy on behalf of people in the sex industry. Sex workers and other personalities should be recognized as potential allies in the ongoing struggle against trafficking in persons. Workers and clients in the sex industry have assisted trafficked sex workers in escaping coercive situations, and some trafficked persons return to the sex industry for economic reasons. Therefore, organizations should be able to continue to assist them.
- Create transitional shelters that are similar to domestic violence shelters, but which specifically serve trafficked persons.

Programs and Services

- Create funding for peer support networks for indoor sex workers. Such programs will allow those who engage in sex work during vulnerable times in their lives to reach out to others who have more

experience and understanding of the risks involved. Such networks would reduce isolation and the fear of stigma, allow for information sharing among sex workers, reduce the likelihood that sex workers will be ill- or misinformed about the law, and also create an environment that is rich for outreach workers to offer assistance.

- Create and expand desperately needed seamless services for indoor sex workers. Necessary services include mental health and counseling/support; appropriate job training; language classes; financial management; and comprehensive healthcare.
- Programs that serve sex workers must maintain realistic and flexible hours that reflect the schedules of the target population.
- Service providers must train their program staff to be sensitive and open to sex workers. Furthermore, staff must be trained to understand the stigma and discrimination to which this population is exposed, and their consequent fear of seeking help. Service providers must treat sex workers with respect, and serve or refer them to necessary programs as appropriate so that they do not fall through cracks in the system.
- Create steady federal, state, and local government funding streams for these service programs for indoor sex workers, redirecting money from funds for arrest and incarceration as appropriate. While sex workers may be eligible for service programs focused on other populations, such as the homeless, substance abusers, or those with psychiatric disabilities, the specific nature of the problems that they face, including the stigma attached to their occupation and the isolation that it creates and reproduces, means that their needs require additional, special attention.

INTRODUCTION

Sex work is a term used to refer to all aspects of the lawful and unlawful sex industry. In this report, we use the term “sex worker” to describe those who engage in any commercial sexual exchange, while we use the term “prostitute” specifically to refer to those who exchange sexual conduct for money and are targeted for arrest under New York State prostitution laws.¹ Sex workers live under the daily threat of arrest, deportation, and violence. These dangers are compounded by the stigma, isolation, and invisibility associated with their work. This report examines the quality of life issues that indoor sex workers face and the impact of law enforcement approaches on this population in New York City.

The title *Behind Closed Doors* refers to the hidden nature of the indoor sex industry (in which solicitation and the sexual exchange occur off the street), and the isolation felt by its sex workers. For the purposes of this study, indoor sex work was defined as any kind of sex work that goes on behind closed doors, as opposed to on the street. This definition includes prostitutes who work in brothels (official or makeshift), independently in their own homes, and as escorts; strippers and bar patrons who connect with prospective clients in these venues and make dates for later meetings; and dominatrices whose services may potentially be defined as “sexual conduct.” Sadomasochistic services provided by dominatrices are not uniformly considered sexual by law and so are not always considered prostitution in New York City.

The title of this report also refers to the pervasiveness of the indoor sex industry. Sex workers are woven into most neighborhoods in New York City, and are pivotal in the underground economy, with a large involvement by immigrants and others who are unable to earn a living wage in the mainstream economy.

This report follows *Revolving Door* (Ditmore and Thukral, 2003), which explored the impact of law enforcement policies on street-based sex workers in New York City. With that report, the researchers sought to promote reasoned, fact-based, and informed debate regarding street-based prostitution in New York City. This report aims to continue and add to the debate on the rights of sex workers. Public discussion of prostitution usually occurs in flashy headlines that are meant to titillate rather than to explore the consequences of policy decisions in-depth. As with the previous report, this new report seeks to record the problems faced by sex workers, in their own words, since theirs is a voice almost always left out of policy debates. Based on the concerns expressed by the respondents, the researchers propose recommendations based on programmatic possibilities that can create effective solutions for this population and for the broader community.

This report focuses on indoor sex work primarily because, while these sex workers are largely invisible, they face many of the same problems as the more visible street-based prostitutes. The stereotypes of indoor sex workers encompass only extremes of either wealth and glamour or coercion and violence. The true picture reveals a more nuanced reality—the majority of indoor sex workers in this study live surprisingly precarious lives, and encounter a high level of exactly the same problems faced by street-based sex workers, including violence, constant fear of police interference, and a lack of substantive support services. In fact, some of these problems are exacerbated by the clandestine, and thus invisible, nature of indoor sex work. In addition, indoor sex workers also face many of the same problems as other populations among the working poor and recent immigrants, such as unstable housing and an inability to earn a living wage in the mainstream economy. Current law enforcement approaches are problematic because they drive sex workers further underground and alienate them from sources of support and from the mainstream of society. This problem is compounded by the fact that police rarely respond to the complaints of sex workers, even in cases of violence. Finding concrete and reality-based solutions to the needs of this invisible, vulnerable, and marginalized community is imperative to helping them create safe and stable lives.

¹ An example of sex workers who do not engage in prostitution but who still face legal risk in that they are sometimes targeted by police are dominatrices, who perform some acts that could be construed as “sexual conduct.”

LITERATURE

Prostitution has been widely studied, typically under the banner of deviant behavior. A great deal of academic work has addressed sex work as deviance or as a social problem to be combated (Hoigard and Finstad 1986; Maher, Dunlap, Johnson, and Hamid 1996; Maher and Daly 1996; Odzer 1994; Prus and Irini 1980; Sandford 1975; Winick 1971). Most work on prostitution addresses street prostitution rather than indoor prostitution (Hoigard and Finstad 1986; Maher, Dunlap, Johnson, and Hamid 1996; Maher and Daly 1996). Sex workers who operate indoors have not been as widely investigated as street prostitutes, and almost nothing exists on sex workers like the dominatrices in this sample, who may not fall into the same legal category as prostitutes. The limited amount of contemporary research into indoor sex workers typically involves case studies or very small samples, such as Heyl's *The Madam* (1979) and Greenwald's *The Call Girl* (1958).

There is increased current interest in researching indoor sex workers. London's POPPY Project has recently finished a mapping project in London, identifying over 700 venues that sell commercial sex (Dickson 2004). The Chicago Coalition for the Homeless broke new ground with the report *Buying Sex* (2004) in that they focused on male clients to learn about the demand side of the sex industry. Seventy percent of the men surveyed reported that they had sought commercial sex in indoor venues. However, there is a fundamental flaw in this study in that it does not distinguish between lawful and unlawful sex work—the recommendations appear to advocate punitive measures for men who patronize legal venues in the sex industry, such as strip clubs. Bindel (2004) describes reports that sex was offered by dancers at some clubs in the United Kingdom (UK) (20, 26, 28, 38-42), where prostitution itself is not illegal but all attendant activities undertaken to meet clients are illegal. (United Kingdom Home Office 2004: 14). Bindel (2004) also reports that dancers pay between 35 and 100 pounds sterling per shift to work in some lap dancing clubs in the UK (27, 29). Some women do not earn enough to pay this fee and struggle to make even a minimal wage. As a result, a dancer may consider prostitution as a means of generating greater income in order to support herself and her dependents (29). One concern with this particular study is that the researchers presented themselves as patrons, and may not have recognized that both dancers and patrons in the clubs may not be honest and forthright with personal information about their lives, for reasons related to privacy and protection. Therefore, interview participants may have offered vague answers, at best, to personal questions (34, 38).

The avant-garde of investigation into sex work examines the use of the internet by sex workers and clients as a venue to meet (Koken, Bimbi, Parsons and Halkitis in press; Parsons, Koken, Bimbi and Halkitis in press; Parsons, Koken, Bimbi and Halkitis 2004). The internet has enabled many sex workers to work independently without third party intermediaries. The internet has the additional function of enabling online interactions and networking between sex workers who may not otherwise enjoy such collegial opportunities.

Sex workers have often been portrayed as vectors of disease, particularly as a “bridge” population, bringing sexually transmitted diseases (most notably HIV) to the general population. (Quetel 1990, Self 2003) However, recent work demonstrates that sex workers are frequently sex educators concerned about their own health and that of others. (Parsons, Koken, Bimbi and Halkitis 2004; Chapkis 1997) Moreover, the perception of sex workers as marginal to the general community rather than part of that community is erroneous. Sex workers, like others, typically have multiple roles including roles within family, more mainstream employment, educational institutions, and local organizations (Nagle 1997, Kempadoo and Doezema 1998). Sex workers also fulfill roles with their clients that go beyond sex, such as confidantes (Chapkis 1997, Frank 2002).

Sex work is ubiquitous across time and place. Historical works offer rich accounts of indoor sex work in the U.S. and abroad (Rosen 1982, Walkowitz 1980, Walkowitz 1992, Gilfoyle 1994, Mayhew 1985, De Becker 1971, Roberts 1971). Historical and contemporary literature addresses both prostitution itself and federal or municipal attempts to control it (O'Leary and Howard 2001; Ditmore and Thukral 2003; Langum 1994; Walkowitz 1980; Walkowitz 1983). Attempts to control sex work have been used for political and other purposes. For example, legal statutes addressing prostitution have been used to both arrest organized crime figures and harass interracial couples. (Langum 1994). While laws such as the federal Mann Act were passed ostensibly in order to protect women, they were often used to prosecute and otherwise control women. For example, many women were prosecuted under the Mann Act for purchasing tickets to travel across state lines to visit fiancés (Langum 1994).

Other relevant literature documents contemporary attempts by U.S. cities to control prostitution. For example, O’Leary and Howard (2001:1) record that Chicago, has a total of 5,651 prostitution-related arrests in 1999. Although they study different cities, Chicago’s Center for Impact Research (O’Leary and Howard 2001, Raphael and Shapiro 2002) and the Sex Workers Project at the Urban Justice Center (Ditmore and Thukral, 2003) reach the same conclusions regarding conditions for sex workers: that sex workers are often in marginal situations and that violence against sex workers is tacitly accepted. Norton-Hawk (2001) describes another large U.S. city, drawing attention to the high cost of incarcerating non-violent criminals, especially prostitutes, and confirming that incarceration itself is a predictor of recidivism—partly because of its constricting effects on a prostitute’s ability to secure other employment.

Migration and mobility are additional elements in the attempt to control sex work. Trafficking in persons has been the subject of a great deal of attention from law enforcement and researchers. (Ditmore 2002; Doezema 1998; Doezema 2001; Jeffrey 2002; Pearson 2002; Skrobanek, Boonpakdi and Jantakeero 1997; Thorbek and Pattanaik 2002). Current concerns about trafficking in persons often lead to trafficking being conflated with all forms of sex work (Ditmore 2002). This conflation has led to enforcement of international and domestic statutes that address abuse of labor to also focus on the sex industry. One of the concerns driving this focus on sex work is the belief that sex workers must necessarily be duped or coerced in order to enter the sex industry, and that all sex work is forced. However, evidence to the contrary abounds (Murray 1998, Doezema 1998, Kempadoo 1998, Thorbek and Pattanaik 2002, Rubin 1984). Sex workers, like others, make choices based on the options available to them (Murray 1998, Doezema 1998, Blanchot 2002, Brennan 2003). It is unfortunate that this focus on sex work and morality sometimes obscures the human rights protections in international and domestic law, particularly in cases of trafficking in persons (Ditmore 2002). Pearson (2002) criticizes the prosecutorial focus of enforcement at the expense of the rights of victims of crime. Trafficking in persons is a violent crime that goes far beyond sex work and includes forced labor in other industries, debt bondage and peonage. Workers in all industries, including the sex industry, deserve protection from coercion, abuse and violence.

Sex workers are very often subject to violence (Ditmore and Thukral 2003; Jenkins 2000). However, violence against sex workers is rarely investigated by the authorities (Ditmore and Thukral 2003; Fairstein 1993). The issue of violence against sex workers has even been used to pathologize sex workers rather than the perpetrators of violence (Farley, Baral, Kiremire, and Sezgin 1998). Police response to violence against sex workers has ranged from negligent at best to punitive against the victim at worst (Fairstein 1993; Thukral and Ditmore 2003). Police have also been known to commit violence against sex workers (Ditmore and Thukral 2003). Reports describing interactions between police and prostitutes reveal that prostitutes do not usually see the police as helpful, even when they have been victims of violence (Dalla 2000, Hay 1994). Poulcallec-Gordon (forthcoming) describes pervasive racism, particularly from police, and its effects on sex workers in New York City, including reduced education and professional training leading to racial stratification among minorities in the street-based economy. Hay (1994) writes about routine illegal sexual interactions between police and the women they arrest in San Francisco. Nonetheless, it is erroneous to assume that all experiences that sex workers have had with the police are bad. While there is little literature that reports positive interactions between police and prostitutes, Ditmore and Thukral (2003) did report several instances of good interactions.

Researchers are often asked to estimate the number of sex workers in a given area. Speculative numbers suggest that 85% of sex work occurs indoors, while 85% of arrests for prostitution are made among street-based sex workers (Whelehan 2001). However, it is clear that, due to the covert nature of commercial sex, it is difficult, and perhaps impossible, to determine how many sex workers are currently working in New York City. It is equally impossible to make a blanket statement as to their needs and working conditions. We remain skeptical of all statistics that claim to be representative or exhaustive, especially when such estimates may be influenced by political viewpoints.

To illustrate this point, consider figures given for minors in the sex industry, with different organizations reporting widely varying estimates of the number of underage prostitutes in New York City. ECPAT-USA’s² rough estimate of 5,000 commercially sexually exploited youths in New York City is the highest estimate by far.³ At the

²ECPAT is an international organization that works to abolish the presence of minors in the sex industry.

³Correspondence and conversations with Mia Spangenberg, author of *Prostituted Youth in New York City: An Overview* (2001), indicated that this figure comes from a 1984 report (Schaffer and Caton) that estimates 20,000 homeless youth in New York City and from studies citing that at least one-third of homeless youths sell sex. Clatts et al. (1998, 1999) found that at least one third of their respondents were involved in sexual commerce—not all of which was formally recognized as overt sexual commerce—at some point in the twelve months prior to their interviews (Clatts and Davis 1999; Clatts, et al. 1998).

other extreme, a December 6, 2002, New York City Council briefing about minors in the sex industry clearly underestimated numbers. Michael Brooke of the Vice Enforcement Division of the New York Police Department (NYPD) estimated that there were just 15 under-aged prostitutes active in New York City (Cardwell 2002) and reported that 66 minors were arrested for prostitution during 2002. Another New York City Division has identified an additional 70 girls under 18 (Cardwell 2002). Such figures are hard to accept when outreach workers with the Sex Workers Project have observed approximately ten presumed minors engaged in street prostitution in a single area on one night alone. Other reports have documented similarly disparate estimates (Ives 2001: 8, 21). The most reliable estimates fall in between these two extremes and come from organizations that work directly with prostitutes. Priscilla Alexander, director of research and evaluation at From Our Streets with Dignity (FROSTD) argued that 1,000 minors involved in transactional sex would be a more realistic estimate (Cardwell 2002). Rachel Lloyd, director of Girls Education and Mentoring Service, which conducts outreach to girls in prostitution, estimated that numbers are in the hundreds (Gaskell 2002).

On the subject of sex work as work and “being in the life,” there is a large body of work, including a recent spate of publications by sex workers themselves (Kempadoo and Doezema 1998; Kempadoo 1999; Nagle 1997). This new literature by sex workers would not be possible without a change in the mainstream view of sex work. Sex work is now seen as something that can be overtly discussed, a sea change in itself. It is now a bona fide area of inquiry, in which overt moralizing is much reduced, albeit not always entirely absent. Academic inquiries include those by sociologists such as Wendy Chapkis (1997), who examines the issues of sex work as emotional labor, and those by academic sex workers writing about their work, such as Jo Doezema (2001) writing on the white slavery narratives; Carol Queen (1997) with her more general explorations of sexuality; and L.S. Sloan’s typology of exotic dancers (1997). This is not to imply that sex workers have been uniformly welcomed into debate. Weldon (2001) reports that some schools of feminists addressing sex work typically do not want to hear from sex workers unless they tell tales of abuse and oppression, even going so far as to prevent sex workers who do not share their opinion from speaking. More general feminist inquiries into prostitution include feminist debates about sex work, reminiscent of the earlier “pornography wars” and featuring many of the same arguments for or against sexual material and sex work, such as the argument that prostitution and pornography objectify women and promote violence against women (Bell 1987; Dworkin 1981). Pragmatic public health programs working with and for sex workers have also generated their own literature, often focusing on harm reduction for sex workers (e.g. AIDSLink and HealthLink, newsletters published by the Global Health Council, an international association of health organizations.) Empowerment as a vehicle to promote public health figures strongly in these discussions (Wolffers 2000).

The literature demonstrates a change in the perception of sex work and sex workers, marking a change from a view in which sex workers are seen as pitiful victims, moral degenerates or scapegoats for disease to a more nuanced and mature one in which they are recognized as members of the broader community.

NEW YORK CITY CONTEXT

New York City is one of the most expensive cities in the U.S. in which to live. Pearce and Brooks (2000) judged a living wage in New York City for one adult with one child to range between \$2,854 and \$4,990 per month, depending on borough, in the year 2000 (8-14). This calculates to an annual range of \$34,248—\$59,880. In order to earn this much, hourly wages for full-time work would need to be between \$16.47 and \$28.79 for a single parent. A more recent calculation suggests that the housing wage in the New York metropolitan area is \$19.58. This is the amount a full-time (40 hours per week) worker must earn per hour in order to afford a two-bedroom unit at fair market rent (National Low Income Housing Coalition 2004). A full-time minimum wage job paying \$6.00 per hour (New York State’s minimum wage, effective January 1, 2005) or \$12,480 per year is clearly inadequate. These numbers demonstrate why some people may turn to the underground economy as a source of income generation, working, for example, as sex workers.

A number of recent newspaper articles about sex work in New York City have focused on indoor sex work. These include a description of a New Jersey-based madam who sent escorts to clients in Manhattan (Jacobs 2004). Another article describes a taxi-dance club in which women charge men \$2 per dance (Gerson 2004). This club caters to Latin American male laborers and the amounts charged fit the budget of a day laborer in New York City, in marked contrast to the higher charges of the madam above who catered to businessmen. The experiences of these immigrant workers (both the female dancers and the male laborers) highlights the importance of immigrant remittances to their families in their countries of origin, and the fact that a significant source of income for Central America and other economically underdeveloped regions comes from money earned by family members who have migrated across borders for work (Becker 2004).

New York City is a large urban center, and it is clear, from both research and media attention, that sex work continues to be an integral part of the City’s underground economy. Most examination of the City’s sex industry focuses on street-based prostitution, and the effect of the city’s quality of life campaigns on this population (Ditmore and Thukral 2003; Maher, Dunlap, Johnson, and Hamid 1996; Maher and Daly 1996). There is little documentation of or inquiry into the City’s indoor sex industry.

While New York City does not have an official policy on sex work, prostitution is illegal, and police engage in sweeps, arrests, and issuance of summonses (tickets), most frequently in communities that complain about prostitution activity. However, this criminal justice approach ignores the needs of sex workers and often compromises their human and civil rights by leading to harassment, false arrests or tickets. In 2004, increased enforcement by the NYPD resulted in a greater number of summonses issued for quality of life offenses.⁴ In fact, Operation Spotlight, an initiative that focuses on “chronic misdemeanor offenses” including prostitution, loitering (a charge often used against persons suspected of engaging in street-based prostitution), and other related offenses, resulted in the prosecution of 17,908 “recidivists” in the City, a 46% increase from Fiscal 2003.⁵ Operation Clean Sweep, another NYPD initiative, “increase[s] police presence during hours when crimes are likely to occur in neighborhoods with chronic problems such as noise, prostitution and disorderly youth. In Fiscal 2004, Operation Clean Sweep resulted in the issuance of 18% more summonses and 33% more arrests when compared to the prior year.”⁶

The following graphs and tables illustrate arrest numbers provided by the New York State Division of Criminal Justice Services (DCJS). DCJS classifies “prostitution-related offenses” as including “patronizing a prostitute” (being a client) and “promoting prostitution.” DCJS classifies “loitering” as including “loitering for prostitution.” Since 1998, there has been a significant rise in the percentage of arrests made for loitering, a change that may be attributed to these recent changes in law enforcement strategies in the City.

⁴ *Mayor’s Management Report, Fiscal 2004*, City of New York (September 2004) at 163.

⁵ *Id.* at 164.

⁶ *Id.* at 167.

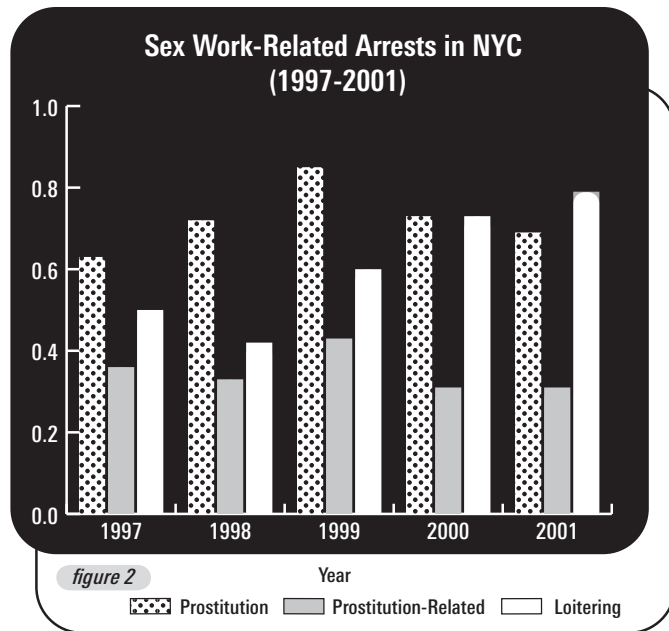
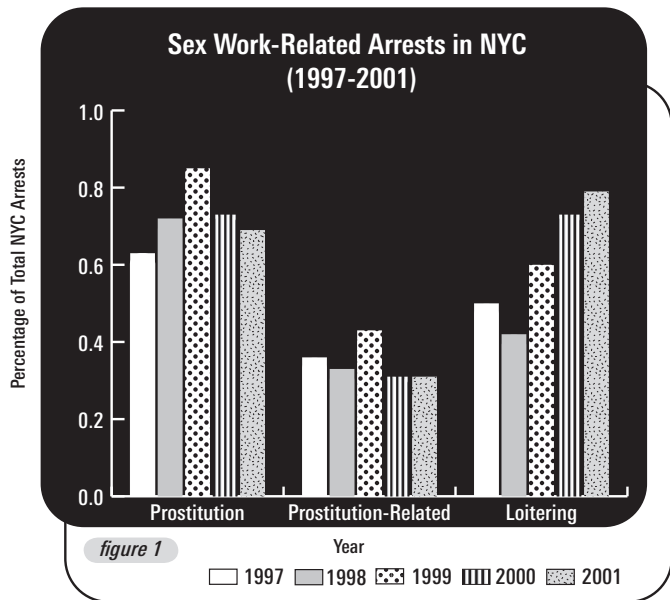
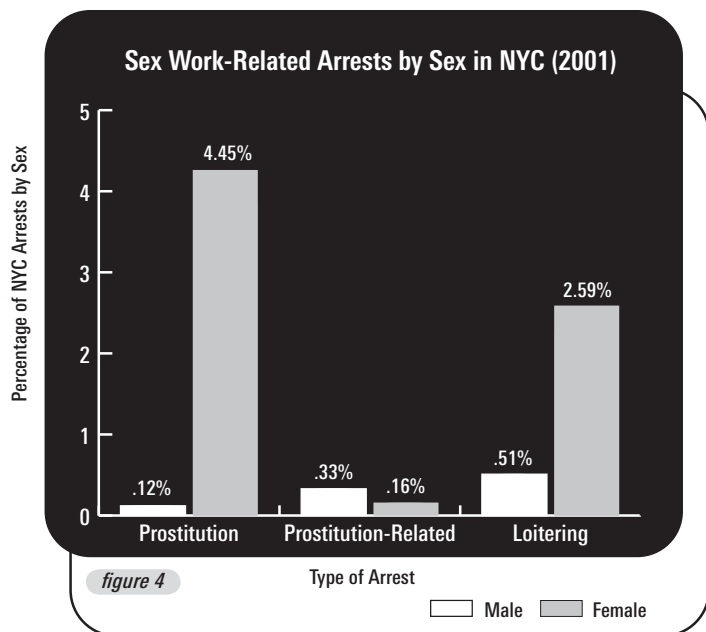


Figure 3 – Sex Work-Related Arrests in NYC (1997-2001)

	Total Arrests	Prostitution	Prostitution-Related	Loitering
1997	739,833	4,687	2,663	3,729
1998	763,593	5,472	2,490	3,173
1999	764,695	6,535	3,258	4,596
2000	852,163	6,207	2,615	6,193
2001	839,365	5,809	2,567	6,592



When the most recent (2001) arrest statistics for prostitution are broken down according to gender, one can see that the overwhelming majority of arrests for prostitution and loitering are made against women, while men are slightly more likely to get arrested for prostitution-related offenses.

Figure 5 – Sex Work-Related Arrests by Sex in New York City 2001

	Total Arrests	Prostitution	Prostitution-Related	Loitering
Male	728,395	867	2,391	3,721
Female	110,970	4,942	176	2,871

When the most recent (2001) arrest statistics are broken down by race or ethnicity, an interesting pattern emerges. As the graph illustrates, the percentage of whites, Hispanics, and Blacks that are arrested for prostitution, prostitution-related offenses, and loitering are roughly the same, but the percentage of Asians arrested for prostitution and prostitution-related offenses is significantly higher. Also, the only sex work arrest for which Asians were least frequently arrested in comparison to other ethnicities was loitering. The fact that Asians are not arrested for loitering but are arrested for prostitution implies that they are primarily arrested in indoor venues.

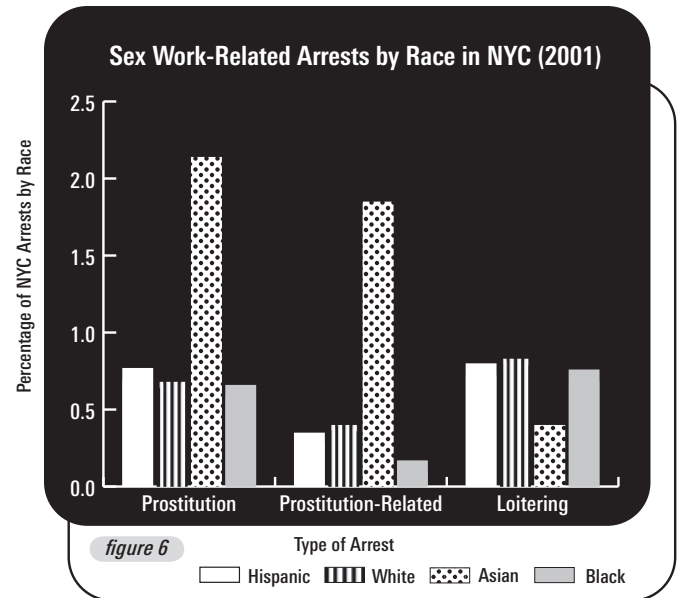


Figure 7 – Sex Work-Related Arrests by Race or Ethnicity in New York City 2001

	Total Arrests	Prostitution	Prostitution-Related	Loitering
Hispanic	226,119	1,737	789	1,810
White	397,194	2,708	1,593	3,285
Asian	13,217	283	244	53
Black	428,054	2,811	711	3,251

Finally, with respect to the most recent (2001) arrest rates by the five counties in New York City, some interesting findings emerge. First, the greatest percentage of arrests made for prostitution is in New York County, otherwise known as Manhattan. Second, there are significantly more arrests for loitering made in Richmond County (Staten Island) than there are arrests for prostitution and prostitution-related offenses in this county. New York County has the smallest percentage of arrests for loitering, which may speak to the movement of the sex trade off of the streets and into indoor venues as a result of recent law enforcement strategies, which have been heavily implemented in Manhattan.

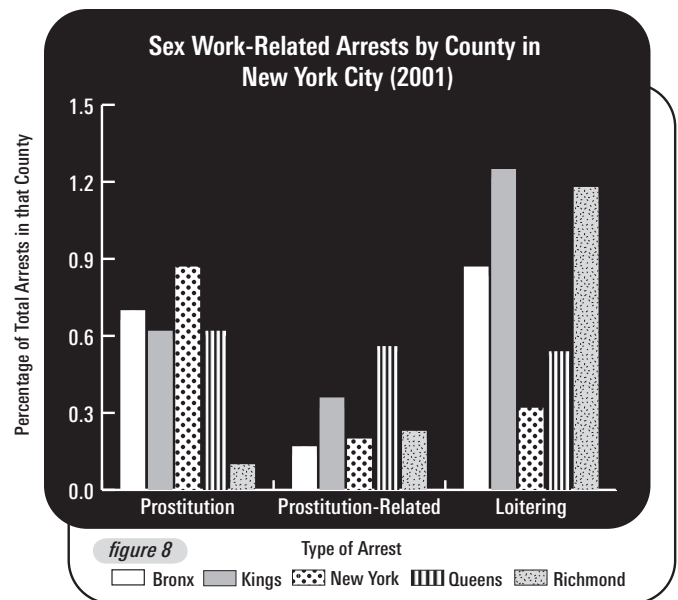


Figure 9 – Sex Work-Related Arrests by County in New York City 2001

	Total Arrests	Prostitution	Prostitution Related	Loitering
Bronx	178,592	1,257	300	1,549
Kings	259,112	1,607	940	3,228
New York	234,385	2,033	466	759
Queens	144,391	889	808	785
Richmond	22,885	23	53	271

This criminal justice approach also comes with a high financial price. The average annual cost to house an inmate in a City jail is \$60,070, or \$165/day, with an average stay being 47 days.⁷ Those arrested for prostitution, loitering, and other related offenses who spend any time in jail do so in City jails, and emerge from their time in jail having received few services or offers of assistance that can keep them out of a cycle of arrests. For juveniles, the average daily cost to keep a person in custody is \$386, compared with a daily cost of \$33.80 to work with a juvenile in an Alternative to Detention program.⁸ These figures reflect only the cost of incarceration and do not include the costs involved in law enforcement and the operation of the criminal court system. It is clear that this criminal justice approach is far less cost-effective than helping people to become self-sufficient via provision of long-term housing and intensive and comprehensive services.

⁷ *Id.* at 181-182.

⁸ *Id.* at 190-191.

LAWS AFFECTING SEX WORKERS

U.S. ANTI-TRAFFICKING LAW

In recent years, the United States government has turned its attention to the issue of human trafficking with renewed vigor. This focus has culminated in national legislation, the Trafficking Victims Protection Act (TVPA) of 2000.⁹ The TVPA aims to “combat trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly women and children, to ensure just and effective punishment of traffickers, and to protect their victims.”¹⁰ The law offers strong but flawed protections for trafficked persons, including the possibility of obtaining a nonimmigrant visa; access to healthcare; and services such as mental health counseling, job training, and English as a Second Language classes.

The TVPA requires that trafficked persons over the age of 18 who seek legal status or government-sponsored benefits be willing to cooperate with reasonable requests from law enforcement in the investigation or prosecution of acts of trafficking.¹¹ This requirement applies to persons who have been trafficked into the sex industry, who have been the focus of much of the legal response to trafficking in persons. While this legislation has helped a number of formerly trafficked prostitutes, it is still very difficult for many people who have been trafficked into the sex industry to benefit from the new law, especially in cases involving people who do not fit the stereotype of an innocent girl forced into prostitution.

The difficulty stems from the fact that this cooperation requirement necessarily includes contact with law enforcement and questioning by police and immigration authorities. Immigrant sex workers are often afraid to come forward and do not trust law enforcement to assist them. Many people who have been trafficked are afraid of police and immigration agencies because they have engaged in unlawful behavior (for example, they may be in the U.S. unlawfully); they have been arrested in the past; or they have been told that they will be deported if they come forward with their complaints. These difficulties are compounded for people in the sex industry, even those who are involved against their will, because prostitution is unlawful and not all trafficked persons are duped into prostitution. Additionally, law enforcement officers do not always recognize trafficked persons as victims of crime. With continued education in both immigrant communities and among law enforcement personnel about the reality of human trafficking, it is possible that the TVPA will be utilized to its fullest potential to protect such victims.

PROSTITUTION LAWS IN NEW YORK STATE

New York, like the overwhelming majority of the rest of the United States, uses a prohibitionist model in relation to prostitution. This is not the case with other aspects of the sex industry, including stripping, pornography and its production, and internet-based adult-oriented businesses.

Criminal Law

In New York State, the five main subcategories of prostitution-related offenses are: prostitution, New York State Penal Law (NYPL) Section 230.00; patronizing a prostitute (1st, 2nd, 3rd or 4th degree) NYPL Sections 230.03-230.07; promoting prostitution (1st, 2nd, 3rd or 4th degree) NYPL Sections 230.15, 230.20, 230.20, 230.32, 230.35; permitting prostitution, NYPL Section 230.40; and loitering for the purpose of engaging in a prostitution offense, NYPL Section 240.37.

Prostitution as defined in the New York statute occurs when a “person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.” Sexual conduct is not defined within the statute. This essentially grants courts the discretion to decide what amounts to sexual conduct on a case-by-case

⁹ Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386 Division A, 114 Stat. 1464 (2000) (codified as amended in scattered sections of the U.S.C.) [*hereinafter* TVPA]. The TVPA was amended and reauthorized in December 2003 by the Trafficking Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, 117 Stat. 2875 (2003) (codified as amended in scattered sections of the U.S.C.) [*hereinafter* TVPA Reauthorization].

¹⁰ TVPA § 102(a). The legislation does not explain its source or methodology in asserting that victims of human trafficking are predominantly women and children.

¹¹ TVPA § 107(e)(1)(C); TVPA Reauthorization § 4(b)(1)(A).

basis. Most recent court decisions cite *People v. Costello*,¹² where the court found that the purpose of NYPL Section 230.00 was to “prohibit commercial exploitation of sexual gratification.” The court in *Costello* reasoned that the “common understanding of prostitution” comprises three specific prongs: sexual intercourse, deviate sexual intercourse and masturbation. Although the ruling in *Costello* has not been overturned, other courts, as in *People v. Hinzman*,¹³ have expanded its definition to include “conduct done to satisfy a sexual desire.” A more recent decision in *People v. Medina*¹⁴ opted for a less restrictive definition: “inasmuch as the *Costello* court derived its definition of ‘sexual conduct’ not from the statute but from ‘common understanding’ which is subject to change, this court is not persuaded that it should accept the categories of sexual activity offered there.” The court based its decision on a present-day “common understanding” of sexual conduct, again allowing for case-specific determinations of what constitutes sexual conduct for the purpose of prostitution.

Patronizing a prostitute involves: providing payment in compensation for having engaged in sexual conduct with another person; providing payment with the understanding that such person or a third party will later engage in sexual conduct with the purchaser; or soliciting or requesting that another person engage in sexual conduct with the purchaser for a fee (NYPL Section 230.02). There are varying degrees of this offense based on the ages of both the person patronizing and the person providing the sexual service. The most severe of these can be found in Section 230.06 where it is a Class D felony to patronize a prostitute who is less than 11 years old.

Promoting prostitution is defined both as “advancing prostitution” and “profiting from prostitution” (NYPL Section 230.15). It too has varying degrees of severity depending in large part on the age of the prostitutes involved and the methods used to advance prostitution, such as force or coercion. When the owner of property that is being used for the purposes of prostitution does not make a reasonable effort to “halt or abate such use,” he or she can be charged with permitting prostitution under NYPL Section 230.40.

Loitering for the purposes of engaging in prostitution is a separate offense defined in NYPL Section 240.37 of the New York Penal Code. This statute prohibits remaining in and/or wandering about a public place in order to engage in prostitution. Beckoning to cars and pedestrians, conversing or trying to converse with people walking by or blocking the sidewalk for the purpose of engaging in prostitution is a criminal offense separate from the crime of prostitution itself. It applies to those acting as prostitutes, those patronizing prostitutes and those who promote prostitution. Loitering for the purposes of prostitution is a violation at the first offense and thereafter, a misdemeanor offense.

Although not specific to prostitution, criminal solicitation in the fifth degree defined in NYPL Section 100.00 occurs when “with intent that another person engage in conduct constituting a crime, he solicits, requests, commands, importunes or otherwise attempts to cause such other person to engage in such conduct,” and may additionally be used to charge those accused of engaging in prostitution.

Civil Law

Housing Law

Prostitution-related offenses may also be found in the civil (non-criminal) law of New York. Sections 2320 – 2334 of the New York Public Health Law, for instance, define “houses of prostitution” as a public nuisance and detail legal action that may be taken against the owners of such houses as well as the penalties that will result from conviction. A “house of prostitution” is formally defined in the statute as “any building, erection, or place used for the purpose of lewdness, assignation, or prostitution” and qualifies as a “nuisance.” Anyone who “erect(s), establish(s), continue(s), maintain(s), use(s), own(s), or lease(s)” a house of prostitution may be charged under the statute.

There are also regulations that entitle the landlord of a multiple dwelling to terminate the lease or the owner of a multiple dwelling to repossess such dwelling if it is being used as a house of prostitution in any way (New York Multiple Dwelling Law Sections 352 – 360). These laws would be particularly applicable to those who engage in sex work in their homes or on properties that they share with others and are currently leasing.

For those persons not necessarily living in a multiple dwelling but who are party to a lease or occupancy

¹² *People v. Costello*, 90 Misc. 2d 431, 395 N.Y.S.2d 139 (N.Y. Sup. Ct., N.Y. Co. 1977).

¹³ *People v. Hinzman*, 177 Misc. 2d 531, 534, 677 N.Y.S.2d 440, 442 (N.Y. Crim. Ct., Bx. Co. 1998).

¹⁴ *People v. Medina*, 179 Misc. 2d 617, 621, 685 N.Y.S.2d 599, 602 (N.Y. Crim. Ct., N.Y. Co. 1999).

agreement, New York Real Property Law Section 231 stipulates that the lease or occupancy agreement made with any person or persons convicted two or more times in one year for prostitution-related offenses that occurred on the premises, will be void. This then grants the owner or lessor of the premises the right to re-enter the property. For procedure regulations and the grounds for repossessing property “illegally used,” see New York Real Property Actions and Proceedings Law Section 715.

Education Law

New York Education Law addresses legal “massage therapy.” Section 7801 of New York Education Law defines the practice of massage therapy as “engaging in applying a scientific system of activity to the muscular structure of the human body by means of stroking, kneading, tapping and vibrating with the hands or vibrators for the purpose of improving muscle tone and circulation.” In order to legally advertise and practice massage therapy, and legally use the title “masseur,” “masseuse,” or “massage therapist,” a person must be licensed and authorized by the State (Section 7802).

To become licensed and authorized (Section 7804), an individual must be a high school graduate of at least eighteen years of age, and must have graduated from a “school or institute of massage therapy” with a registered program (or its substantial equivalent). The individual must also be a U.S. citizen or a lawful alien admitted for permanent residence in the U.S. He or she must file an application with the appropriate department, pass an examination, and pay a series of fees. Finally, an individual must be of good moral character, as determined by the State.

Violation of New York Education Law, Sections 7801-04, is a Class A misdemeanor. However, there is also a broader statute regulating the practice of any profession for which a license is prerequisite (New York Education Law, Section 6512). Violation of this law is a Class E Felony and it has been applied to those who offer to practice, hold themselves out as able to practice, or practice “massage therapy” without a license.

Sex Workers as Victims of Sex Offenses

Although not directly related to the criminal prosecution of prostitution-related offenses, the New York Criminal Procedure Law (NYCPL) poses a particular challenge to sex workers who have been the victims of a sex offense, including rape. NYCPL Section 60.42(2) states that evidence of a victim’s sexual conduct is not admissible in a prosecution unless it “proves or tends to prove that the victim has been convicted of an offense under section 230.00 (Prostitution) of the penal law within three years prior to the sex offense which is the subject of the prosecution.”

METHODOLOGY

This study used multiple qualitative methods including participant observation, interviews, and focus groups with indoor sex workers, service providers, advocates, law enforcement and City officials were used for this study.

The sample of this study includes 52 indoor sex workers. Researchers directly interviewed 48 indoor sex workers. In four cases, we interviewed advocates or attorneys who had already obtained all the information necessary for the interview. Because these four women had been victims of trafficking, researchers decided to avoid further traumatizing the trafficked women and interviewed their advocates instead. The advocates assured researchers that all interview questions included in this study's interview protocol had been covered in their intake interviews with the trafficked women.

Two focus groups were conducted with a total of eight service providers and advocates from six different non-governmental organizations (NGOs.) Two community advocates were interviewed separately. Four law enforcement officers from the New York City Police Department were also interviewed, as was one official from the New York City government.

The researchers gathered arrest and criminal justice statistics from various agencies in order to provide broader background and context for the interviews.

ENLISTMENT OF RESPONDENTS

Each respondent in our sample of 52 adult indoor sex workers provided one-on-one services in a private environment. For the purposes of this study, indoor sex work was defined as any kind of sex work that goes on behind closed doors, as opposed to on the street. This definition includes prostitutes who work in brothels (official or makeshift), independently in their own home, and as escorts; strippers and bar patrons who connect with prospective clients in these venues and make dates for later meetings; and dominatrices whose services may potentially be defined as "sexual conduct." Sadoomasochistic services provided by dominatrices are not uniformly considered sexual by law and so are not always considered prostitution in New York City.

Researchers met sex workers of all genders through direct outreach at a gang clubhouse, through law enforcement officials, at a nightclub, via the internet, through other sex workers and through cooperating organizations. Some respondents referred other participants to the researchers. As mentioned above, answers to the interview questions for the four trafficked workers in the sample were obtained through advocates and attorneys who had worked with these women.

All of the names used in this study are pseudonyms. This sample is not representative of all sex workers, or of all indoor sex workers in New York City. While the sample is not large, it is extremely varied, and many of the experiences described by this highly varied group of sex workers are extremely similar. The emergence of significant common themes suggests that the data reflects systemic phenomena and is not merely anecdotal.

INTERVIEWS AND FOCUS GROUPS

Sex Workers

All sex worker respondents in the sample were interviewed using the same interview protocol. Interviewers did not deviate from the protocol. Questions addressed experiences with the police and criminal justice system (including arrests), family and living situations, spending patterns, experiences with violence, work history and demographic information. Topics and questions from *Revolving Door*, the 2003 report on street-based sex workers from the Sex Workers Project, were used as a basis for this interview protocol, although new sections and questions were added for the present study. The interview protocol is included in Appendix A.

Two questions, about voting and education level, were added after initial interviews were conducted. The women who worked in the gang clubhouse were not asked these questions. However, researchers were able to contact other early participants to ask these additional questions.

All names of respondents have been changed to protect their identities. Respondents were all assured of this before the interviews.

Interview participants included women (non-transgender), transgender women, and men.

Interview sites were usually chosen by the respondents. These interviews were conducted in homes, offices and public places. However, four interviews were conducted while the researcher and the respondents were in police custody (but not arrested.)

Interviews ranged from 45 minutes to two hours. Sex worker respondents were offered \$50 for their participation. One respondent declined the money. Some respondents called after the interviews to report additional interactions or to clarify information without additional compensation.

Information analyzed from the interviews includes demographic information; reported experiences of violence, sexual violence and sexual harassment including police violence and harassment; whether sex workers turn to the police for help after violent incidents; whether they have had good experiences with the police; housing history; history of involvement in the sex trade; family situations; immigration experiences; financial situations; and future plans and aspirations.

When appropriate—if participants asked for referrals or indicated interest in receiving immediate referral information—researchers offered such assistance. One researcher who is a practicing attorney offered legal advice when appropriate.

Researchers were able to corroborate much of the specific information given by sex workers from our interviews with other sex workers and with representatives of several organizations that participated in the focus groups.

Service Providers and Advocates

Researchers interviewed eight service providers and advocates from six NGOs about their work with populations who engage in sex work. All service providers and advocates were offered anonymity to encourage them to speak freely. Researchers also sought recommendations from these individuals based on their expertise and experience. Service providers and advocates were interviewed either individually or in one of two focus groups.

In addition, researchers separately interviewed two community advocates who shared information about their experiences with indoor sex workers in their Manhattan neighborhood.

City Agencies and Administrators

Four members of the NYPD were interviewed about NYPD procedures in addressing crimes against sex workers. One New York City government official provided background material for this report. This person asked not to be identified.)

STATISTICAL INFORMATION

All information in this report reflects data taken from the 52 sex workers in the sample. Demographic information is presented as percentages. Demographic and categorical information is fleshed out with case examples.

Specific populations, such as trafficked sex workers, were separated out for their unique experiences where appropriate. Gender was also specified when men or transgender women were quoted in order to provide insight into the role that gender plays in individuals experience working in the sex industry.

Arrest statistics were obtained from the New York State Division of Criminal Justice Services.

CODING

All interview data was coded using a spreadsheet program, using numeric coding for demographic information and extensive quotes concerning police interactions, settlement and housing issues, social networks, work history and, where applicable, immigration experiences from the interviews. Coding allowed for both statistical analysis and the finding of illustrative quotes that gives a human voice to the numbers and patterns presented in the following findings section.

FINDINGS

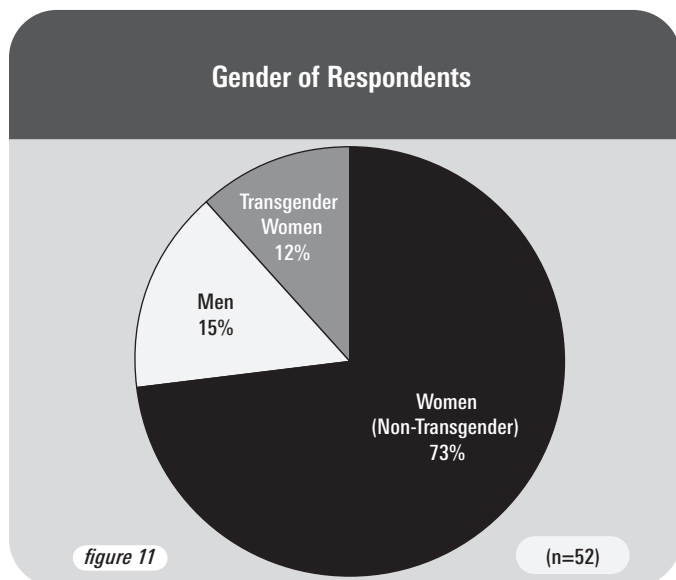
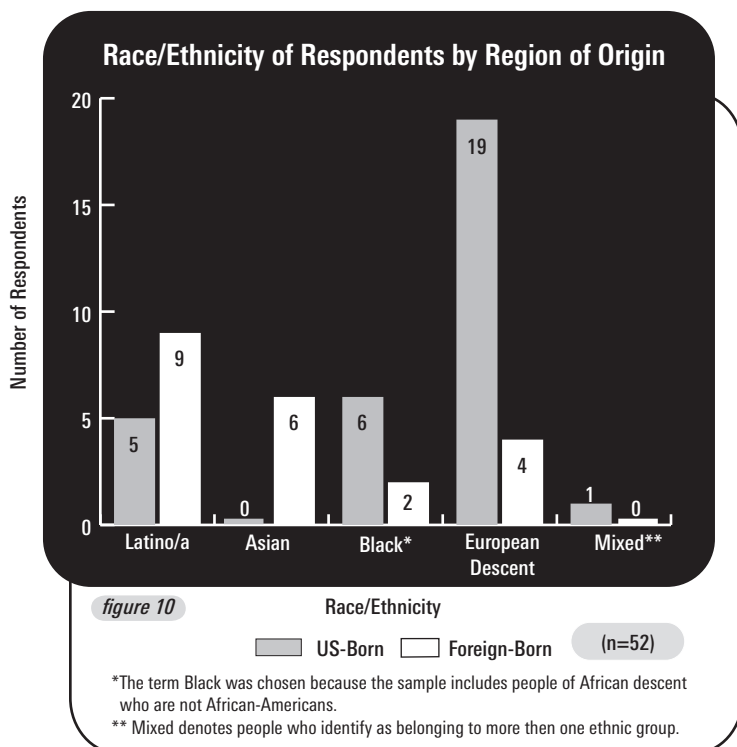
SEX WORKER INTERVIEWS

DEMOGRAPHICS

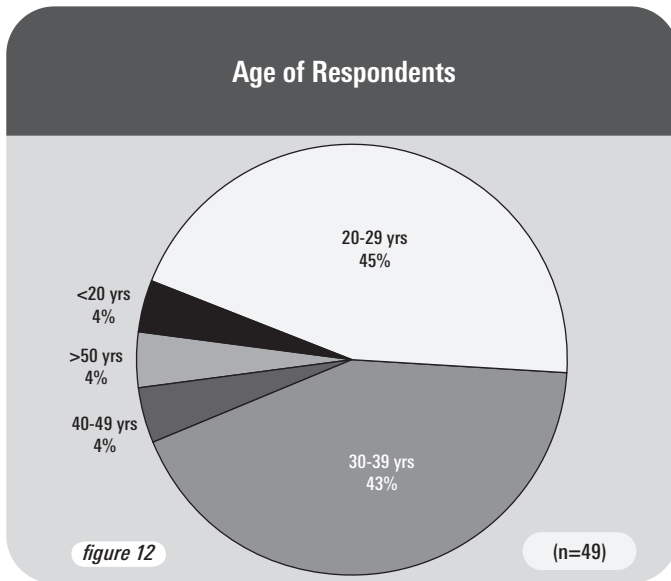
This research suggests that people from a wide range of socioeconomic levels, from low-income to working-class and middle-class, use sex work as a means of economic support. For example, many turn to prostitution and other sex work to earn income quickly when they find themselves in vulnerable economic situations. Others are forced or coerced into sex work. In many of these cases, economic instability plays a primary role in the reasons for which individuals are coerced into sex work. Indoor sex work appears to be a strategic form of survival and income generation as all of the respondents in the study use sex work in order to gain a foothold on stability in their lives.

This survival strategy, unfortunately, may place them in high-risk situations, where they may be exposed to violence, police arrest, and possible removal from the country—thus ultimately leading to greater instability for themselves and their families.

Indoor sex workers are diverse in ethnicity, gender identity, immigration status, socio-economic status, and experience in the industry. Forty percent (21 of 52) of respondents were foreign-born, representing countries in Asia, Latin America, the Caribbean, and Europe. Twenty-seven percent (14 of 52) of respondents identified as Latino/a; 12% (6 of 52) identified as Asian; 15% (8 of 52) identified as Black; 44% (23 of 52) identified as European Descent; and 2% (1 of 52) identified as mixed race.

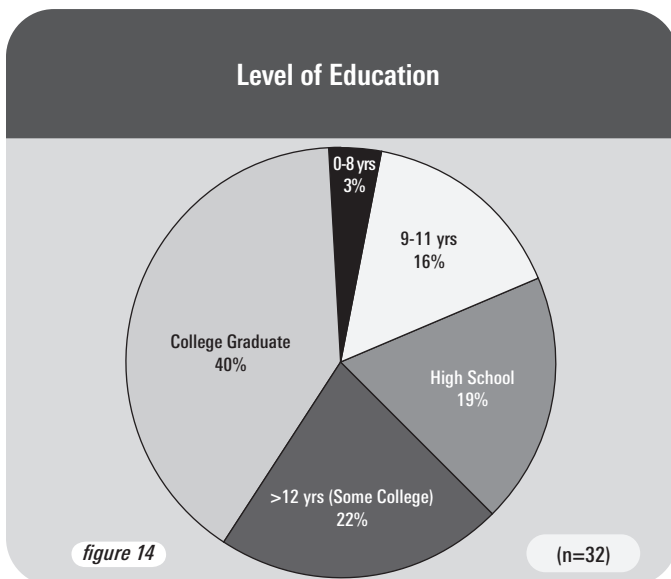
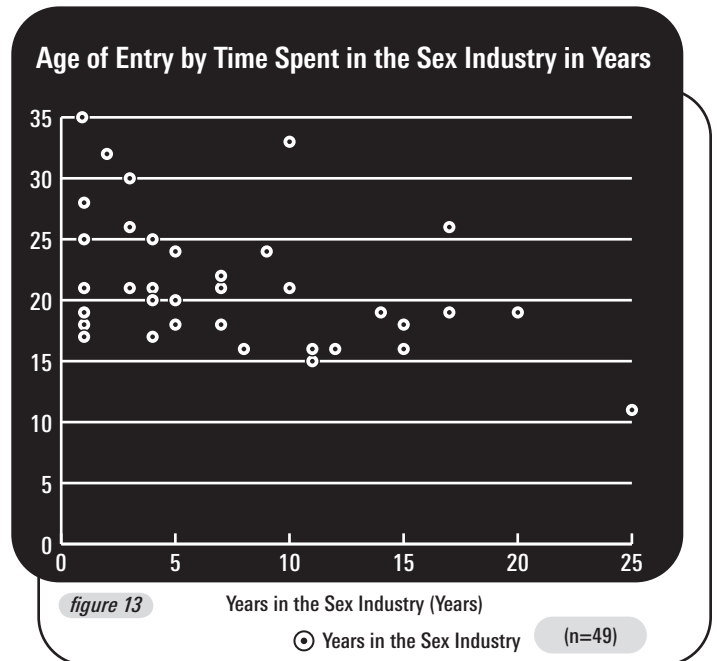


With respect to gender identities, 73% of the participants identified as women (non-transgender); 12% (6 of 52) identified as transgender women; and 15% (8 of 52) identified as men. No transgender men were interviewed. The responses of the transgender sex workers were similar to those of other prostitutes in terms of the types of interactions they experience. However, they also highlight the specific additional problems of discrimination faced by many transgender women, and the social isolation experienced by both independent sex workers and transgender persons in general.

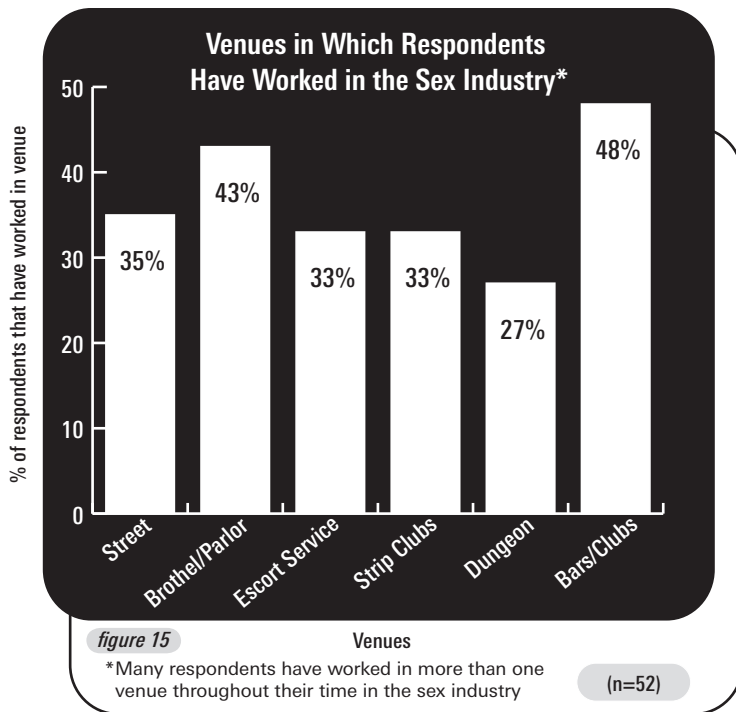


The majority of participants were 20-39 years of age. Three respondents did not want to share their age. Four percent (2 of 49) of respondents were younger than 20 years (both were 19 at the time of the interview); 45% (22 of 49) were between 20-29 years; 43% (21 of 49) were between 30-39 years; 4% (2 of 49) were between 40-49 years; and 4% (2 of 49) were older than 50 years.

The majority of individuals in the sample began doing sex work between the ages of fifteen and twenty-five years old. The youngest entry into sex work reported was from Antonio, who began trading sex at the age of 11. The oldest age of entry reported was 35. Respondents' engagement in sex work ranged from less than a year to 27 years.



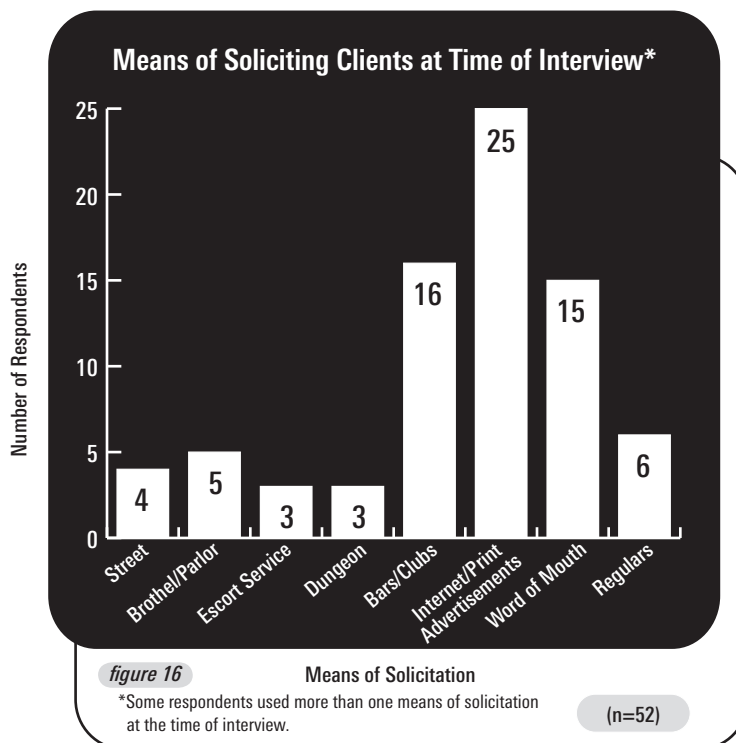
Thirty-two participants answered a question relating to their level of education. Of the respondents who answered this question, 40% (13 of 32) were college graduates; 22% (7 of 32) had some college experience; 19% (6 of 32) had completed high school; 16% (5 of 32) had 9-11 years of educational experience; and 3% (1 of 32) had 8 years or less of educational experience.



Sex industry venues in which respondents have worked included brothels, escort agencies, dungeons, clubs, and on the street. Many participants had worked in more than one venue. Forty-eight percent (25 of 52) have worked in bars or clubs; 43% (22 of 52) in a brothel or a massage parlor; 35% (18 of 52) have worked on the street; 33% (17 of 52) for an escort service; 33% (17 of 52) in a strip club; and 27% (14 of 52) in a dungeon.

Most respondents had worked in more than one venue, eventually building up the skill and knowledge to manage their own bookings. While a large number of people had worked in a variety of venues, many of the sex workers interviewed shared a kind of sex work career trajectory in which they entered the sex industry to work for someone else, in a brothel or a dungeon or another venue, and later built up a clientele of their own. This trend is clear: while many respondents have worked in more than one place, 63% (32 of 52) of participants worked independently at the time of their interview.

Independent sex workers control their own schedules, make their own appointments and see only those clients whom they choose to see. They have a great deal of autonomy in the workplace. They freely acknowledged that they were able to turn down clients who seemed unsafe or unreliable. One participant, Celeste, explicitly acknowledged the privileged position of economically secure independence, saying “It’s a luxury to be able to turn down work.”



Respondents reported using many channels to reach out to clients, frequently using more than one at any given time. Agencies, brothels, massage parlors and dungeons often advertise and so the employees of these venues do not necessarily advertise on their own. Forty-eight percent (25 of 52) of respondents reported meeting clients through advertising on the internet and in print; 31% (16 of 52) in bars and clubs; 10% (5 of 52) in brothels; 8% (4 of 52) on the street in addition to indoor venues; 6% (3 of 52) via escort agencies; and 6% (3 of 52) in dungeons. Twelve percent (6 of 52) of respondents reported exclusively seeing “regulars,” clients with whom they were already acquainted. Clients and sex workers may also have been referred or recommended by other clients or sex workers. Fifteen respondents reported such “word of mouth” encounters.

The most popular means of solicitation among the sample was through print and online advertisements. Forty-eight percent (25 of 52) of re-

spondents used these means to find clients. Following advertisements, respondents in our sample were most likely to solicit their clients in bars and clubs and through word of mouth, and least likely to solicit clients in dungeons and escort services.

WORKING

Entrance into Sex Work

Most respondents entered the sex industry in times of financial vulnerability. Lisa was exceptional, saying, “I always wanted to live in New York City, and do this!” The vast majority of participants in this sample became involved in sex work because they were either unable to find other work or their other work did not pay a living wage. Often, a friend or an acquaintance with contacts in the business vouched that sex work would bring in more money. Respondents expressed a willingness at these points in their lives to do anything that might improve their economic situation. Others cited family pressures that coincided with economic pressures. A minority of participants got involved because of drug use or addiction. These experiences are fairly consistent with those of street-based sex workers, who also recalled their initial involvement in prostitution as stemming from a combination of family pressures, such as domestic violence, being kicked out of the home because the respondent had a transgender identity, or a husband being imprisoned; economic need; and substance dependency.

Connie, a transgender immigrant woman, said that when she arrived in the United States in January 2001, she started working as bartender. However, three months later, she was fired. She had difficulty finding work, which was particularly distressing because one of her goals in staying in the United States was to earn enough money to support her family in Mexico. Friends told her about sex work, and, since she was unable to find work elsewhere, she began doing it for the money.

Candace shares a similar story, saying that she was “desperate for work, answered an ad, [and] found out it was hooking and [I] didn’t want to do it, [but I] was forced by poverty.” For Candace, “soft coercion” from a man who suggested the work to her influenced her decision to enter the trade. She continues, saying that sex work feels like a “deep dark hole I [can’t] climb out of.” For her, sex work was “something [I] fell into” but she now feels like she is “burning out” emotionally from the work.

Antonio’s entry into sex work came from desperation and “goes back to family problems.” His family did not support him. As a result, at age 11, he began working on the street. He came to New York City from Puerto Rico at age 14, was homeless, and did not speak English. Eventually, he was kicked out of a shelter for adolescents: “About a week after I got in a fight and [got] kicked out of Covenant House . . . I didn’t come with the intention to do this . . . I went to the street to make money. I had a friend from Puerto Rico who introduced me to the scene.” In describing his decision to engage in indoor sex work he says, “I moved indoors because of the risk on the street . . . and I got wiser . . . started doing movies.” He notes that getting arrested was an additional factor that prompted him to move indoors.

Patricia compared sex work to other low-wage occupations, saying:

What a waitress makes in a week can be made within two or three days [in prostitution] . . . Some people have jobs just to pay their bills, even if they don’t want them . . . They’re doing something they don’t want to do in exchange for money. I mean, to me, a housewife is a prostitute—she’s home taking care of the kids and you give your husband sex and he pays the bills . . . People have the misconception that you have to be on the corner to be a sex worker . . . When you get in, it is just hard to get out because the money is so easy.

Carmen left a job that might be considered working- or middle-class, but that still did not allow her to make enough money to live comfortably:

I was working as a medical assistant for [an] office . . . [I] had all the responsibility and worried a lot, but wasn’t trained well and took it all personally. [I] wanted a different way of making money [and having a] family life . . . I looked in the paper, called places, wanted to know what it [sex work] was about. I called ‘Class Escorts,’ and went in for an interview. I tried one call to see what it was about. I left my day job and would go at night. My first call was a Japanese client. I called the agency for safety, made \$400, [and the] agency got a split. I quit [my] day job. I was happy and I was able to support myself. I didn’t feel bad. As time passed,

[I] didn't like lying about it . . . found it hard to date. Eventually, I changed agencies . . . my rate started at \$1,000 an hour.

Gale, who has worked as an independent escort for ten years, spoke of seeking financial stability through sex work. She started “through friends who were making good money . . . [I] was looking for work, [and] started indoors. When asked about finding clients, she replied that she “already [knew] them . . . had a list and had been introduced by friends and knew friends.” She also worked on the street and found customers that way, and sometimes in hotels. Gale is considering advertising and is open to new customers. She prefers working indoors because it is “comfortable [and] private.” She finds the outdoors to be “too cold [and] subject to climate.”

Dana discussed her lengthy career as a sex worker, in which she worked in various venues. She discussed the impact that domestic violence, drugs, and homelessness had on her entry and re-entry into sex work:

I was working as a go-go dancer for three years and customers were asking me for sex. I got married and my husband started beating me. I was afraid to go home, so I agreed to go to a hotel with a man so I wouldn't have to go home to [my] husband. This is when it started—I needed money, so I kept doing it. I got addicted to coke, which made doing prostitution easier. I prostituted myself for drugs . . . When I was dancing, people at the club would ask or offer me ‘a ride.’ In the street, I would stand out in the street and look for cars. Sometimes the bartender or manager set it up . . . I worked on the street after my addiction to crack . . . I worked for my dealer because I was an addict and he pimped me a lot. I made money for both of us to get high. I worked at homes a lot, met two pimps. The first guy I met at 4 AM with no place to stay, so he invited me to his apartment. He immediately beat me and said he would pimp me. His girlfriend told me it would be okay and I would make a lot of money. [The] pimp put me on the street in Manhattan, [and] I was hysterical. The first car to come alone was an unidentified police car who arrested me. [The police] took me to my pimp's house and arrested him. I was terrified the pimp would come after me and I went to Florida to hide out at my parents' place . . . I stopped [doing prostitution] in 1987 or 1988 after I got clean because I couldn't do sex work without drugs. I stayed in the work because I was desperate for money, often homeless, and I needed to survive. I was trying to save up for a place, but I spent [the money] on drugs . . . In 1987 I got a room in a SRO [single-room occupancy hotel] . . . After I got clean, a friend died of an overdose . . . *My housing made me stable so I could move forward.* (Emphasis added.)

The SRO was more stable for Dana than homelessness. However, it was far from an ideal environment: Dana told the interviewer that she had been raped in the SRO by another resident.

Rosalie also spoke of the role that drugs played in her entry into sex work, explaining that she got involved in sex work because she owed a gang leader \$10,000 for drugs. However, many other participants, utilized sex work as a means of achieving or pursuing their long term goals. Susan, who funded her education through sex work, is one such example:

I was a cocktail waitress at a strip club in Denver, in college and broke. Strippers were making a lot of money and the laws in Colorado are different. I started dancing and didn't want to rely on my parents. I paid for two semesters [of school] in one month. Stripping was just to pay for college and loans. I started dom [dominatrix] work by working in a fetish store in San Francisco. I saw a dom go into a dungeon and was creeped out, [I] was put off when I started talking to doms. I moved to New York City and saw an ad in the *New York Post* to train doms . . . I was curious and sick of working in a bar. I went to training and was disturbed, but [I] slowly glided into it.

Karen also spoke of her work as an opportunity. “I grew up in an affluent family in Mississippi. I didn't go to college and get married--my father disowned me.” She moved to New York City and “met up with a friend who was working as a sex worker and who had a great apartment.” Karen worked at various odd jobs, and her father refused to give her any money. Eventually, she went with her friend who worked as an escort for businessmen, and “when [I] realized how much I could get paid as a sex worker, I began the work.” When she first started, she borrowed clothes from friends. She was paid \$500 for her first job, and used this money to buy clothes, lingerie, and condoms.

Sean was “methodical” in his entry into sex work. “I thought about it at 14 and 15 and talked about it with

a friend in high school. At 16 I . . . called escort services in New Zealand . . . I was intrigued by the work . . . was curious [to see] if I could do male-to-male sex and make money.”

Bryan, a 27 year old man who came to New York City at the age of sixteen, also met people who worked in the sex industry. It has “supported me ever since:”

[I had] run away from Ohio . . . came to New York City looking for fun . . . with my friend Kevin . . . met a woman on the street who took us to a bar . I got sucked into it . . . free apartment, clothes . . . We met two guys who took us to Jersey. We went out to eat and sailing . . . [got] sucked into the lifestyle. We met one guy who had boys doing [prostitution.] He was a lawyer [who] lived upstate with his family and would fly boys to New York City and stay in a hotel. He’s pay boys to be committed to him, to be his ‘private stock’ . . . I met a man who’s a businessman and a lawyer, he had a family and lived upstate. He paid a lot for sex. [I was part of a] group of 14 or 15 kids called the ‘Indians’—we were his ‘boys.’ He’s take us out to lunch everyday. I still see him, since 1993. He has other boys still too. [If there is] any drug use, he kicks boys out of the group. I don’t regret working, but work can mess with your conscience and get to you. Work can get to your self-esteem. [There was a bar] on the Upper East Side, where everyone was looking for sex, and another bar that’s closed because it was a hustling bar. In the bar, you can tell who’s looking and selling through eye contact . . . don’t talk about money—you know you’ll get looked after—it may be months or years before sex happens--people who buy sex are antisocial, lonely—living gay lives underneath—they don’t have self-esteem to get dates without paying. You learn to build up a lot of hatred towards that generation of men who get hustlers . . . towards clients . . . it’s not a reason to be lonely or mad at the world . . . once they [guys who work] are hooked on this, they don’t know anything else.

Jessica, a 21 year old transgender woman who was registering to start college, recalled her entry into sex work, and its impact on her gender identity:

I used to work at Canal Jeans and needed to get money to go back and forth to work. I had a male friend, working as a sex worker, who was working at the 10th Street Pier who I would go and visit to check and make sure that he was okay since the pier looked dangerous. One day while [we were] at the pier, a guy stopped me . . . At the time I was dressing like a male, and he offered me \$200 for sex. I needed the money fast and a lot of it, especially when you are only making \$200 a month. [I kept working and] started to see that if I dressed as a woman, I could make more money on 14th Street. So, I began to dress like a woman and eventually realized being a woman was who I was.

Most participants had at least somewhat mixed feelings toward their involvement in sex work. Many described sex work as simultaneously a positive, flexible arrangement and a degrading situation. Angie says, “I’m wondering if I’m going to ever do anything else. When my kids turn older, will they see their momma as a whore? I hope not.” However, even Dana, despite all the violence and indignities that she has experienced as a prostitute, says, “[In other jobs, you are] enslaved by people, especially in minimum wage jobs. Bosses wield a lot of power. Sex work is better because you have your own hours and money and no boss to humiliate you.” The vast majority of indoor sex workers in our sample made more money than their street-based counterparts. They also made more money through sex work than they could through other lawful mainstream work opportunities.

Prior Employment

Many respondents had held or currently had other jobs. These jobs ranged from low-wage labor to well-paid career tracks. The low-wage end of the spectrum included such jobs as babysitting, cleaning, passing out fliers, and food service. Freelance work included graphic design and writing, as well as the arts. Respondents in middle-class careers included civil servants, construction and electrical workers. The most well-paid work included real estate and accounting. A number of respondents were also involved in other aspects of the sex industry such as peep shows, adult videos and stripping. Others had work that did not fit into these categories, such as floral arranging, bartending, and working as a personal bodyguard. The respondents whose experience was largely in low-wage work were not able to earn a living wage in these jobs. For these respondents, it was clear that the economic gain of sex work was the driving factor behind their participation in the sex industry. Sixty-seven percent (35 of 52) of respondents reported not making enough money

to survive in the jobs that they held prior to their involvement in sex work, which included waitressing, food service, retail work, and domestic work.

Participants appreciated and needed the things that money could bring, especially when the money was fast, as it is in sex work. For some, engaging in sex work meant that they had the time and flexibility to raise their families, go to school, or have another day job. Forty-six percent (24 of 52) of the respondents used sex work to supplement other, legal work, which included work in the arts, making jewelry, and service sector work such as waitressing or retail.

Initial Investments

While money was a driving factor for many people to enter the sex industry, another appealing aspect of the industry was that young, unskilled people could make more money with less preparation or outlay than in almost any other occupation. Most respondents reported that they did not have to invest significant amounts of money in clothing or equipment or training. Thirty-five percent (18 of 52) of respondents described spending money on clothing. For indoor sex workers who travel to their clients, a mainstream appearance is important. Jessica highlights her concerns about stigma—she takes cabs when she is working because “I’m not taking the subway downtown dressed like a whore.” If she does not find a cab, she calls a car service to take her from the Bronx to downtown Manhattan.

For other respondents who described investing in clothing, much of this was related to specialization and the outré attire expected in fetish-oriented and stripping facets of the sex industry. Celeste said, “I had to buy my first pair of high heels and I had to buy myself a little stripper dress which I still have to this day—I was very nervous. I didn’t ever wear makeup back then.” Lingerie was frequently mentioned by women as an expense.

Not all investments were successful. Consider this quote from Louise, an independent sex worker who initially worked on the street:

I spent money on condoms; I spent money on the completely wrong clothing. I didn’t realize how cold it got at night. I didn’t buy outlandish costumes, but I bought clothing that was inappropriate for all night. I would have liked to run away if I could and heels were not helpful. I definitely invested in condoms before I figured out that 8 places gave them away.

The more businesslike and entrepreneurial sex workers described investing in advertising. A typical list of expenses for the entrepreneurial sex worker included “clothes, cell phone, computer, ads in paper, rent for apartment for the work.” Victoria said, “Stilettos, dance outfits custom-made, [personal lubricant], dildos, anal beads, condoms—it was a lot. About quantity versus quality: if you want to make money, you gotta look good, from head to toe. You have to have a specific glow to you.”

Career sex workers described other investments at later times, such as breast implants or other plastic surgery and hair coloring.

Trafficked sex workers did not report spending money to enter sex work. However, traffickers had given them clothing or paid for their clothing, which they were then expected to pay for through their work.

Percentage of Respondents Who Made Enough Money to Live On Prior to Engaging in Sex Work

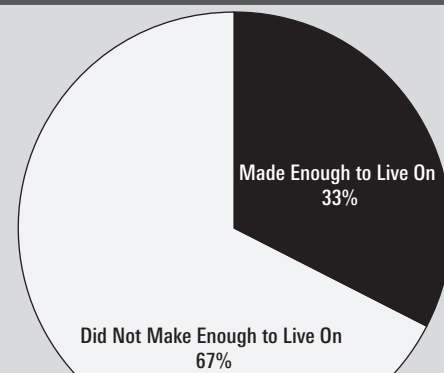


figure 17

(n=52)

Percentage of Respondents for Which Sex Work is Only Form of Employment

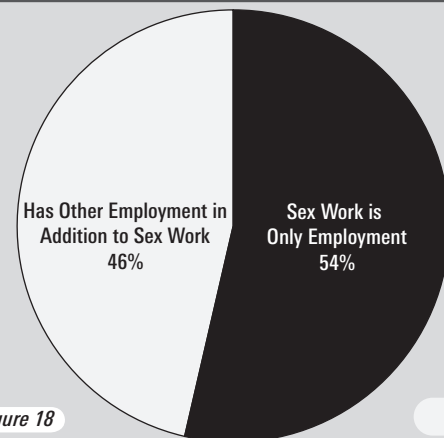


figure 18

(n=52)

HOUSING

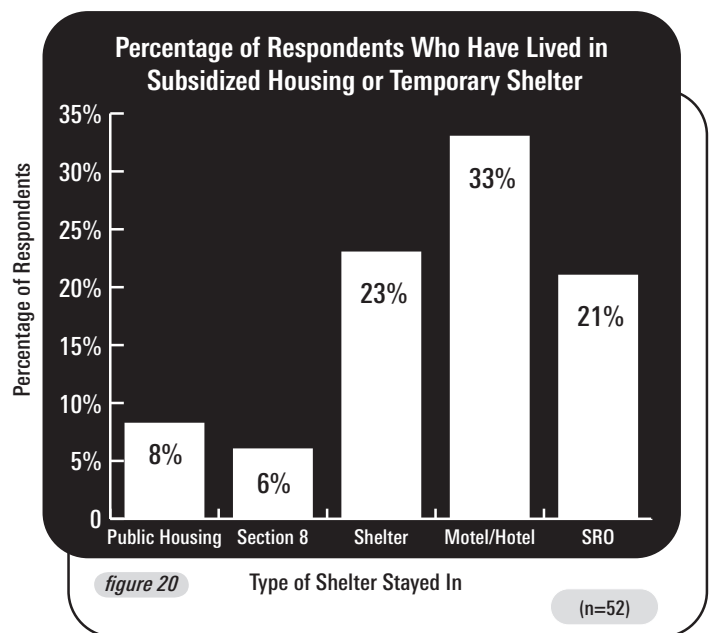
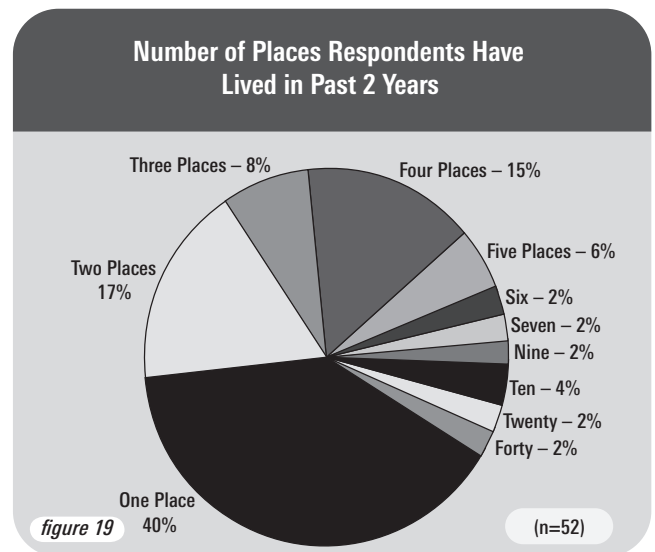
Fifty-seven percent (30 of 52) of participants had stable housing, while the majority of those who did not stayed with friends or family or in a shelter. Researchers and participants defined “stable housing” in the following manner:

- Respondents who owned their home or had lived in the same place for over two years were defined as living in stable housing, as long as they or a trusted friend or family member held the lease or mortgage on the home.
- Respondents who expressed difficult family or relationship situations with the people who lived with them, or who relied on others to always pay the rent and expressed concerns to the interviewer about the stability and safety of the arrangement or felt that they could be asked to leave were categorized as living in unstable housing.
- Respondents who lived in a situation that appeared to be out of their control, such as living in a single-room occupancy hotel (SRO) or living in a place provided by a coercive pimp or trafficker, was classified as living in unstable housing.
- Those respondents who had lived in their home for less than a year generally expressed their thoughts as to whether this would become a stable home—if they did not express some level of confidence, researchers classified their housing as unstable.

Forty-three percent (22 of 52) of respondents reported having moved three or more times in the past two years, a frequency that is indicative of unstable settlement conditions. Two respondents in the sample represent classic cases of settlement instability and crisis that is more common among street-based sex workers. One of these respondents, who stayed in 20 different places over a two year period, bounced from shelter to shelter, while the other one, who stayed in 40 different places over this same amount of time, went from shelters to staying with people she knew, engaging in survival sex and drug use, and experiencing sporadic periods of homelessness.

Respondents were asked if they had ever stayed in any type of subsidized housing or temporary shelter, and if so, what type. The most frequent type of temporary shelter that participants reported having lived in was a motel or hotel (33%; 17 of 52); followed by a shelter (23%; 12 of 52); and an SRO (21%; 11 of 52). Respondents who reported staying in one type of temporary shelter were more likely to report having stayed in additional types of temporary shelter than other respondents.

One respondent was staying in a hotel at the time of the interview, but was on the verge of finding a new apartment for herself. The vast majority, 71% (37 of 52), lived in private apartments, while 8% (4 of 52) lived in public housing, and 6% (3 of 52) lived in Section 8 apartments. Respondents in this sample tended to find their apartments through normative methods, such as friends, family, word of mouth, brokers, and ads. However, a few of the respondents who worked in a gang clubhouse had help from the gang itself in finding a place to live. Jimmy is the



leader of this gang. For example, Leticia explained that “Jimmy found it for me. He always finds me somebody that needs a little extra money and I pay them to stay in their place. I’ve been living in the projects now for four years. This place is the nicest, I don’t live with nobody, it’s clean, big (2 bedroom), and I can pay the rent cause it’s not that much.”

Some immigrant women had housing that was technically stable, but they were in coercive or abusive situations, in that they had been trafficked into sex work. In these cases, the trafficker controlled the housing, so the issue of housing was more complicated. For example, Belinda, who was brought into the U.S. to work, often knew the borough in which she lived (Brooklyn or Queens), but because she often moved from one place to another, always living with traffickers and their associates, she had difficulty differentiating between the various housing situations in which she lived. Respondents in Belinda’s situation faced a danger of being homeless and with no connections to create stability if they tried to escape the situations in which they found themselves, such as being subject to physical abuse and forced prostitution.

Thirty-eight percent (20 of 52) of participants had their name on the lease or owned their homes. Seventy-three percent (38 of 52) were responsible for payment of the rent in their apartments, although many did share this responsibility with a roommate or family member. Celeste and Whitney both own their apartments. All but one of these respondents felt they could afford their current rents, but some worried about rising rents in New York City. These findings indicate that indoor sex workers have stronger housing stability than the street-based population whom researchers interviewed for an earlier study, where 87% of the respondents were found to live in unstable housing (Ditmore and Thukral, 2003).

The importance of housing stability on the ability of individuals to attain security in all parts of their lives was a common theme in the life histories of respondents. Dana said, “Housing is critical. Once your housing is stable, all [your] old behavior is gone.” She told researchers that she “[does not] let men in anymore.” However, it is clear that while stable housing creates an environment that nurtures stability, it is not enough. Leticia cited an inability to move out of low-income housing as a real problem, saying, “I like the apartment but I don’t like the projects because there is too much crime around here. I want to move North.”

Angie cited housing as an important factor in attaining stability and safety for sex workers. “If people have a place to live they wouldn’t get hurt as they probably could get out of this quicker, maybe save money and do something else with their lives.”

Jennifer is an example of someone who has unstable housing. She pays her brother \$50 a week to stay in the projects with him. She lives there with her brother, his wife, and their two children. She complains that the apartment is overcrowded. One thing that helps to buy her stability is that she takes care of his children during the day. However, Jennifer’s brother has kicked her out a few times because he is “upset about my job, [and] wants me to quit.” During those times, she has had to pay to stay in a motel. She tried to work out of her brother’s apartment one time, but she felt guilty since it wasn’t her apartment. She “told [her] priest, confessed, and didn’t want to do it again because of fear of God.” Jennifer expressed no sense of hope for creating a more stable housing situation. When asked how long she will stay with her brother and his family, she responds, “Forever, I guess. I don’t know.” When asked what she would do if she were told that she had to move, she exclaims, “Oh God, that would be the worst thing. I’d have to move in with that drug dealer, Jimmy, and with my kids. He’s the one that beats me.” She would have to pay “[n]othing, [I would] just have to sleep with him.”

FINANCES

Indoor workers in this sample often moved in and out of sex work at different times of their lives. Many turned to sex work only in times of need. Some utilized it as a regular stream of income, while others used sex work to supplement income from other work. Finally, a few respondents were coerced into sex work. For many people who are living on the margins, sex work appears to be a strategy for survival when they are most vulnerable. Participants clearly turned to sex work because of the potential earnings that can be made. However, the money made through sex work is often quickly made and quickly spent. This monetary dynamic often serves to keep respondents involved in sex work.

Some participants supplemented public assistance with income from sex work. Thirteen percent (7 of 52) of respondents received food stamps, ranging from \$65 to \$350 per month. Eight percent (4 of 52) of participants received other public assistance—of these four participants, one received unemployment benefits, one

received Medicaid for a chronic illness, one received SSI, and another received TANF. Monetary benefits ranged from \$400 to \$600 per month.

No one in this sample received child support at the time of the interview. However, Antonio, a male sex worker, reported “giving as much as I can” for child support.

Earning and Saving

Many respondents had financial goals related to the desire to retire or transition to other work. Some invested in education, while others invested in real estate. Some research participants were not able to save, and others simply were not concerned with saving. However, 52% (27 of 52) of respondents described wanting to save money. Monetary goals for those who were saving ranged from \$150 per month to \$4,000 per month. Those with the highest goals were more likely to meet their financial goals than other sex workers.

Another way to gauge financial goals is by examining earnings. Lisa said, “My dream is to make \$20,000 a month, and that’s realistic, before 9/11 and before I hurt myself.” Lisa’s life changed after she had an accident that left her in constant pain and with a surgical scar. “I used to try . . . I saved everything that six clients that I saw each week gave me, and today I only see two of them.” She added, “I think I could make \$10,000 a month now, but I don’t think I am. And if I got better I think I could make \$12,000 or \$13,000 a month.”

Scott wants to earn \$4,000 per week. His ultimate goal is to invest in real estate, for which he estimates he needs \$300,000 to start. He saves \$4,000 per month toward this goal. Sean, who has no expenses and lives with a “sugar daddy,” regularly saves \$2,000 per week.

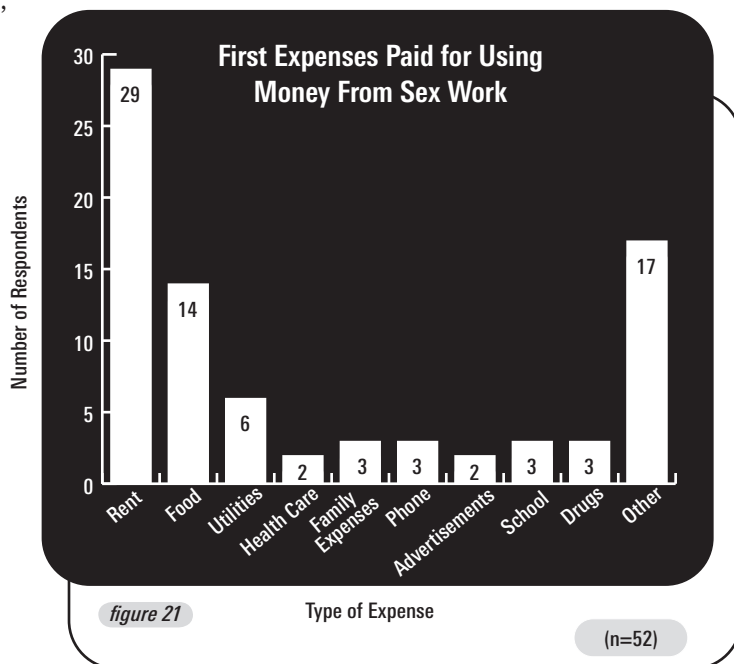
Not everyone had such high goals—many respondents worked only part-time, often to supplement their income from a legal job. Debbie discussed the tension between spending time on her mainstream job and sex work, saying that sex work has not brought in as much money for her: “I’ve been distracted by my other job,” which is in real estate.

Forty-four percent (23 of 52) of respondents had reached their weekly fiscal goal for sex work in the week before the interview. In attempting to understand the financial situations of many indoor sex workers, it is also helpful to consider the desired earnings per client, which ranged from \$75 per client (net, after expenses) reported by one dominatrix and massage parlor worker to \$1,000 mentioned by an independent escort. Trafficked women were rarely able to keep the money they earned, which was reported as low as \$13 per client, or just over half the takings of a \$25 session in a brothel catering to Latino immigrants.

Those who did save had goals such as paying for school (university tuition or student loans), retirement, business ventures, “rainy days and emergencies,” travel, and “for dry spells.” A few people saved for housing-related purposes: Leticia says she wants “to buy a car so I can move out of the projects. It’s too dangerous here,” while Lisa wants to invest in an “asset like a house.” Those who saved to invest in other businesses talked about saving for a production company, real estate, and a clothing store. Some respondents invested in their families: one woman put \$400 per month into a trust fund for her children. Even the trafficked women had come to New York with the intention of working and saving, although two of the four were unaware until it was too late that they were going to engage in sex work.

Spending

Respondents often spent money made through sex work on their own and on their families’ immediate needs and wants. Louise said, “I have goals that change based on what bills need to be paid, what expense I’ve had, and what my current ‘improve my situation’ goals are. I have goals to reward myself, but I never do sex work just to survive. I always try to add something good to my life, so I can say ‘look at this.’ I definitely have a prize in mind.” The graph below illustrates that



the first things that respondents in the sample paid for with the money they earned through sex work were necessities for daily survival, such as rent, followed by food, and then utilities.

Medical matters marked some financial goals. Kate saved her earnings to pay for eye surgery to correct a long-standing problem with her vision. Jessica was saving up for her sex change operation. Others mentioned worries about medical emergencies, echoing Lisa's concerns (described above in the Saving section) relating to how a standard of living may be maintained when one's income is drastically reduced.

Others described sending money to family members. For Connie, the first thing she does with her money is send it home to her family. Candace "like[s] to help everybody in my family out." Vanessa said that she would give money to her family regardless of their need, because she felt guilty about sex work. Victoria also reported giving money to family members who needed help, including helping her mother establish herself independent of public assistance. Her mother was previously aware of Victoria's occupation, but did not know that she continued to engage in sex work.

Shortfalls

Thirty-eight percent (20 of 52) of participants said that they did not regularly meet their financial goal when working. Therefore, while some indoor sex workers' experiences lived up to their fantasies of earning a relatively lucrative income, others were struggling to make ends meet. However, in those instances when money fell short and they did not meet their financial goals, respondents generally had some plan in place to deal with these times. These strategies included borrowing money from friends or family; making extra calls to get work that would not normally come their way; relying on savings for living expenses; cutting back on expenses; and incurring credit card and other debts. The four trafficked women reported being physically and verbally abused when they fell short.

When asked what changes respondents made to accommodate lower incomes, Angie, said "Nothing, because my rent is really low and so I have enough money saved up to keep it ok for me." Dana, who has been homeless, said that she would try to work more and go to cheaper hotels or "would go to Penn Station to sleep." Kristen said, "Get more clients. There's always the opportunity, always a side job." She has never seen this work as her main source of income. Susan responded very frankly, saying "It's sporadic," so she must budget. She lives with her boyfriend and since he works, there is always enough money to live. Leticia, from the gang clubhouse, said "Then, I have to go into the little money I have saved up." Lily took a long-term view of the income generated by sex work, saying, "I have other work, I have savings, I make it up over the year."

Three participants described having fallen behind and having had to use their savings. Lisa described her disappointment when she falls short of her financial goals. "I'm not supposed to touch my savings, I always thought if you're in this business you shouldn't [use your savings.] In this business you shouldn't be worried about money because this is a money-making thing, the first reason you do it." When asked if she was making enough from sex work, Sara said, "Not enough these days. I was able to save a couple thousand a month and I'm not saving now." While Sara was at one point able to save money, nearly half of respondents are not able to do so. In reference to questions about spending patterns, these participants said things like "I like to spend" and "it goes like water." Meredith remarked that she never saves more than enough to take a short vacation. Scarlett said that she doesn't think it's possible to save. Susan reported that after she pays all her bills, everything that is left is put into her production company. Kristen said that she is not a good saver and that "fast cash is easily spent." She added that she is "usually broke."

Sex work, despite its unpredictable returns, offered greater financial stability to many respondents. Maria reported that she used to steal clothing when she did not have enough money, but that she no longer does this now that she is involved with sex work. Emiko explained that her goal and her basic needs were not the same. "Enough money means it's not like I can't live; my ideal is much higher. I can pay rent and I can eat but I wish I could make money more quickly." Celeste reflected similarly. "The poorest times in my life were before I became a sex worker. After I became a sex worker, I never had to panic about the rent, but before I had to pick between eating and paying rent."

However, not all respondents reported greater stability. Amelia, who had a history of problems with addiction, said that she fell short more often while working indoors. She reported being less motivated to go out with clients when she was not high because she would think more about the dangerous possibilities when she was sober. Instead, she would go hungry or try to find sources of emergency food.

Perhaps the most interesting finding related to this question was how respondents were affected by unfore-

seen events. In these instances, one crisis could derail them financially. This is similar to the experience of other workers in unstable employment or low-wage industries who live paycheck-to-paycheck. Examples of events that resulted in financial setback include a tragic accident; experiencing an abusive relationship; being the victim of identity theft; parental illness; and the birth of a child. The nationwide economic downturn, which was compounded by the events of September 11, 2001, seemed to affect some sex workers more than others. Indeed, a number of respondents noticed a significant change in their ability to make and save money through sex work after September 11, 2001. Jessica told interviewers that she had \$2,000 saved for implants but wasn't making enough money so this savings went to her living expenses. Gretchen said that she was "dependent on her earnings" and could not save at this time. Others described having saved in the past, but not being able to at this time.

A sex worker's venue and relationship to employers are likely to influence ability to achieve financial goals. For example, the women working in the gang clubhouse reported lower financial goals than the rest of the sample. The maximum earnings goal reported per week from the women working in the gang clubhouse was \$500. In general, they were the population least likely to be able to meet their goals, excepting the trafficked women. The trafficked women in the sample all had difficulty making their financial goals, because they were unable to keep their earnings. For 2 of them, the situation was so dire that it was impossible to even conceive of goals. One trafficked woman said that she was expected to earn "\$250 a day—that's how much [the trafficker] wanted me to make. I didn't get to keep any of it. The house charged \$25 per client, and the house took \$12." Another was told to earn \$125 per day in a similar-sounding venue. These women were regularly beaten or threatened if they did not earn as much as the traffickers demanded.

Relationships to Mainstream Financial Institutions

Fifty-four percent (28 of 52) of participants saved their money in bank accounts. Some of these accounts were overseas, in countries of origin or off-shore accounts. Fifty-two percent (27 of 52) of participants reported having checking accounts. Forty-two percent (22 of 52) reported having savings accounts at the time of the interview. Two additional participants reported that they had closed their savings accounts.

Whether people saved their money in a bank was linked to whether they were concerned about taxation or other authorities. For example, those living in subsidized housing projects did not want to declare their income from sex work to the Housing Authority (NYCHA.) One participant said, "I don't trust the bank and I don't really work legally, so they would probably want to know where my money came from. And I'm worried about this because NYCHA knows that I can make rent and I think they're going to ask questions. I hope not." Another participant echoes this concern, saying that she does not save money in a bank. "How can I? I'd have to tell them where it came from! [Someone] holds my money for me." This concern stems from the fact that the rate paid for subsidized housing is based on a percentage of household income. In a similar situation, a transgender woman puts her SSI money in a bank account, and spends her income from sex work. If she were discovered to have other income, her SSI and food stamps would be taken away. Any money from sex work that she saves is hidden away at home.

Grace also reported not using banks, saying that she doesn't want anyone to know about her money. Robert reported that he has never had enough money to merit saving in an account. Viola reported that she used to save \$2,000 per month but no longer saves any money. She saw no need for a bank account and preferred to have cash in hand. Emiko didn't have a bank account, and said "I don't really want that to be public knowledge, although I don't have any money right now anyways." Bryan reported putting his money in a safe deposit box. Javier said that he likes to spend money and keeps his money at home. Maria reported saving money "in a sock."

Lisa saves money in a bank, but added, "but I don't think it's the best decision." Luciana saves some money in a bank but also reported giving money to a friend instead because she does not want to pay taxes on it or have people ask where it comes from.

Karen keeps her savings off-shore and has no detectable income in the US despite saving \$300 per month.

Some respondents also utilized credit cards. Thirty-seven percent (19 of 52) of respondents reported having credit cards at the time of the interview. One additional person had a debit card, and two had previously owned credit cards which had been cancelled at the time of the interviews.

Paying Taxes

Nineteen percent (10 of 52) of respondents reported paying taxes on their income from sex work. Sex workers reported that they paid taxes on other income, such as from investments or legally recognized work, including income from lawful sex work. Most sex workers did not disclose the actual source of their income to the IRS.

Sex workers who paid taxes were aware of the potential benefits of paying taxes, including being a legally recognized member of society, and providing access to Social Security benefits in their old age. Carmen was an independent escort who filed her taxes as an “entertainer.” Debbie said that she paid taxes because “I don’t think it’s a good thing to have a history of poverty—no credit, no house.” Lily said that she pays taxes because “It’s the only way to invest it.” Sara said that she paid taxes on her income from sex work because “I would like to be able to apply for financial aid for school and so I can feel like a citizen and not have to live completely underground. One day, when I have another job, I don’t want it to be like I’ve been invisible for a few years.” Sean paid taxes on money distributed by a trust fund set up by a client.

Even those who did not or were not able to benefit from paying taxes saw that there were ways to do so. Rodrigo’s U.S. visa had expired, but he continued to pay taxes as he had a Social Security number. Scott had not paid taxes on his income from sex work, but intended to do so if he started saving his money in a bank.

Monetary Arrangements in the Sex Industry

Asking respondents if they kept all of their earnings shed light on the structure of the sex industry. Independently arranged appointments may be the most lucrative for sex workers, as they keep the entire sum. However, this requires a certain amount of infrastructure in terms of advertising or already having established a client base, and the skills to run one’s own business.

Professional arrangements in which someone else supplies a venue or makes introductions to clients involve commissions, usually a fixed percentage of the fees paid by clients. This could be part of an ongoing relationship or an isolated referral. Rates ranged from 20% to 70%. Escort agencies took the largest cut, up to 70% of the total fee, and also charged significantly more than some other venues. The benefits offered by third parties and management varied. Celeste, a call girl, said, “I’ll never again work for a third party in terms of sex work.”

Gang clubhouse sex workers said, “When I’m working for the gang they get one third of what I make;” “I give Jimmy a third, sometimes half, and if I’m stripping I give up to 20%,” and “Jimmy gets about \$50 out of every \$250 I make.”

Jimmy and the gang members received mixed reviews as management. Rosalie said, “He takes care of us—I mean he beats us up sometimes, but not a lot, and no one else does. One guy, yesterday, tried to fuck me with his gun. I yelled, and Jimmy beat him up so bad he broke his arm or something.” Leticia explained that the gang offers “protection. New clients. But also, Jimmy makes sure that I always have a place to stay, for real cheap, right here in the projects.” Angie noted that “they get me people; help the customers coming in. Usually, I work their busy nights and their parties.”

When asked what would happen if she didn’t give the gang their third of the money she collected, Angie said “No, it’s not like that because they pay the gang first and then I get my money, so I like to keep it that way because then I don’t have to worry about them telling me I ripped them off or nothing else that could get me beat up.” Other women reported that they would be beaten up if they did not give the gang the prescribed amount.

Karen worked for an escort agency that expected 70% of the money paid by the client. This was one motivation to work independently. As an escort she kept \$600, but as an independent she is making \$1,500 per week. When asked what would happen if she did not give the expected amount to the agency, Kate said, “You have to! One girl didn’t, and the girl was blacklisted among agencies!” Lily commented, “I would never not give the prearranged cut—it’s how we do business.” Sara said, “I haven’t toyed around with that. I’d get fired.”

The most elaborate pricing and commission scheme was described by a Sara, who worked in a massage parlor:

The men pay \$120 hour for just massage, then \$30 for topless, \$50 nude, \$50 light touching, \$30 prostate massage. The whole works for the hour is \$250, but shorter sessions are less. Basically, if I see 3 or fewer clients on a shift, assuming they all take options, I give the boss

40% including tips—we have to report tips. If any of those are basic sessions, and a lot are, I give her 50% of each of those. If it is 3 clients or more, these days it's been so slow that that's rare, then it's 35% of everything.

In exchange for this, Sara explained that she received “space to work in, the phone, a large pool of clients, advertising, and the anonymity of not being independent.”

Others working in brothels or houses said that they could stay overnight in luxury accommodation if they wished, and that other agencies would help with photographs and advertising. Gretchen said that she gave the middle-class brothel in which she worked their standard cut, and in return had “somebody to answer phones, look out for me, and a clean, safe environment.” When asked what would happen if she did not give the house their cut, she said she'd be fired.

Louise, who used to work on the street and now is an independent escort, learned the business while working for another woman, to whom she paid a cut of her earnings. “She taught me how to navigate New York and she definitely showed me how reviews worked, and internet ads worked, how to be an independent escort in New York City. I was new to New York, to the sex scene, and it was very useful. I don't regret that I worked for her.”

Referrals made between independent sex workers earned a commission between 20% and 40%. When asked what she got in return for the percentage she gave colleagues for referrals, Lily responded, “The date!” Lisa said, “I get to see their clients, easy clients, and it's their client.”

The four women in trafficking situations reported that they had to give all of the money to the person who trafficked them. If they did not do so, they reported being beaten or raped and threatened with isolation from or harm to their families.

SOCIAL NETWORKS AND ISOLATION

Indoor sex workers in this study, especially those who worked independently or were in coercive situations, were incredibly socially isolated. While the degrees of social isolation varied among respondents in the sample, the negative impact that isolation had on information-sharing among sex workers was consistent. Findings suggest that information-sharing is critical for this population, especially information related to police, the law, clients, and available social services.

Among the sample, there was a learning curve for all aspects of the work, including safety and security and practices. Those who were in the sex industry for longer periods of time had made connections to others in the same business. This led to information-sharing about safety and working. Respondents who were not in coercive situations and decided to stay in the sex industry were able to make better career changes within the industry as a result of these connections. Additionally, those who had been in the industry for longer times were in better financial situations.

Working with other sex workers led to social as well as professional relationships. Carmen allows other sex workers to “stay over . . . [we] had a common secret . . . a bond . . . always on same wavelength . . . [I have] lost friends . . . [You] separate [your]self from everything you know.” Leticia discussed how social networks within the trade can both offer support and be sources of conflict: “We keep each other safe . . . We always loan money to each other . . . I mean, the ones I dance with, not Jimmy's girls—they all bitches . . . But, the other ones, we're real tight. We sleep at each other's places, we wear each other's clothes. We help each other with the police.”

There are obvious benefits to working with others that go far beyond the social. For those respondents who did not enter the trade under the guidance of someone else in the industry, their experiences with the work were largely characterized by isolation as they often had nowhere to turn for advice about how to negotiate safe sex, personal security, police interference, and money. Jennifer explained that she and other women “share food, share work information like police coming by . . . someone drunk and being crazy in the place.” Angie said, “I have one friend, and she brings her kids to my place when she has to work. We buy each other things, we share clothes or rubbers, everything. It feels really nice to have somebody else who knows what you do and knows what you have to do everyday to make it.”

Respondents shared information quite often about police and clients. Angie explained that “sometimes my [clients] want someone else, so I tell them about my other friends who do this.” Maria also refers her clients

to friends, saying she shares “information about good clients, phone numbers and descriptions.” Rosalie tells other sex workers about “good cops.” Connie pointed out important security tactics, saying, “I share information on dates, clients, police, and bad clients . . . Usually when someone is busted, I give the caller ID out so girls can avoid that number.” Patricia, Gale, Karen, and Jessica made clear that they share important information with anyone else doing the work, not just friends. Jessica explained, “I’ll share information about bad dates and clients, clients who lie, clients that give good money, police that are undercover . . . with everyone, not just close friends.” Karen commented, “I owe it to people” to share these tips with everyone. Scarlett and Viola, on the other hand, only share their information about police, clients, and money with close friends. However, Sean has only “split rent or advertising costs” with other sex workers, while Scott has no sex worker friends at all.

Participants also shared health information, which they identified as a major need. Patricia shares information she learned from being an HIV counselor, “especially with young [workers.]” Connie and Jennifer tell others about doctors, but Connie explained that she “usually [does not] know a lot of organizations.” Karen shares information “about lawyers, [and] organizations with free HIV tests and condoms.”

One topic of information that did seem to be frequently shared among participants was that of the law as it relates to prostitution. However, in this case, such sharing did not always benefit those in the network. Misconceptions about prostitution-related laws were very frequent among members of the sample. For example, many respondents had various, and incorrect, ideas about what undercover police could legally and illegally do in their attempt to determine if someone was a prostitute. The more these misconceptions are shared among sex workers, the more individuals fail to understand the law and how it relates to their profession and potential future security.

Ethnic Networks

Some respondents described ethnic networks within the sex industry. Some involved trafficking into sex work, and others were more informal sharing of information on how to find an apartment and find work. Participants did not necessarily conceive of these connections as networks—instead, they thought of these connections as friends and people from common ethnic backgrounds helping each other. Scarlett said that “Asian networks stick together . . . Asian transgender girls.” Luciana said there is no network, but she goes on to report that she only knows Brazilian sex workers. “I met Regina at the gym . . . started working after meeting her.” She explained that Regina taught her the ins and outs of the trade, and that she needs and relies on Regina for language and other assistance. Connie said, “Yes, there is a network of Mexican sex workers, all transgender . . . we all met through another friend and give information on how to do the work and help each other get started.”

Angie has a friend who is from Mexico, “and she came illegally. She said her sister was part of this group . . . who was all living in this building. They all was fucking people, getting beat up, they was in real bad shape, but that’s how they got into this country, so I guess they knew what they was getting.” She continued, “around here, it’s mostly Puerto Rican and Dominican, Caribbean anyway, but it’s not like it’s an ‘ethnic’ thing.”

Stigma

Fear of criminal justice interference and of being stigmatized pervades the lives of most of the respondents and serves to exacerbate and perpetuate the isolation experienced by these individuals. One way in which this fear commonly manifests itself is with respect to concerns about neighbors. Many of the respondents feared detection from their neighbors and other community members. Specifically, they feared that if their neighbors knew about their work they would be at risk of both arrest and eviction.

Sara was starting to have problems with some of her neighbors: “Lately, we’ve had a couple of alerts that maybe the neighbors have noticed some traffic. But in general, no. I have worried that the neighbors have complained to the police. I feel like I hang my head in shame when I get to the doorstep.”

Connie and Maria also worried about neighbors, but have had no problems. So did Grace, but “no one knows so far . . . I keep a low profile and don’t talk to [them]. I don’t keep a relationship with my neighbors.” This active distancing from neighbors stemming from fear of detection was a common finding. For many, one consequence of this disassociation was that if these individuals happened to find themselves in situations of danger, they could not rely on neighborhood relations to be of any assistance.

When asked about her relationships with neighbors, Angie described problems that she was having:

There's this church lady, real religious. She heard noise coming from my apartment and said she was going to call the cops. She's always trying to get me kicked out of the building. I got to be careful because she's crazy. I mean loco. She's yelling at me now, outside. Someone said she yelled at my kids and called their mother a whore. One of my babies asked me, 'Momma, are you a ho?' That hurt. I'm going to go crazy if this lady keeps buggin' me. But it's really hard trying to do this without everyone else knowing your business.

Leticia also described her problems, saying “there’s a few guys that harass you, then there are ones in Jimmy’s gang who always want some sex for free. You got these women who are trying to kick you out of the building . . . then you got cops messing with you. It’s just a hassle living here. The only good thing is the store will give you credit if you don’t have no money and the rent’s cheap.” She later added that “all the time, [neighbors are] always calling me names when I walk by.”

Kristen did not have problems with neighbors, but she “always fear[s] that they could tell what was going on and call the cops.” Harper stated, “I don’t think my neighbors would complain, [but] I think they’d look at me differently . . . Typically I see one or two people a week, so it’s not enough to really bring any attention or change quality of life for any person.” Lisa discussed her current building, where she had lived for less than one year, explaining, “I don’t think I can really work out of here . . . [my] old building had two entrances, they knew me well and were more liberal.”

Louise talked about facing similar problems of detection in hotels: “I work in a lot of different places. Hotels can be very problematic, but I’ve never not had to complete a call because of anyone being persistent or rude. The truth is, there are two kinds of hotels that you work in. There are the places that exist solely based on the fact that you turn tricks there and they can’t afford to give me problems. The other places are very super-upscale hotels, not midrange. Those places are paid to be discreet and their clients expect them not to hassle them and Mr. So-And-So says, ‘yes, send her up.’ They are supposed to help you carry your bag.”

Viola “ha[s] gotten a ‘stinkeye’ but [has had] no real trouble.” An interesting facet of her life where stigma is not a problem was her romantic relationship—her current boyfriend has also engaged in sex work, and they met through sex industry connections.

Keiko was defiant—she said, “they don’t know and I don’t care what people say.”

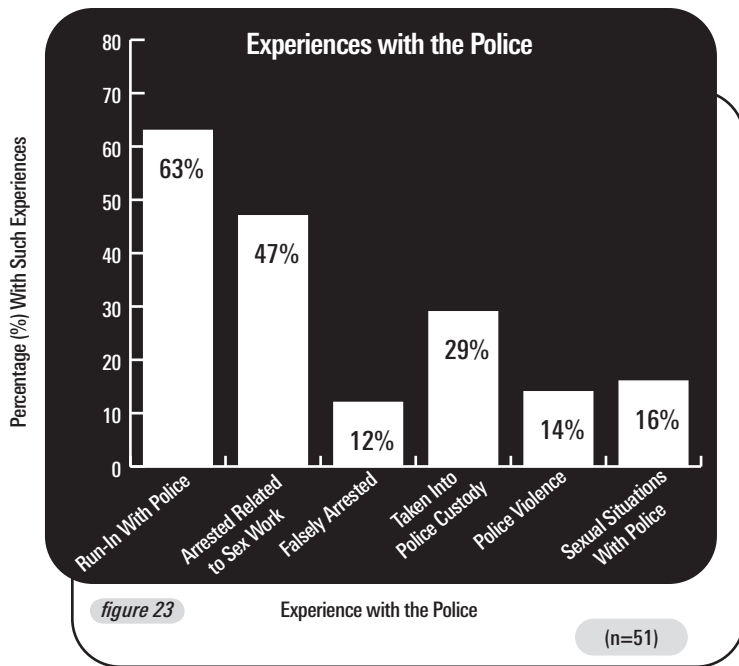
POLICE INTERACTIONS

Respondents were asked about their experiences with the police. A “run-in” with the police included all interactions that were not initiated by the respondent. This ranged from being stopped and questioned to arrest. Experiences with police were further broken down into arrests related to sex work; false arrest; being taken into police custody but not arrested; violence; and sexual situations. Audrey, a transgender respondent, stated that “the cops are always a problem” and did not want to discuss the police at all. Therefore, she is not included in this section. As the graph below illustrates, the most frequent run-in was arrest related to involvement with sex work, followed by being taken into police custody without arrest. The least frequent experience, experienced by 12% of the respondents, was being falsely arrested.

Researchers asked how often respondents had “run-ins” with police. Participants’ response to this question was used as a barometer of their perceptions of being harassed by the police. Responses were placed on a scale from 1 to 5 as follows:

Figure 22 – Intensity of Interactions Initiated by Law Enforcement on a scale of 1-5.

Intensity of interactions initiated by law enforcement	Value	Frequency Among Respondents
Near-Daily or Daily law-enforcement initiated interactions.	5	1
Frequent (more than monthly) law-enforcement initiated interactions.	4	2
Infrequent law-enforcement initiated interactions.	3	9
Rare interactions initiated by law enforcement.	2	20
None. All contact with law-enforcement is self-initiated.	1	19

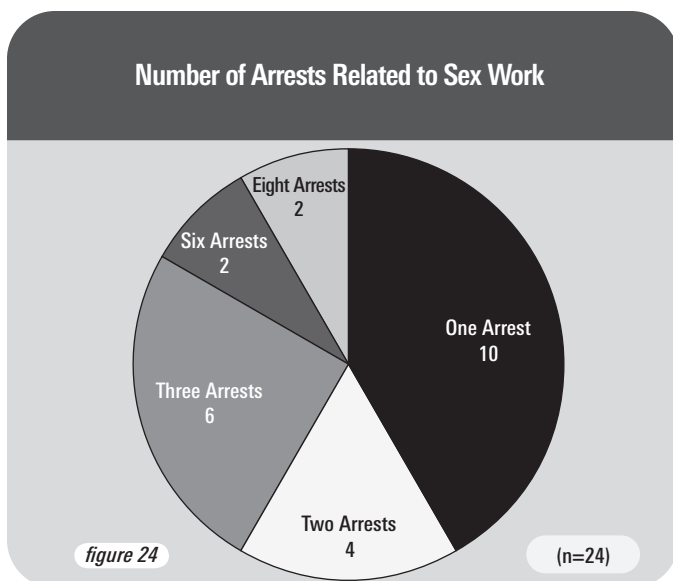


Sixty-three percent (32 of 51) of participants reported having experienced run-ins with police. For those who did experience run-ins, 63% (20 of 32) reported the level of interaction as a 2, meaning that they perceived their level of uninitiated contact with police as rare. Only one, Jessica, rated her run-ins as a 5: “Always . . . [police] harass me a couple of times a week, even if I’m not working. If I’m walking down the street cops will honk and tell me to go home. The cops are very disrespectful . . . they’ll call me ‘Mr.’ or ‘homeboy’ . . . “If it’s not one thing, it’s another . . . [They say] ‘Go home or we’ll arrest you.’” Jessica is transgender and finds the comments regarding her gender particularly offensive. She also says that during her first arrest, “a cop took a picture of me with his own disposable camera.” She says that despite this behavior, “some are nice and warn me that arrests are coming.” Celeste reported that a police officer took her picture with a polaroid camera, which she believed

to be for personal use and she viewed this as harassment. Gretchen reported that her co-workers’ pictures had been taken by police for personal use, but that her picture had not been taken. The police harassed Meredith when they arrested her, and she believed that they were “on a power trip” and were verbally abusive. She added, “the police seem worse than the criminals.” Liz attributed her bad experiences with the police to neighborhood complaints in a gentrifying neighborhood, the Lower East Side.

Arrests

Forty-seven percent (24 of 51) of respondents had been arrested in relation to sex work, and 12% (6 of 51) said that they had been falsely arrested at least once. Of those respondents who had been arrested in relation to sex work, 42% (10 of 24) had been arrested only once; 17% (4 of 24) had been arrested twice; 25% (6 of 24) had been arrested three times; 8% (2 of 24) had been arrested six times; and 8% (2 of 24) had been arrested eight times.



Participants were arrested on various charges relating to prostitution, including: soliciting prostitution; prostitution; maintaining a house of prostitution; loitering; and massage without a license. Respondents sometimes plead guilty in order to close the case early, although a few were able to get cases dismissed where the arrest was unwarranted. When arrested, Jessica would plead guilty because it was “quicker, easier, you can go home . . . they make it harder when you plead innocent.” Candace’s lawyer told her that a loitering conviction was “not a big deal.” Bryan “wanted to get out quickly. I was sleep deprived and hungry.” Grace plead guilty because “I am honest and don’t need to lie.” In many cases, the respondents were unclear as to the final outcome of their legal case.

In the vast majority of cases where a respondent had been arrested, 88% (21 of 24) were offered no services/alternative sentencing by the criminal court. Of

the three people who had been offered services, only one, Jessica, received any services that were remotely substantive. She received five days of job training instead of 15 days in jail. While she thought that the job training “would be good,” Jessica found that “the help was not professional, there were no proper tools given, and the organization was not prepared.” She was told that there was a “professional clothing box, but they

never took anyone to it.” Connie’s alternative sentencing entailed watching a two-hour health film, while Bryan says that he was given a piece of paper with references for jobs, “but the first 5 numbers were no longer in service.”

Kristina, Pilar, Belinda and Raquel have been designated as victims of trafficking in persons by the federal government. Therefore, they have received assistance with housing, attaining temporary legal status, finding legal work, and receiving public benefits. Belinda and Raquel had been arrested and initially detained, but they ultimately received this assistance as a result of the government’s decision that they were trafficked persons—these services did not come through arrest and the criminal process. Both expressed dismay that they had to be arrested and detained before the authorities realized that they needed help, and were more distrustful of law enforcement as a result.

In addition to arrests, 29% (15 of 51) of respondents stated that they had at times been taken into police custody, but then released instead of being arrested. For some, this meant that they were issued a summons, and in some cases, they were completely free to go. Robert says that this has happened to him three times, and once he has “gotten a Desk Appearance Ticket . . . I’ve never gone to court . . . I get stopped more than arrested, and I’ll show a fake ID.” He thought he was vulnerable to police interaction when “a manager of a bar or club or residents call to complain about [sex work.]” Robert was the only person who mentioned receiving a Desk Appearance Ticket in lieu of full arrest. While being taken into custody without being arrested was clearly seen as preferable to arrest, the lack of police follow-up implies that there was no real basis for these people to be taken into custody. We must therefore question why many respondents, and others in their line of work, experience the level of arrests that they do and wonder about the premises upon which many of these arrests are based.

Arrest-Related Fears

Despite the fact that they experience less police interference and a lower rate of arrest than street-based sex workers, indoor sex workers in this study were extremely concerned with and vigilant about the issue of criminal justice contacts. They were fearful of the consequences of arrest, such as having a criminal record, stigma, impact on housing and family members, and immigration consequences, such as possible removal from the country. Many indoor sex workers also found their treatment by police during the arrest process to be quite disrespectful and sometimes dangerous.

Patricia worried that if arrested, her family would find out what she was doing. Angie “worried my kids are going to get taken away from me.” Gretchen also worried about her child, saying, “now, I have a baby—before, it [arrest] was a pain in the neck.” Javier was scared of “doing time and not being able to be there for my kids.”

Gale spoke of many concerns: “I would have a record . . . so much harder to get job . . . [I don’t want] family and friends finding out . . . losing money from being in jail.” Karen also worried “about other people [friends] finding out.” Viola did not want her mother to know how she supported herself.

Lily worried about the impact of arrest on her day job, as did Sara, who was fearful about an arrest “affecting my career.” Louise felt that an arrest would affect her ability to find mainstream work: “I see all this stuff about job training and this arrest would eliminate all the jobs you could want if you ever do want to leave [sex work.]”

Kristen was afraid of the “jail time . . . the bureaucratic process, and the hassle of arrest.” Bryan also despised the process: “knowing that you have to go through the arrest process to get out—you don’t eat, sleep, and [you have to deal] with smelly people.” Dana worried about violence and “danger in jail.” Robert also worried about “not being able to defend myself from inmates” in jail, although he added that “just having police contact is horrible, it’s embarrassing to be approached by the police.” Celeste worried about violence, but from the police:

I would be most worried about being abused by the police, being raped or hurt or just treated badly is my worst fear. I feel like the legal consequences I could probably deal with or manage. I’ve definitely heard plenty of stories about police having sex with girls and arresting them or arresting them and forcing them to have sex, even in the car.

Maria, said the police harassed her because she is transgender and disliked “the humiliation because of my gender.”

Emiko was afraid that an arrest might result in “being deported back to Japan.” Edward also feared being deported, and he “hate[s] community service.” Sean was scared of “getting deported or having a black mark on my visa.” Raquel worried about getting deported and being treated badly by the police. Rodrigo felt an arrest would negatively impact his political asylum case.

Avoiding Police Interaction

The vast majority of respondents engaged in a number of strategies to avoid arrest. Connie “always ask[s] the customer if he’s a cop, and I never talk about sex . . . I touch private parts and kiss him to see if he lets me, but I never talk about sex and money.” However, at the time of her interview, Connie had been arrested recently by an undercover police officer, and was distraught over the fact that it might lead to her removal from the country, or in her losing her apartment.

Many respondents spoke of trying to “stay under the radar.” Gretchen employed “working quietly and respecting neighbors” as her strategy. Lisa said, “if you are advertising, the more high profile you are, getting neighbors upset, and just being more flamboyant,” would make a person a target for arrest.

Candace only saw “people that I know or who come from someone who I trust.” Lily also only saw “regulars” and said, “I don’t see as many people as I could if I advertised.” Scarlett did not “go with strangers.” This strategy reduced income, but also reduced exposure to potential undercover police officers. In an effort to detect undercover officers, Luciana said that she would “Talk with a client, get [his] phone number . . . [I] call to make sure, ask for full name . . . won’t take off [my] clothes until he does.” Karen said she is “cautious” and follows her instincts, and goes to clubs with other sex workers. Gretchen tries to “work quietly and respect my neighbors.” Liz did the same, saying “I try to be discreet, and keep traffic to a minimum.” Sara said, “on the phone, I talk to them for quite a while and get specific facts about what they do and if I get any feeling that it might be a cop I tell them that I’m just doing therapeutic massage. I don’t book them.”

Some participants moved their work to a different location once the police became aware of them. The police found out about Emiko’s old dungeon, so she stopped working there and now sees clients independently. Gretchen’s brothel relocated, and Gale has moved around a bit to avoid arrest also.

Others did not employ a specific strategy to avoid police detection, but were all too aware of the potential for police interference. Patricia worried about undercover police, but did not think that there was anything she could do. Sean believed that “if police want to get me, they are going to get me.” Carmen did not worry, because her “agency is so careful” about screening. Keiko felt that she “was lucky because they [police] busted the place I worked at when I wasn’t there.” Celeste implied that luck played a part in a near-miss with an arrest:

It was a set-up bust by police when I was an agency girl. They were calling girls to the Four Seasons, the police actually made a mistake, it was why I actually didn’t end up being arrested. They were calling girls in shifts, in waves, so they’d entrap and arrest you and then the next girl would come. I showed up so quickly that they weren’t ready for me yet. The phone girl had warned me that she thought the guy was drunk and automatically I was unhappy. I walked in and there was this guy on the bed in his boxers and two girls on top of him and he looked up at me and went, ‘Who are you?’ I automatically said, ‘Oh, I’m sorry, I’m in the wrong room.’ I turned around to leave and just then there were five cops--I still had my coat on. The cops burst in the door and I was freaking out. I tried to run out the door and they wouldn’t let me. They were very jovial and cracking jokes and laughing. They were having a good old time. They hustled the guy that was on the bed into the bathroom, he was a cop, and they took the two girls that were on top of him in their panties and arrested them. They took them to the next room which was full of girls. They took my picture.

Celeste added, “since I don’t advertise anymore, I’m not so afraid.”

For the women who worked for a gang in the clubhouse, at least one implied that the gang and local police may have had some sort of understanding that minimized the number of arrests. Angie said:

I don’t really get arrested very much because I know who I’m seeing. And Jimmy takes care of the police when I’m working for him. I mean, they come around once every 3 weeks, probably, but they just come in and take a few people away, usually for drugs or they’re looking for someone. But, we don’t get bothered. And, if we have to go down to the station, we don’t go to jail usually. I don’t know why—maybe Jimmy’s got power.

Eighteen percent (9 of 51) of participants knew of a client being arrested. Respondents did not express a desire to have the johns arrested. They generally expressed a desire to be left alone by the police.

Police Violence

Fourteen percent (7 of 51) of respondents experienced incidents of police violence, and victims of such violence felt they had no recourse. Angie described her encounters with police violence:

I got beat up twice, both times by a cop. Both of them wanted me to suck their dicks for free, right in the car. I said no, because I really don't like being in the cop cars. But, they said I had to and pulled their dicks out and just grabbed my head and pushed me down there. The first time I bit the guy on his dick. He just screamed and started beating me with his stick. I passed out. I don't know for how long. I was just laying there and when I woke up it was almost morning. I told my momma I got robbed. She was at home with my kids. She didn't believe me because I said I didn't want to call the cops. But, I know that if we went down [to the station], we would see the guy.

When Bryan was hustling on the street, he was slammed against a wall by police. This happened to him two times—they pulled his hair, sprayed him with mace, and slammed him against a wall. Liz said that once she was thrown on the ground by the police, and another time she was handcuffed and the police had an ambulance pick her up. Amelia was upset when the police “threw things at me and my dog.”

Leticia, said, “Just find a way to help us with the police. You have lots of women that have nobody to help them. We don't need lawyers, we need somebody to protect us when we get beat up, when police mess with us. Around here, they don't arrest you, they just mess with you like they own you.”

She also said that the police threaten her approximately

once every three months . . . Police officers around here sometimes spit on you, harass you, call you a whore. One likes to beat me now and then, or he wants me to suck his dick. I mean, its crazy. He hits me with his gun and gives me these marks on my legs and my back. I don't know what to do. Jimmy says he can't do nothing because this cat is crazy.

She continues, explaining what a crisis this has become:

I can't call the other cops. I did once and they asked this guy to stop beating me. But, he got so mad that he came around and beat me up even worse. So, I really have to get out of here. Now he wants me to give him 25% of what I make! Jimmy is very upset at this, so I don't think I have to do it but there ain't nothing I can really do because he is a police officer and I can't do nothing about it.

She later commented, “I had to go to the hospital because I got beat [by the police] so bad.”

Four respondents also reported that the police have stolen their money. Jennifer said that the police steal money from her about once a year. Javier said, “they stole my money twice when I got arrested.” Connie and Maria also had \$4,000 and a laptop stolen from them during an arrest.

Police Sexual Situations

Sixteen percent (8 of 51) of respondents have been involved in sexual situations with the police.

Despite having been beaten up by police officers, Angie later spoke more positively about them, again emphasizing the sexual nature of her relationship with many police officers:

I always keep in touch with them, give them free sex. I just try to keep them happy because it's real lucky if you can get a cop to help you . . . I think that most of the time I deal with cops is when I'm screwing them ... And you know that they protect me. A lot of women who do this, they try to get up with a cop because that way you are really safe. But not everyone got a friend like that. I think that's why I don't get into trouble a lot, because I got 2 or 3 cops that I can call anytime to help me.

Jessica has experienced two sexual situations with police. Once,

the police offered not to arrest me if I gave them a blow job. A cop drove me to an alley and

said, ‘What will you do not to get arrested?’ I offered a blow job. He said, ‘No, I want to fuck you.’ So I did, I let him fuck me and he let me go. I told all of my friends. I saw him later as an undercover and he reminded me [of what he did.] He let me out of the car and nothing happened.”

For Dana, “getting arrested was the worst . . . I was tricked by the police, and they threatened that I should have sex with one of them so we could get released.”

Louise had “a cop who was a john who was incredibly nice to me whenever I arrived at his precinct. There was another one who frequently picked me up in the squad car . . . not fun!” Grace says that the police like her, and they have invited her to parties. She has three undercover customers.

Keiko said that “a police officer tried to flirt with me on the street. It wasn’t really harassment, but they’ve tried to hit on other Asian immigrants, too. Of course, they are human.” The place they patrolled every night was “a ghetto” and they never forced her into anything, she thinks, because she is Asian. In Japan she was harassed by the police quite a bit, including one occasion in which she was kicked by the police.

Police and Race and Gender

Distinct gender and racial differences were apparent in the responses to questions about police harassment. Severe and very regular police harassment was reported by only one respondent, a transgender woman who was Latina. Jessica stood out because her experiences were more similar to those of street-based sex workers included in *Revolving Door*, the earlier study from the Sex Workers Project, than other indoor sex workers interviewed. Jessica had worked on the street and was well-known to police in her area. This may have contributed to her difficult and ceaseless experiences with the police, including sexual bribes. She described being harassed by law enforcement officers a couple of times a week even when she was not working. She reported walking down the street with officers honking and telling her to go home. She added, “The cops are very disrespectful” and call her “mister” or “homeboy.” She reported that they said things like, “Go home or we’ll arrest you.” However, Jessica’s experiences were not uniformly hostile. She added “Some [officers] are nice and warn me that arrests are coming.” However, she also reported that police have not been to her indoor workplace. It is her neighborhood police who know her from her streetwalking past that have created problems for her.

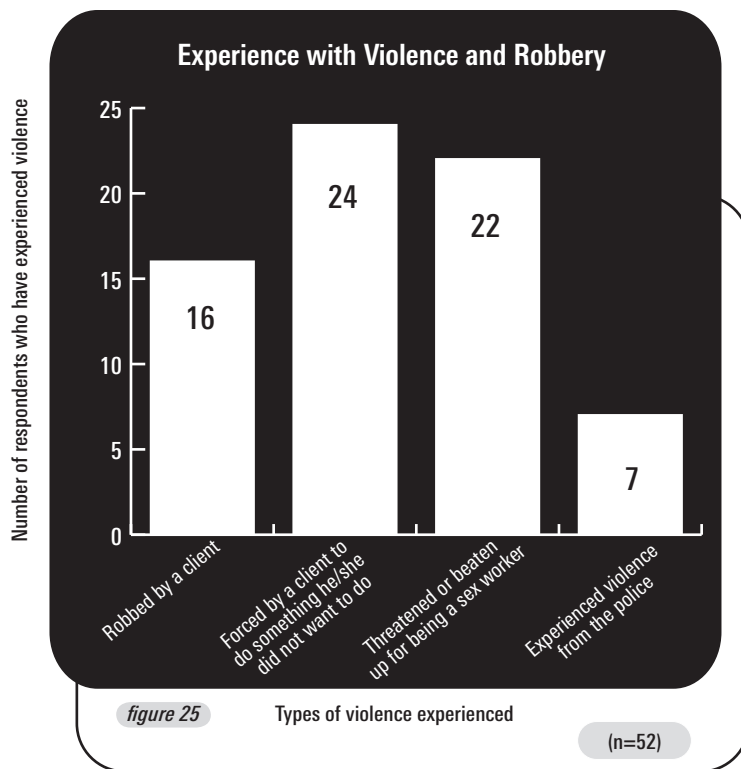
Others who reported difficulties with police were also Latino. Javier and Antonio reported regular harassment. One man reported that he had been slammed against a wall by an officer.

Many women working in the gang clubhouse were Latina and they reported a different kind of interaction in which they were taken into custody by police, but were not actually arrested. One gang clubhouse girl said “Cops never keep us that long.” Another added that they don’t usually fingerprint the girls they take in. It is not advisable to generalize to the larger population from the gang clubhouse experience as this seemed to be determined by relations between the gang and the police in ways that were extremely different from the situations described by other sex workers.

VIOLENCE AND ROBBERY FROM CUSTOMERS

Respondents in this study experienced high rates of violence, which interviewers defined as being forced to do something that the respondent did not want to do; having been threatened or beaten because the respondent was a sex worker; and/or having been robbed by a client. For example, 46% (24 of 52) of respondents have been forced by a client to do something he or she did not want to do. Forty-two percent (22 of 52) of respondents have been threatened or beaten for being a sex worker. Thirty-one percent (16 of 52) of respondents have been robbed by a client.

The women who worked in the gang house described horrific experiences with violence. Rosalie described a john who “put a gun in my pussy [and made me] fuck his friend while he watched and took pictures. I hate it when they try to take pictures. It used to happen more at the club, not really around here.” Angie suggested that violence is a way of life for some sex workers, saying, “I been real lucky, only getting beat up twice. Most women get their asses kicked all the time. I think it’s because I know most of the guys that come to me, it’s cool that way . . . I usually don’t have to worry about nothing.”



Louise reported that she was raped once, by a customer who also threatened her. She said, “he was this cokehead rich guy who couldn’t get it up and took it out on me.” Amelia had been forced into “sex without condoms, or oral sex.” Antonio reported that once, a john “put a gun to my head because he wanted to be ‘fucked in the ass.’”

Grace sometimes did things that she did not want to do, but did not consider those incidents as violent, saying that “it’s acting, so it’s easy to do things I don’t want to do. It’s all about acting, so I’ll fulfill a fantasy even if I don’t want to.” However, she did describe an extremely violent incident that required her to go to the hospital afterward: “This guy who was a new customer responded to an ad. He came over and I knew something was wrong right away—he was checking out the apartment. I told him that he had to leave and he said “no”—I was really scared. He beat me up, and he tried to rape me. He stole \$500 from me.” The man was eventually arrested, to her great relief.

Sara described a frightening incident, explaining that

I wasn’t raped, but I took a new client, who came in and had a knife . . . I was cornered and I was about to be attacked and raped and I was able to coerce him and get him out. I basically tried to befriend him. It sounds bizarre, I did not fight, I completely submitted and gently told him that the cops were outside, and luckily there is a small window and if there had not been a window I don’t know what would have happened. I looked over his head and said, ‘I can see their lights are right outside,’ and he got freaked out enough to leave. Before that, he made me kiss him and I just let him. It was this huge Indian man, with a huge kitchen knife. It was awful. But that’s what you get when you come into this work. I’m still very naive, but much less so now.”

She discussed how isolating the incident was, saying that “I couldn’t even tell my boss, because I would have been fired. I didn’t go to the police because it would be coming out about what I’ve been doing.” She added, “I mean, I would have loved to be able to call the cops and 911 when this happened, I would have loved to be able to report this, especially if something more had happened. If I could have reported this with no questions asked, I would have.”

Other respondents reported violent and frightening incidents that did not always involve the same level of brutality. Dana has been robbed by clients on three occasions. Twice she has been strangled and beaten “when [the] clients tried to get their money back” after she had performed her services. She also reported being threatened four different times by clients. Candace said that “one time someone tried to be violent and I left when he went to the bathroom.” Another time, “a guy pulled a gun on me as a joke,” which she interpreted as a threat. Kate was also threatened by a john who robbed her.

Edward said that occasionally he had a customer who “wants to go further than I do, or doesn’t want to use a condom,” but that he felt generally able to handle these situations. He was also threatened once by a client who did not want to pay. One incident that did stand out in his mind involved another sex worker, who “threatened to rob me after he found out I’m an immigrant.”

Sex workers reported having been subjected to violence as a part of the services that they provide. Consider Carmen’s case. While working for an agency, Carmen said that “there was a client who liked to get physical and slap girls” but she also said that “he would tip more.” Some sex workers may be willing to subject themselves to violence if it is perceived to be financially beneficial.

Leticia noted that she gets robbed by a customer “almost every year . . . it happens once or twice a year.” Scarlett said that she was once in a “sleazy hotel room” with a customer and “he threatened to beat me up . . . I lost money because I didn’t get paid.”

When asked if they had been robbed, some of the respondents also reported that they had either not been paid for their services, or had been paid less than what they charged. While this did not include physical violence, respondents interpreted this as being robbed, and they also felt that their only recourse was to report this to the police, as you would a robbery. For example, Amelia reported that she has not gotten paid for work “millions of times.” Rodrigo echoed this sentiment, saying that “sometimes they will try to pay less” than the agreed-upon amount. Louise has been robbed “twice, counting not getting paid in one instance.”

Violence and Coercion From Traffickers or Pimps

Eight percent (4 of 52) of respondents were trafficked into the country for prostitution. Two of the trafficked women thought that they would be involved in other types of work and did not know that they were going to be involved in prostitution. The other two had worked as prostitutes in their native countries and knew that they were to continue as sex workers in the U.S. However, they did not realize that they would be beaten or threatened, and have their money taken from them. For the women who did not know that they were going to be prostitutes, the act of engaging in prostitution itself was a violent one because they were being forced into having sex with customers against their will.

Whereas non-trafficked respondents were very concerned about violence from customers, the violent experiences that affected the trafficked women more deeply were the threats and assaults from the traffickers themselves. The women told of being threatened, beaten, raped, and having their money withheld by the traffickers as a means of keeping them in line. Belinda did report that occasionally johns “would get a little rough,” a sentiment echoed by Raquel—however, they were predominantly concerned with violence from the traffickers.

Some respondents who were not immigrants were also involved in violent situations, such as Rosalie, who owed \$10,000 to Jimmy, the gang leader, because of drugs. Rosalie also described being threatened by Jimmy “twice in a year,” but did not elaborate any further. Jennifer, another woman in the gang house, also had a problem with violence from the gang—she reported that she is threatened “once a month” by the gang, because they accuse her of hiding her money rather than turning it over as required.

Other respondents mentioned that while they were not subject to violence or coercion from the people for whom they worked, they did experience the type of worker exploitation that a worker in another industry may experience, such as not getting paid the amount they were owed or were told that they would receive.

Safety Precautions

The vast majority of respondents in this study, 92% (48 of 52), had a standard set of safety precautions that they utilized when working. Common safety precautions included: trusting his or her gut/instinct; screening customers; being aware of surroundings; ensuring that a friend or co-worker knows of their location; seeing only regulars; keeping a weapon or mace on hand; relying on the house or agency to maintain safety; and 21% (11 of 52) of participants specifically mentioned using condoms as a safety precaution. For 79% (41 of 52) of participants, the safety precautions included more than trusting their instinct.

When they discussed using their instincts, sex workers in this sample often described their ability to read people. Jessica noted that while she did not use other safety precautions, “I am a good judge of character and I can tell who’s a good guy and who’s not. Like I said, I’m picky and safety is part of the equation.” Kristen utilizes her gut in combination with solid screening: “There are a number of emails between [me and] clients, so I get vibes . . . and a way of interaction in case it doesn’t feel right. I make sure I know what neighborhood I’m going to and keep in mind public places and people around. I had a friend who would call me at a certain time. I’d give her the address of the place I was going. I also keep in mind objects around the place that could be used as weapons.” Kristen added that she always “knows how to get out.”

Maria said, “I go by instinct, I see the people.” She also tries “to be close to a door if it [might be] a bad client.” Yoko echoed that “instinct” is the most important tool for maintaining her safety while working. Sean interviews people and said, “I can just tell.” When he first came to New York, he would tell a friend where he went and when he would be back, but he stopped this after a while. “You get used to work and can screen people.” He “won’t take blocked calls . . . There are certain things people will say that will raise flags.” He

does not have weapons, but feels that he could rely on fighting if he had to do so. Luciana said, “I keep a phone around and check clients,” asking questions like “how old, what do you like to do” and will “say ‘no’ if I feel uncomfortable.” Javier “will go with [a client] depending on the vibe,” adding that he also uses condoms, and “will screen people by talking to them . . . I won’t go if a guy is too picky . . . asks for too much for what he’s paying . . . when we first meet, we meet in open doors.”

Connie also relies on her impression of the client: “First, how does the guy look? I don’t give my apartment number . . . I meet him outside on the stairs . . . embrace or touch him [to look] for a weapon.”

Screening is an invaluable tool, and appears to be utilized regularly by agencies who employ sex workers. Screening is a process by which some sex workers try to verify the identity or reputation of a possible client in order to reassure themselves that the individual in question is not a person known to be dangerous or a police officer. Carmen reported that while working she “felt very safe.” Her agency “took great care in checking on clients . . . I’d leave if I didn’t feel comfortable . . . I’d have to call the agency once I got [to the meeting place with the client.]” Carmen’s agency also conducted background checks and checked clients’ credit cards, so “the clients were well established.” Gretchen said that “now I wouldn’t work anywhere that didn’t check on work numbers, ID” and those kinds of identifying factors. Kate said that in addition to using condoms, her safety measure was orchestrated by her agency: “Someone always knew where I was . . . the agency was careful and would call 45 minutes into the session, and I was supposed to call right away after [I was finished with the job.]” Viola’s dungeon checked on their workers 50 minutes into each session.

Harper screens clients herself, and “if I’m seeing someone I don’t know as well, I give their personal information to someone I know and they have instructions to call me about 15 minutes after the client is expected to leave. If nothing happens, they have instructions to call the police.”

Karen carries mace and pepper spray, and has taken kickboxing. When she worked for an escort agency, the agency would screen all clients for her. She now screens clients on her own and said that she “know[s] what to look for.” Susan also mentions boxing: “I used to box—if I hadn’t done this, I may not have done prostitution.” The dungeon where she works “takes precautions about listening in the hallway . . . girls watch out for girls with new clients . . . when the owner first bought the place there was a trained dog.” Lisa mentioned that she wants to take a self-defense class if she begins advertising. Emiko described her screening process: “on outcalls I have a friend pretend to be an agent, who calls the residence. I won’t go unless the name on the phone matches the name given.” She said that she feels safe in her work.

Louise described “very rigorous phone screening.” She requires the “full name, home address, home phone, business name, position at work, company telephone number (not a direct line but a secretary), or a business web page, and 411 information for accuracy. If these are not correct, I need more, including a reference from another girl if I know her, or if she’s a real obvious and well-known person.”

Robert focuses on staying “very observant . . . I stay to myself . . . not being in a group setting helps.” He also talked to clients quite a bit before agreeing to do anything. Simone said that in addition to using condoms, she “make[s] sure the doors are locked, and meet[s] clients in their homes or at their work.”

Lily, Gale, Celeste and Candace all said that they only work with regulars—Candace feels safe because “now I know most of the people.” Gale trusts her clients, because they are all regulars. She also carries mace and weapons, which she has never used. She felt that the streets were a more dangerous climate. Barbara does not screen, but carries a razor for protection. Dana carried mace, and she let her husband know where she was once she arrived.

Patricia said that she used to carry a knife when she worked on the street. If she meets a client she does not know, she “will not bring him to my home right away until I get a feel for the individual or until I feel comfortable and know they’re not a threat.” Most of her clients are married and she trusts that they are not going to risk what they have. Patricia also introduces her client to people she went to the bar with so the client knows that she is not alone, and will then tell her friends where she and her client are going.

Reporting Violent Incidents to the Police

The majority of respondents avoided the police as much as possible. However, 16% (8 of 51) of respondents had gone to the police for help, as a sex worker, and found the police to be helpful.

Forty-three percent (22 of 51) of respondents stated that they were open to the idea of asking police for as-

sistance. Susan said that if she asked the police for help, she “would say I was doing prostitution. I think they’re pretty cool and can be understanding.” She did not think that the police consider sex work much in deciding whether to help someone. Grace had a positive experience with the police when she reported being beaten and robbed by a john—the detective eventually arrested the man who harmed her.

However, many of these same respondents also expressed strong reservations about how helpful police might be, and despite their openness to the idea of asking for help, they ultimately thought of the police as unhelpful and untrustworthy. Patricia said, “I never went to the police because of [my sex work] and the stigma that’s attached to it. This is why women won’t go to the police.” Kate might go to the police “if it was really big trouble, yeah, but I don’t think they’d really help.” Maria would never go to the police “because they’re mean.” Antonio said, “never—not with anything.” Rodrigo did not want to be on their radar in any way, because of his involvement in prostitution and his immigration status. Louise “would go to the police if it were something serious, but generally I deal with things on my own. I don’t trust them. I don’t feel like they’re on my side.” Vanessa would ask the police for help “only for domestic violence problems.” Edward “would never call the police because of my immigration [status.] I don’t want them snooping around. New York City has the worst police . . . outdoors the police harrass [everyone].”

Liz said that the police have never helped her during a violent incident: “I had my leg broken because the police would not help . . . police witnessed the assault but did nothing . . . It was a random assault and I started screaming but the police did nothing.”

Leticia said, “I try [to ask the police for help] but they don’t help me . . . Mostly, it’s this guy who beats me up and I can’t do nothing about it. There’s also other people who sometimes harass you and if you can’t call the police, you can’t do nothing about it. We’re women, so it’s not like we can beat up these men if they beat us up.” She also described a police officer who beats her—one time she reported him to other police officers, who told him to stop, but this only made him more aggressive with her.

Dana has received no help from the police. The second time she was strangled by a customer, she was shocked and ended up in a psychiatric hospital. The doctor believed “I wasn’t crazy and went to the police” who did nothing. She also reported a domestic violence incident to the police, but they were not helpful.

Sara said she did not go to the police after almost being raped at knifepoint by a new customer because “it would be coming out about what I’ve been doing.”

Angie summed up the obstacle presented by the police in attaining security for sex workers: “Probably the police. I think that if other women had police to help them, there wouldn’t be so much trouble or so many people getting hurt.”

Good Police Interactions

Despite their apprehensions regarding the police, a few participants did have positive experiences with the police, and these experiences can guide police in creating best practices when assisting sex workers who come to them for help. It is clear that when police view sex workers as legitimate members of society, they are more likely to offer the same level of assistance that they would offer another complainant and follow-through on appropriate procedures. Unfortunately, this willingness to view a sex worker as a human being who may be a crime victim appears to be the result of enlightenment or understanding on the part of individual officers, as opposed to the result of training and best practices issued by the police department.

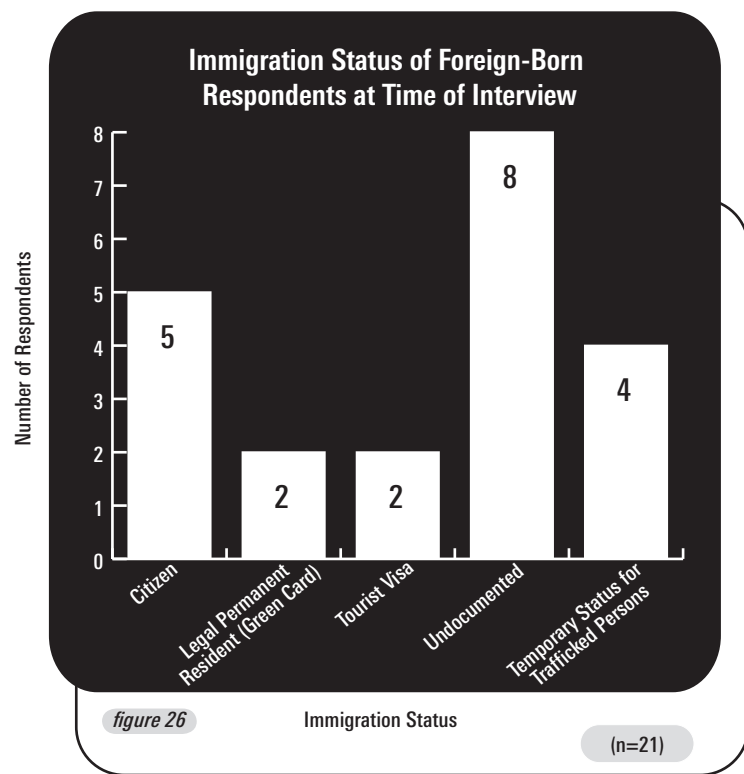
When Grace was beaten and robbed in her home by a man posing as a client, the police came to help her. She says that the detective was very nice—“He kept looking for the guy and finally arrested him.” Grace was also pleased that the detective never made any comments about her transgender identity—he did call her by the male pronoun rather than the female pronoun, but she overlooked this as ignorance, and not as a sign of any kind of malice. She was incredibly grateful to the detective, who made it clear that she could call him anytime with questions or more information.

Kristina and Pilar also found the police to be helpful when they approached a detective with the help of a community member who thought the police might be helpful to them. Kristina and Pilar had run away from the man who trafficked them into the U.S. and forced them into prostitution in a few brothels. After running away from the man, with the help of sympathetic workers in the brothel, who were appalled that anyone might be forced into prostitution, Kristina and Pilar were nervous about approaching the police. However, because a community member who spoke English accompanied them, and they convinced the detective that

they were victims who had been forced into this situation, the detective was very responsive to them. Eventually they worked together to arrest the trafficker.

SEX WORKERS AND MIGRATION

Sixty percent (31 of 52) of respondents were born in the U.S. and its territories. This number includes one participant who was born in the U.S. territory of Puerto Rico.¹⁵ Forty percent (21 of 52) of respondents were born outside the U.S. and its territories. Participants who were born outside the U.S. and its territories came from a wide variety of countries, including Brazil, Canada, Jamaica, Japan, Mexico, New Zealand, Taiwan and Thailand. Please see Figure 10, *Race/Ethnicity of Respondents by Region of Origin* on page 30.



Immigration Status of Foreign-Born Respondents at the Time of Interview

Of those respondents who were born outside the U.S. and Puerto Rico, 62% (13 of 21) had some form of legal immigration status at the time of the interview, although not all were authorized to work in the country. Thirty-eight percent (8 of 21) were completely undocumented and had no legal status.

However, only 43% (9 of 21) had some legal status when they entered into sex work in the U.S., while 57% (12 of 21) had no immigration status when they entered into sex work in the U.S. This is because the trafficked respondents were undocumented when they were involved with sex work, but had temporary legal status for trafficked persons at the time that researchers interviewed their advocates. Figure 26 shows participants' immigration status at the time of their interview.

Twenty-three percent (5 of 21) of foreign-born respondents were U.S. citizens. Four came to the U.S. as young children (age 8 and under) with

their families, while one held dual citizenship with Canada. Louise had been born and raised in Canada, but decided to take advantage of her dual citizenship and came to the U.S. as an adult after she received an offer for a job.

Ten percent (2 of 21) of foreign-born respondents were legal permanent residents (green card holders.) Both arrived in the U.S. on student visas, but Emiko eventually got married, and Yoko obtained her green card through the lottery system.

Ten percent (2 of 21) of foreign-born respondents were in the U.S. on tourist visas. Rita came to the U.S. to escape her abusive husband and hoped to find a way to stay here permanently, while Sean likes to travel back and forth to his native New Zealand and to Australia. However, he would like to obtain more long-term status so that he may stay in the U.S. and go to school here.

Thirty-eight percent (8 of 21) of foreign-born respondents were completely undocumented and had no legal status. Most entered the country legally with tourist or student visas, which they overstayed, while one, Maria, entered the country with no documents at all “by running across the border.”

Nineteen percent (4 of 21) of foreign-born respondents also entered the country with no documents, but they were trafficked into sex work, meaning that they were coerced into working in prostitution. These four respondents had cooperated with law enforcement in the criminal investigation of the people who had traf-

¹⁵ People born in Puerto Rico have U.S. citizenship. However, Puerto Ricans speak Spanish and may experience a similar process of cultural integration as immigrants from other countries. Many Puerto Ricans identify as “Puerto Rican” rather than “American.” (Vidal-Ortiz 2004).

ficked them. Therefore, they were all given temporary legal status that is available to trafficked persons, and will have the opportunity to apply for more permanent status in the future if they are interested in doing so.

Reasons for Leaving Their Country of Origin

Respondents offered a wide variety of answers to the question of why they left their home countries, ranging from a lack of economic opportunities to enjoying greater freedom by avoiding discrimination and stigma based on gender, gender identity, and sexual orientation.

Luciana said, “I had a friend from Brazil in New York City [who] told me to come here, that I could make good money. I was looking for change after my parents’ passing.”

Transgender women and gay men reported that their families were ashamed and that they were discriminated against in their home countries. Scarlett came to the U.S. “for a new life” and to be accepted for “the way I was.” Grace said that “people didn’t understand that [I am] gay.” She added that her family would kill her and themselves if she had remained in the country as a woman.

Reasons for Moving to the United States

The U.S. remains a destination for immigrants from around the world. When asked why they came to the U.S., Connie and Emiko referred to the “American dream” and Maria said that “everyone in the U.S. . . . people have everything.” Respondents indicated that the “American dream” is inextricably linked to jobs and financial opportunities. Others referred to sexual freedom in the U.S. Emiko came to the U.S. with a student visa—she talked about cultural forces making her want to leave Japan. For example, she felt too old there to be a single woman.

Fifty-seven percent (12 of 21) of foreign-born participants described having some assistance during the migration process, ranging from consulting firms that arrange for visas to people such as “coyotes” who smuggle people across borders. Keiko said, “I applied to school and they [the consulting firm] issued the F1 Visa. They said they have some residence, so the first month or two you don’t have to worry about anything. If you pay this consulting it’s very easy.” Rita came to New York to escape from an abusive husband. It was her husband’s aunt who helped her arrange her visa and passport. The trafficked women came to the U.S. through arrangements made by the people who trafficked them.

Reasons for Moving to New York City

New York City is a frequent destination of settlement for many immigrants. Keiko put it plainly, saying, “Also, I just wanted to live here! I was interested in New York.” Yoko wanted to pursue a career in the arts in New York City.

Louise, who was eligible for U.S. citizenship but who had never lived in the U.S. before relocating at the age of 22, said, “I would not be in the States if it weren’t for New York. I’m very happy to say I’m a New Yorker but not an American.” She continued,

[My] job in Canada ended . . . rather than compete with my colleagues for whatever was left, I took a job in New York. I didn’t understand how expensive New York was--the pay would have been a lot of money in Canada. There were like weeks I didn’t eat. I was calling friends and asking for food. I was like, I think I’ll start working again.

Forty-three percent (9 of 21) of foreign-born respondents had contacts in the New York area before they arrived. This includes one of the trafficked persons. Not all immigrants interviewed came directly to New York City. Maria spent 13 years in California before relocating to the East Coast because she “needed a change.” Yoko had traveled in the U.S. for a month before deciding to relocate here—she had made acquaintances in New York during her visit.

Grace said that her contact helped her learn how to use the subway, register for school, find a place to live, and showed her how to buy things. Maria said that her brother helped her with both monetary and practical support, because he had already been in the U.S. for a year. He paid \$300 for her travel expenses, but then returned to Mexico. Luciana came to New York City with her brother, but he left after six months because “he hated it.” Sean, who is from New Zealand but entered the U.S. through Canada, arrived in the U.S. with the help of a client who became a friend. This client paid for everything upon Sean’s arrival.

Most of the participants who received very practical help getting to the U.S., such as help arranging a visa or

help entering the U.S. illegally, paid money for these services. In cases in which help was received from an individual rather than an agency, most respondents reported that they were still in contact and even friendly with the people who helped them in the U.S. The exception to this were the women who were trafficked, who reported having no further contact with those who brought them to New York.

Once they were in New York, most of the immigrants interviewed found their first places to live in New York through a friend or acquaintance. The four trafficked women said that the traffickers had contacts who made all of their living arrangements.

Immigrants' Involvement in Sex Work

It is clear that the decision to enter the sex trade was not always an easy one for the immigrants in the sample. For respondents who did not have legal immigration status or proper documentation, the ability to settle, find housing, and support themselves was compounded by fear of deportation and a lack of employment authorization. This led some participants to look at sex work as their best economically viable option. Respondents in this situation discussed the fact that they could work out of their apartments independently without involving an employer. In addition, many escort agencies and brothels do not check for legal immigration status.

Connie spoke of being “afraid to give fake papers” to a potential employer, saying that sex work seemed to be a better option than that kind of fraud. She was essentially weighing one unlawful act against another. This reflects an unexpected ethical decision in opting to enter the sex industry.

In making her decision, Connie also considered that sex work is more lucrative than other jobs available to her. Immigrant and undocumented respondents spoke often of the need for “work papers” and “a green card.” For example, Maria spoke of limited employment options, saying that “with papers, I could go more easily to school and apply for other jobs.” Grace worried that she “can’t find a regular job because [I’m] illegal . . . Can’t have health insurance.” Scarlett has a “B.A., but I can’t get a job because of my [undocumented] status.”

Some also explored fraudulent marriages as options for attaining legal status. In this context, they were also weighing one unlawful act against another. Connie said, “There’s a guy who wants to marry me, but with this arrest, I don’t know.” Maria, who is transgender, said that she wanted to “get a sex change and maybe get married. I want to fall in love with a man.” Luciana discussed this issue, saying, “It’s not easy. I want to get married for love and papers. Maybe [I’ll] get married to a gay friend.” She spoke of her ambivalence about engaging in sex work to support herself:

[I started] when I met Regina. I was a dog walker at the time. I was afraid at first and took a month to decide. I’d stripped before and worked in a restaurant/bar. I was a sex worker for a month, then didn’t do full service and started stripping again, but [it was] not enough money and too much talking/objectification, so I returned to sex work. I don’t do full service, only touching and blow jobs, everything but penetration and intercourse. I made a lot, \$200 from no full service, so I wouldn’t go back to full service because I didn’t make more money doing it. I’m not comfortable with full service and I think guys prefer non-full service because it’s safer.

Perhaps one of the most significant findings among the immigrant respondents in the sample relate to the relationship between their motivation to engage in sex work and the remittances that they send home to their families in their countries of origin. Thirty-eight percent (8 of 21) of foreign-born respondents reported sending money home to their families. Having immigrated to the U.S. for economic reasons and often having the pressure of supporting family members at home, a number of participants mentioned that sex work was the only work that would both support their daily needs in the U.S. while allowing them to save enough money to send home. Because legal work was unavailable or did not pay enough to allow for this, a number of respondents turned to sex work for employment.

Desire to Return to One’s Country of Origin

Most respondents who came to New York did not want to return to their homes permanently, giving reasons like the lack of opportunities at home; greater freedom in terms of gender, gender identity, or sexual orientation; or the excitement of a new place in a large city.

One person referred to a turbulent political situation in Latin America as a deterrent to returning. The traf-

ficked women mentioned their fears that they would face retribution from the traffickers if they went back to their home countries. Others referred to limited opportunities and the fact that they'd made new lives in the U.S. and in New York. Yoko said, "I think it's related to age also . . . our culture is very sad. It's not a good idea, it's hard. I'm comfortable here already. There it's uncomfortable for me, it's always the same."

Desire for Permanent Legal Status in the U.S.

All (14 of 14) of the respondents who were not U.S. citizens or legal permanent residents reported that they wanted permanent legal status to remain and work in the U.S. One reason for this is that it would allow them to travel freely between the U.S. and their native countries. Kristina, who was trafficked into sex work, missed her family back home, but would miss the U.S. and feels safe here, while she would not feel safe at home because her traffickers know where her family lives. She would like to be able to go visit her family and come back. Keiko said, "I don't think I'm going to stay in U.S. forever, but I don't know about my future. I want to see my family but it's a kind of difficult situation about my visa."

Those who cited other reasons for wanting to normalize their legal status in the U.S. described the fear of deportation; fear of arrest; fear of being held in immigration detention; a lack of stability related to tenuous social networks and the informal economy; the desire to have a better job; and notably, to belong in the U.S. and feel like an accepted member of the country's society.

When asked if proper legal status would improve their chances of finding legal employment, respondents reported that this was their greatest obstacle to finding other work. One person mentioned that it is impossible to get a license as an aesthetician or hair stylist without a social security number. Another mentioned the difficulty of getting health insurance as an undocumented person. However, participants also reported other obstacles. Most people also referred to language skills as a tremendous obstacle, pushing some respondents into ethnic markets catering to Spanish- or Japanese-speaking communities. Eighty-six percent (12 of 14) of the respondents who were not U.S. citizens or legal permanent residents believed that their work situation would be different, and that they might be in a different business sector, if they had appropriate legal status in the U.S. Potential occupations mentioned included other informal work such as bartending; going to school; and also working in more formal businesses and even entrepreneurship.

In response to a question about how they would go about getting legal status, several participants mentioned asylum applications, visas for trafficked persons, and marriage to an American citizen or legal permanent resident. Others stated that they did not know how to do this and expressed a desire to know more about immigration law.

Sex Work in Countries of Origin

Thirty-eight percent (8 of 21) of foreign-born respondents had been involved in sex work before coming to the U.S. Two of the trafficked women had worked as prostitutes in their native countries and knew that they were to continue as sex workers in the U.S. However, they did not realize that they would be beaten or threatened, and have their money taken from them.

Sex workers interviewed for this report generally became involved in the sex industry for monetary reasons. Some turned to the sex industry out of desperation, such as Keiko, who said, "I didn't know anything about how to make money but I knew I needed to find out how to make money." Others made a decision to utilize the sex industry rather than struggle in employment that did not pay them a living wage. Yoko said, "I was already working as a hostess in Japan, so I just started looking for it naturally in the U.S."

In describing their concerns about their participation in the sex trade, 81% (13 of 16) of foreign-born participants who were not U.S. citizens reported worrying about immigration policies and agents. This fear reflects a greater stress on sex workers who lack citizenship because they worry not only about police interference but also about the immigration consequences related to their work. In addition, Louise, who is a U.S. citizen, makes an important point, saying that "I worry [about immigration authorities] when I'm working, but it's not my biggest concern. Safety is always my biggest concern." She was very worried about the consequences of arrest on her pending applications before she received her U.S. passport and social security number.

LEGAL AND OTHER NEEDS

Many respondents were low-income women and men who were part of the working poor, and were unable to find work that paid them a living wage, or that allowed them to maintain a balance between work and family.

Transgender sex workers faced additional problems due to discrimination and insensitivity to their gender identity. Immigrant sex workers, especially those who did not have legal status or did not speak English, also faced additional hurdles in trying to find mainstream employment that paid a living wage.

While indoor sex workers in this study often had the very basic elements necessary for creating stable lives, they did not receive the help they needed to truly attain stability. Their needs went unattended because of the criminal status of prostitution and the isolating nature of indoor work. Indoor workers who were plugged into services tended to be transgender, since they were aware of services that were specific to the transgender community. Isolation was compounded by stigma, and the fear of stigma. This was expressed by the fact that respondents did not like having to answer any personal questions asked by agencies when they tried to obtain services. For example, Angie said that she was “not into using all these organizations because they always want to know what you’re doing . . . [they] ask too many questions and get in your business. I don’t like having to answer those questions.” Connie gave another reason, stating that she received condoms from one organization, and that she tried going to a center that gives psychological assistance, “but you need proof of income and address, so I didn’t go.”

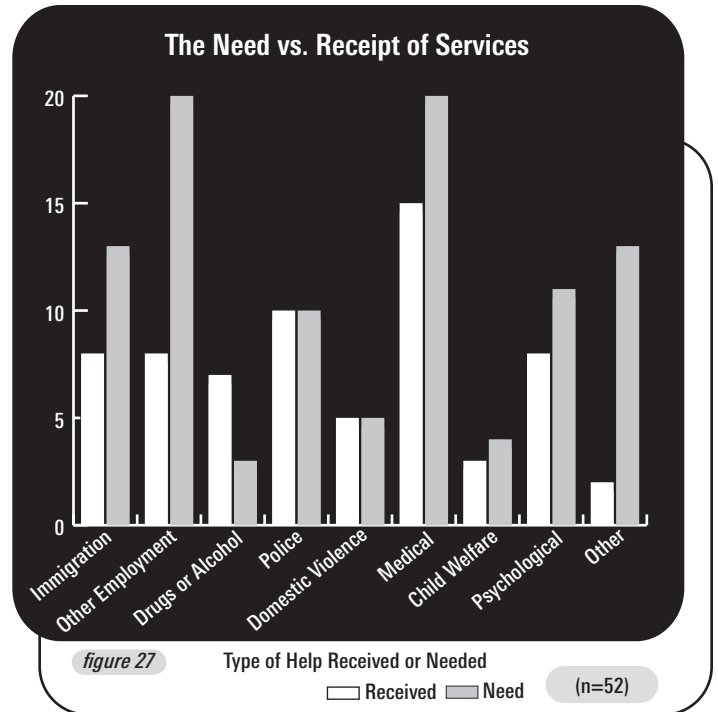
Respondents had numerous legal questions, especially with regard to immigration or criminal issues. Luciana asked, “If [you get] arrested, how are the police and [immigration authorities] connected? Can you be deported?” Echoing a common concern, Kristen and Meredith want to know “what is legal and what is not.” Edward had the same question because he did not “want contact with legal institutions.” Liz and Viola specifically wanted to know what was legal in engaging in dominatrix work. Keiko wanted to know more about the long-ranging consequences of arrest:

If I was busted at work, what kind of [documentation] would appear on my record and who would have access to that information? For example, if I’m applying for a job or in school, could that come up and bite me in the ass? I don’t know anything about what it would mean to be charged with prostitution. Do you have to pay a fine, and also how would I go about finding a lawyer whom I felt like I could talk to?

Simone and Grace wanted to know why prostitution is not legal. Grace stated that “people need it so I don’t feel bad doing it . . . We’re human beings, everything is half-bad and half-good.” Questions about housing and finances were also common. Gale had questions relating to her Section 8 housing, while Harper had legal questions relating to small claims court and rent-stabilized housing. Kate had questions about sexual harassment at her job.

Respondents mentioned numerous areas in which they had needs. These included:

- Health Care (Comprehensive);
- Counseling (“Someone to talk to”);
- Finding Stable Housing;
- Peer Support (How to be safe and protected in the business);
- Legal Assistance (Criminal, Immigration, Housing, Domestic Violence, Family Law, Child Welfare issues);



- Immigration Assistance;
- Mentoring in Alternative Employment (If they want to leave the work, it is difficult to learn about viable alternatives);
- Advice on How to Manage Money (Comes in fast and goes out fast);
- Translating Skills to Straight Jobs;
- Language Classes; and
- Accessing Education.

Although respondents in the sample had numerous needs and expressed desire for assistance in a number of aspects of their lives, there was a clear disconnect between the needs of this group and their actual receipt of services relating to these needs. Among the needs expressed, respondents most needed help with immigration, finding other employment, medical, and psychological help. These were the very services respondents reported not having received. Only in the case of drugs and alcohol did respondents report being offered and receiving more help than they actually needed.

Patricia was very eloquent about the needs of this group:

Years ago, just like how domestic violence wasn't a big thing, whereas now it's out there and people are more aware of it. People are not aware of sex workers and what they go through . . . or why they are in the work that they're in. Give them the help that they need, help them out of that situation. Don't just write them off as being an addict and that's their character—they're not a lost cause. When they were growing up, they didn't say, 'Oh, you want to be a ballerina? I want to be a hooker.' It didn't work that way . . . To me, if the police really wanted to help, instead of locking a girl up right away, they should have a case worker on hand that deals with the sex workers. [There are domestic violence officers that deal specifically with those victims] so why can't that be done with sex workers? To let her know that there are places you can go and get help—a lot of them don't know."

PARTICIPANTS' VIEWS ON LEGAL CHANGE

Respondents overwhelmingly believed that conditions for sex workers would be different if all sex work, including prostitution, was legal. Seventy-nine percent (41 of 52) of respondents felt this way. Interviewers did not go into a deeper discussion of legalization or decriminalization—respondents simply discussed “making it legal,” which meant that neither they nor their customers would be arrested or considered to be engaging in criminal conduct. Participants often related the lack of respect and assistance from the police to prostitution's unlawful status, and thought that sex workers would be in a better position to organize and assist each other to live in better conditions or leave the industry if sex work was legal and people did not have to operate under the threat of arrest. Respondents also saw health benefits, and many noted that sex workers could pay taxes on their labor, thereby contributing to the larger community and enabling them to establish social security and retirement plans.

Gretchen believed that decriminalization would increase safety, because “people would be less likely to prey upon sex workers, and there would be no fear of arrest.” She also stated that with legality, “recognition would come with it, [although] recognition differs from respect.” Vanessa said, “customers would know that they couldn't take advantage of you . . . they would know that you could report them.” Harper believed the situation would improve if “girls didn't have to work on the street and had a safe place to go. I also believe in having a union, like they've done with anything—like at the turn of the century with sweatshops—unions have changed that and made a huge difference in people's quality of life.”

Celeste emphasized the importance of decriminalization:

I think a lot of that has to do with legal issues. If it was legally safe for me to network with other sex workers in a way that was not underground so we could exchange lists of clients, whether they were bad or good, that was one of my safety precautions before. I wish we didn't have the pandering laws because those really hamper women's safety, not just women

but any gender, it's the pandering laws that impede us from exchanging and sharing more information. Those laws don't protect anybody and none of the laws against sex work do.

Simone stated, "Girls could post warnings about certain clients . . . help each other out." Liz echoed this idea that decriminalization would combat isolation and promote safety, noting that

if [it was] not illegal, there would be more options where people could do things . . . maintain client discussion and keep safety, now [you] can't do anything. If it was legal, sex workers would get together and have a place. They would never need to be alone . . . you could get help for rape or violence if [prostitution] was legal . . . would be good for people trying to leave sex work . . . they could organize to give sex workers training and education to get out of this business.

Luciana stated plainly, "maybe making it legal would make it safer." Kate comments that if prostitution was legal, "I wouldn't have had to keep it a secret."

Louise was adamant that decriminalization (she specifically used this term) is key:

The most dangerous thing going for you as a New York escort is that you're going to all these ridiculous places and no one would ever know. The inability to work in a public place with others is very problematic. I worked in an industrial area in Canada and a serial killer was preying there. That was scary but the girls were working and very aware that one person was being picked up and murdered monthly. We couldn't go to a better-lit area without being arrested or picked up and driven elsewhere. It was an effort to keep us out of better neighborhoods—I hate the 'good' people sometimes.

Luciana said, "I wouldn't worry about being arrested and staying in jail." Celeste also noted that "in the most obvious [way], I wouldn't be afraid of getting arrested and in more subtle ways if it were legal I wouldn't be afraid of that being on my record as a crime that could be found later." Scott had a similar perspective, saying that he "wouldn't worry about arrest and could get health insurance . . . [we] could get health screening like in Germany."

Viola stated that "police and courts would function differently, and would not be so violent. Sex workers would feel better, psychologically, about themselves—it would contribute to less drug abuse and social problems [for sex workers.] They wouldn't be living in anonymity." Kristen was adamant that criminalization makes no sense: "Police have too much power over women . . . [they] can abuse women because of power . . . it's ridiculous to have prostitutes in jail." She calls it "moral policing."

Candace saw decriminalization as a way to protect her financial security, stating that "I think it would be better . . . it has a lot to do with money . . . I think it would be easier to invest." Susan noted that she would not have to "worry about taxes or recording [my] income." Maria, Antonio, and Karen all mentioned that decriminalization would be better because sex workers could pay taxes. Jessica agreed with this idea, but thought this was a bad thing.

Some participants do see decriminalization as a negative development. Edward believed that there would be more sex work if prostitution were legal. Robert does not want prostitution to be legal because

the illegality gives me motivation to leave it . . . it's better for the community if it's illegal. If it's legal, then [there is] more violence because people would fight over what they could do. People in the community would take over police work, protesting and speaking out more. Actual sex workers would compete more [against each other] because it would be public.

He added that there "would be more media attention, and [this would] force people to move." Patricia expressed hesitations about prostitution being decriminalized because she felt that the unlawful nature of the work was what attracted clients: "[There] would be less clients because the clients are attracted to prostitutes because they are illegal—it is an 'adventure.'"

LEAVING THE SEX INDUSTRY

When asked if they would like to leave sex work eventually, 69% (36 of 52) of respondents said "yes." Many respondents voiced ambivalence about their continuing involvement with the sex industry. Candace, who is now transitioning out of sex work after 27 years in the business, said that why she stayed "is the mystery of

life.” Bryan said he doesn’t know why he stays in the business and asks himself the same question everyday. “It’s hard to give it up. How do you leave that?” clarifying that he was talking about “fun and the benefits.”

Leticia explained that,

Sometimes you feel like you can’t do nothing else. You get real addicted to it. I would love to work in a nice office or a hospital, but who has time to go to school? I have to pay bills, I take care of my momma—she’s sick. I just can’t afford to stop doing it. I probably will do this for a long time. I can’t even figure out when I would stop. That’s how bad it can get sometimes. You just feel like the shit won’t end, and that’s how I feel.

Victoria also spoke of a feeling of inevitability about the work in her life: “It’s addicting. I can’t find myself in a square club. I can only do this if I gain square [non-sex worker] friends and I don’t have any square friends . . . it’s a lifestyle.”

Others were more pragmatic about why they stay and why they might leave, and some explained that they like the work itself. Sara said, “Being able to support myself . . . I will not shy away from saying ‘money.’ I find it more meaningful and easier to deal with than restaurant work. I like working one-on-one with people. When it goes well, I feel like I’m giving someone something that is needed and appreciated and makes me feel special. This is very narcissistic.” Celeste commented, “Because I love it and because I need the money.” Lily said, “The money, but sometimes it’s enjoyable.” Debbie commented on the lack of other options and also said that she likes the work: “I don’t have a resume and don’t know what I want to do, I like it I worry about the future but I really enjoy the present.” Lisa noted that “I don’t know what my options are to change or do something better economically and it’s something I’m used to, easy. I’ve always thought it was easy, I may complain but I know that it’s easy because you don’t have to prepare reports or be totally punctual or be professional in that outside world way.”

However, others are strictly focused on the financial aspects. Luciana said that “the money is worth the risks. I want to stop, though, because I worry about the police.” She hopes to eventually open her own gym. Yoko acknowledges that “I said it’s not easy, but I’m getting used to it, not comfortable, I don’t [want] to use [the word] ‘comfortable.’”

The difficulties of leaving the sex industry are compounded for transgender women and people with arrest records. Jessica explained that finding a legal job as a transgender person is not easy, and neither is finding a job that pays money quickly. “I don’t have the skills or education to make good money.” She has recently enrolled in college and said “I’d rather work in the street than at McDonalds where I would make \$200 a month.” Antonio described having a “messed up record – [I was] incarcerated for two years . . . my record makes it hard to make legitimate work. The next best thing is sex work.” It is unfortunate that arrest can so derail someone’s aspirations to legitimate employment.

For those who are working in conditions that are coercive and the sex workers’ safety is threatened, leaving is problematic and potentially dangerous. The four trafficked women in this sample could not easily leave their situations. Rosalie, who owed money to a gang, will have to continue her work as a prostitute in the gang brothel, at least until she can pay off her debt. These coercive situations strongly contrast the number of respondents who described definite goals and a timeline for their involvement in the sex industry.

However, Louise’s experience defies stereotypes of women forced to work for pimps. As an under-aged prostitute in Canada, she worked in casinos for a motorcycle gang. “[The motorcycle gang members] were really nice, when I wanted to leave they said, ‘ok go.’ I work whenever, I don’t work when I don’t have to. I don’t find it bad or degrading but I don’t see the need to . . . I’m not working a lot right now. I worked almost consistently for a year in New York and inconsistently for a year and I’m definitely in the ‘off and on’ category.”

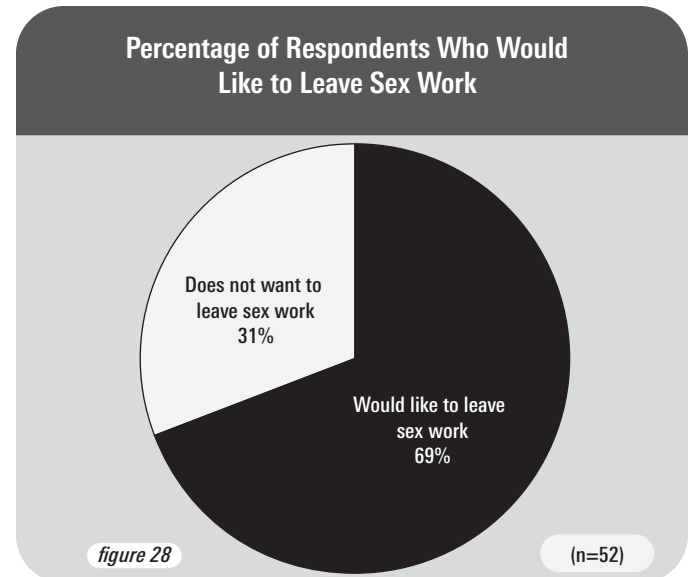
Expounding upon why they wanted to leave, respondents’ answers ranged from their desire to open up their own businesses, to going back to school to become a teacher or a nurse, to being able to pursue a career as a screen writer, to getting married and having children. For these individuals, sex work had become a means of generating income that they either needed in order to survive, or that they needed in order to save adequate amounts of money that would allow them to pursue some of these aforementioned goals.

Thirty-one percent (16 of 52) of the respondents indicated that they did not want to leave sex work at all. These participants explained that they could not find other work that would pay them more than they earned through sex work. Many exhibited a career-oriented attitude toward sex work. Many highly-paid sex workers,

particularly independent escorts and call girls, shared this attitude. Some participants stated that they would never and could never fully leave the trade and that even if they did find legal work, they would probably keep seeing regulars or maintain some type of affiliation with the work.

Rewards of Involvement in the Sex Industry

It is clear that the rewards of the sex industry were a barrier to leaving, especially considering the financial rewards. Most respondents described the money as the most rewarding aspect of their involvement with sex work. Leticia said, “Money, that’s it. Don’t believe anything else they tell you. It’s just the money” and Maria agreed, “Money is the only thing. You meet a lot of people and are their therapist, they tell you their problems.”



Others offered different rewards as well as money. These often referred to personal interactions and “actually liking customers.” Lily reported that the greatest rewards of sex work were “Money, and the fact that everyone is happy to see me when I ‘go to work.’” Celeste said, “The most wonderful thing is getting to meet people that I never would have met otherwise and feeling very honored that they shared themselves with me.” Sean reported that he prided himself on reading people and what they want, and being able to please people. He was emotionally satisfied by being good enough in bed that people will call him back. It is “good for the ego.” Grace described her surprise at the many high class and high quality customers she met. They learned a lot from each other and shared with each other. She has a psychologist that loves to talk to her. Emiko said that she helps her clients speak up about their secrets and that her clients appreciate her work.

Freedom and autonomy were common themes separate but very related to financial gain. The interviews echoed a common theme, mentioning “freedom and financial security.” Viola’s biggest reward from the sex industry was “freedom, in your time and in doing freaky things. You’re the one in charge, never do anything you don’t want to do. Everything is fun and it’s fun money.”

Connie summed up this perspective well, saying that “I have no boss, no schedule.”

Future Plans and Attaining Goals

Many participants used their income from the sex industry to finance goals outside the sex industry, such as education, start-up businesses, and involvement in the arts. Most respondents had goals for the future and sex work was a part of their plan to reach these goals. Respondents in the *Revolving Door* study were far less likely to have realistic and attainable goals.

Respondents mentioned professional and personal goals. School figured in many plans. Louise said, “I want to go to med school.” Simone wanted to return to school and study nursing. Rodrigo wants to study fashion design, while Angie would like to attend culinary school.

Others were interested in social work. Pilar has escaped a trafficking situation and wants to help others avoid this trap. Vanessa has married and wants to help others who are still doing sex work. Liz plans to work on housing issues.

Many respondents had begun other careers. Debbie had a new career in real estate, while Scott was investing in real estate. Susan had a production company to manage. Emiko had opened a store. Still others mentioned artistic aspirations. Dana’s plans included making movies and film. Yoko said, “I hope I can make more of my art work. I would like to get more time and energy for my art work. But I don’t have money, so I have to work.” Meredith has been saying that she would like to get out of sex work for 30 years, and to focus on her art.

Others planned on careers in sex work. Karen was planning to relocate in order to earn more money doing sex work. She planned on retiring well. Similarly, Lisa wants to earn and save as much money as possible. On the other hand, Rita stated that she would continue with sex work for a while but intended to transition to more socially acceptable work.

Personal goals generally reflected a desire for normalcy and better living conditions. Angie said, “I want my kids to get out of the city, go to the country and see some different things. Go and meet more white people. Wherever you have white people, you’re probably going to have a better place to live.” Javier wants a house and does not want to live client to client. “I just want to wake up the next day with a dollar in my pocket.”

Having a family was mentioned frequently. Regaining custody of children was mentioned by Belinda and Antonio. Connie wanted to “go back to Mexico to live with my family and to adopt a child.” Maria is planning for the mainstream life she anticipates after her sex change operation.

SEX WORK FROM THE PERSPECTIVE OF SERVICE PROVIDERS AND ADVOCATES

Researchers interviewed eight service providers and advocates from six NGOs during two focus groups. One focus group included members of Prostitutes of New York (PONY), a support group for sex workers. This focus group targeted indoor sex work broadly, while the second focus group targeted the needs of people who are trafficked into sex work. Members of this focus group provided a range of services to trafficked persons, including legal, case management, and counseling services. All of these advocates discussed the needs of sex workers and trafficked persons and offered recommendations based on their experience and expertise.

Researchers also interviewed four law enforcement officers from the NYPD, and one official from the New York City government, about relevant issues. Finally, researchers interviewed two community advocates who organize around economic and labor rights issues in communities where people are also involved in indoor sex work. Advocates are not identified by name. Researchers offered confidentiality to them to ensure the most honest and thoughtful responses possible.

Service providers and advocates had varied and insightful thoughts on what types of programs and policies would ultimately be effective in assisting indoor sex workers. Their recommendations focused primarily on three areas: availability of services; criminal justice policy; and service needs of trafficked sex workers. In discussing programs and services that would be useful to indoor sex workers, many advocates focused on harm reduction policies that allow people to decide for themselves whether to leave the sex industry but would also help them be as safe as possible if they did stay in the life.

BARRIERS TO SERVICE PROVISION AND ADVOCACY

Advocates agreed that there is a dearth of programs and services for indoor sex workers. They noted that when they first make contact with a sex worker, they are initially concerned about whether that person “worries about violence,” “do they have access to healthcare,” and “do they have a support network of other workers to talk to . . . do they understand how to work safely, or in as safe of a manner as possible?” Another concern is whether that person knows how to protect himself or herself from arrest.

When asked about services that are currently offered specifically to indoor sex workers, advocates responded, “There are none,” and “They really don’t offer them.” Advocates discussed the fact that every agency that offers services has specific groups whom it serves. Therefore, sex workers often need to find another “in” to access services intended for a specific population. When asked about the feasibility of sex workers accessing services that are offered to the larger community, one advocate stated, “There’s nothing specific, and trying to get around, trying to use other kinds of criteria is very hit and miss . . . trying to use other criteria to access services is really hard.” Another problem is that most programs do not have flexible hours that would allow sex workers to realistically utilize their services.

One barrier to proper service provision or one inadequacy of program design is that sex workers often do not disclose that they are sex workers, “because they know this will alienate the service provider, or maybe that person will get a weird thrill and ask inappropriate questions.” Another advocate adds, “so many sex workers don’t want to admit what they do until they know you better and have built up a level of trust. That doesn’t happen right away in a service provision setting, and dealing with that stigma, or the fear that this person will turn you in [for arrest], it’s overwhelming.”

Service providers who work with trafficked sex workers offered examples of how they delve into this question:

It depends on the nature of who’s referring the case, so in those cases where I’d say, individuals have come to us, they’d shared some information but they haven’t necessarily shared

everything. And we're able to get more details when those cases are referred directly through police or law enforcement. They can say, these are the conditions which I saw them in, this is what . . . we have been surveying the house and this is what we believe to have happened. I think . . . we've had some time with some of these victims over the course of two years, working directly . . . like with the same person, and new information has come up over time as trust builds and that kind of thing.

Another advocate said that she does not ask people directly if they are involved in prostitution:

not that directly. I mean, I don't ask that directly. It takes a while. Over the course of time, what kinds of things did you do . . . like sometimes I'll say, 'Did you ever do anything you felt was . . . inappropriate, or did you ever have to show a part of your body that you wanted to keep private?' And then slowly they start to uncover different things that they have done. I don't think I've ever asked outright 'have you ever been forced to [work as a] prostitute?' More around the conditions of the work, or the expectations when they've arrived here. And that's where we've been able to elicit those . . . the answers to those kinds of questions.

Risks that stem from sex work's unlawful or stigmatized status are also barriers to service provision and advocacy. One advocate from PONY noted, "it would be nice to do more, but the concern is always the risk encountered [by advocates themselves] at that point." Another advocate expanded on this point, saying that "that's enormous. There was the opportunity to put up a link [to our group] on the Craig's List page, and talking about that with a number of [group] coordinators, it was decided that putting a link up on the Craig's List page was much better done by a legal project so that people dealing with that would go straight to a lawyer instead of [our] phone line." Another advocate responded, "[The illegality of sex work] inhibits getting safety information, medical safety information, and legal safety," and "there's risk of violence, and risk of arrest." Another added, "and then risk of health issues" because sex workers do not have access to appropriate information.

One advocate gave the example of stigma being a barrier to a sex worker enforcing his or her rights, within any system: "I mean, you could be fired for putting up a flier at a strip club in a dressing room, and feel that you had no recourse because authorities would not take that person seriously." Another advocate adds, "Stigma is critical—it really keeps people from coming forward and exercising their rights, even if there is no fear of arrest. The fact that you will be judged and have to explain yourself in a way that is different from most other people can be very debilitating when you are trying to advocate for yourself in an already difficult situation."

The advocates from PONY mentioned that many sex workers, because they are often not connected to one another or other sex work-related organizations, are not aware of this group's existence, "and many are afraid to come [to meetings], even if they do know." This barrier is related to the isolation experienced by many sex workers. They also noted that their group attracts predominantly women, and more transgender members than male members. They emphasized that they are particularly concerned with the lack of gender diversity, and fear that it is related to the fact that prostitution is so often coded as a women's issue.

While PONY does not offer services, it provides support, referrals, and networking opportunities that are intended to connect sex workers with medical, legal, and counseling resources that are friendly to and supportive of sex workers. One advocate discussed the importance of "social support . . . because a lot of indoor workers . . . there are people who are just sitting at home, by themselves, waiting for [work]." Another agreed, stating that "people are really isolated." Another advocate emphasized the importance, for the sake of gaining new group membership, of fighting isolation among sex workers because, "a lot of the outreach [for services or involvement in the group] is word of mouth, just mentioning to people who you work with."

An advocate stated the importance of obtaining "safety advice." For example, the group "circulat[es] information about dangerous people," such as those who have engaged in "prior violence" against sex workers.

Advocates note that a concerted need for networking exists especially for

a lot of independent people. And that's part of the social network. People who work in a house with other people need less of the socializing, and they can get a lot of referrals from people they work with. And sometimes the people they work with are members of [our group] and go back with that information. So they're getting all the same blacklist, the house gets the same

blacklist, the same doctors' names, the same accountants' names, [and] the same lawyers' names.

Service Needs of Indoor Sex Workers

Advocates stressed that the needs of indoor sex workers were in many ways different from street-based sex workers. There is less need for assisted housing, substance dependency programs, and basic skills enhancement. Indoor sex workers generally have needs in the following areas: legal services, particularly with respect to criminal and immigration issues; mental health counseling to deal with stress and isolation; networking and peer support; economic issues and financial management; and comprehensive healthcare.

When asked to rank what service and advocacy needs appear to be most important to indoor sex workers, advocates in both focus groups ranked “arrest and violence” as the most important issues for sex workers. The advocates interpreted both arrest and violence as safety issues. They agreed that healthcare would be ranked next, followed by social isolation.

Many sex workers speak indirectly about their work, for both legal and social reasons. One advocate highlighted this, saying

[Sex work is] not the stated concern when people call and say, can you help me find a lawyer, or can you refer me to a doctor, or this man has been bothering me and I don't know what to do. But it is the stated concern the second time. Or when people show up. It becomes the stated concern, but it doesn't seem to be the reason anybody calls.

Economic Issues and Financial Management

Advocates were concerned about the financial needs of indoor sex workers. They noted that some needs are similar to problems faced by freelancers, such as a lack of health insurance and sick leave. In other areas, there are problems with not having an identifiable or verifiable source of income, especially when looking for an apartment. Other economic needs that advocates identified included tax preparation; managing and budgeting money; job training or learning how to translate skills into mainstream work; and English as a second language courses. Although the lack of job training in general is problematic, a community advocate who was interviewed separately from the focus groups explains that “job training with no job market is not helpful—there's not much else available.” In addition, a number of service providers expressed that even when there is job training available, the types of jobs that these programs prepare people for are jobs in which the potential earnings are much lower than in sex work. Therefore, many indoor sex workers, even those who are trafficked, do not see job training as particularly useful, and as such, do not seek to take advantage of these programs. Another service provider notes, “sometimes clients tell me they don't have time if they're working, it's hard to balance time between working and ESL classes,” while another says,

It's so easy for me to tell my clients to learn English so they can get ahead in life, while I can barely master another language myself. It's kind of a pat answer to give them—the truth is, it is incredibly intimidating to learn a new language so well that you can find solid employment that will pay more than sex work, and people are giving up one of the last safe connections to their culture.

Several individuals stated that indoor sex workers needed what they called “financial counseling.” One service provider said, “Many sex workers . . . there are several things . . . and I'm speaking of indoor sex workers. They don't know how to file taxes, and filing taxes is tricky—how are you going to report this income?” Another advocate pointed out that “if you work for an escort agency, and the agency pays you by check, they already set something aside for you.” However,

if you work for yourself, then you don't have that. You have to figure out some sort of cover that you can report under. And then, in addition, just because of the demographics of sex workers, and I'm thinking a lot of females, but males as well . . . they're young. And they're making cash money, and they don't know a lot about managing money, whether that means how to save, how to budget, how to invest . . . and that's almost . . . I'd say that's across the board with young people in general, but also when you're working in an unlawful industry.

Another advocate responded,

And the thing is, the few outreach and intervention efforts that I've heard of always focus

around HIV. And for indoor sex workers, I'm not going to say that's not a concern, but I would say that for the majority of indoor sex workers, that's not the concern at the top of their list. But if you wanted to reach someone with an intervention about something like that, a great way to get them in the door would be a workshop on how to file your taxes and manage your money. Offer people something that they actually want and need.

Advocates felt that this type of financial education is a key factor in maintaining stable housing for sex workers who are not dealing with other problems that create instability, such as substance dependency, or being the victim of a coercive situation.

In so many ways, a lot of indoor sex workers are facing the same financial issues as other families that are working poor . . . it's a matter of being able to consistently pay rent, have money saved up for a deposit, and have solid financial references in place. All this comes with sound financial management, and it's rare for sex workers to learn about this stuff, unless it's from another sex worker who's already been there.

Another provider added,

I have . . . a friend of mine, [a sex worker], . . . buying a house, and . . . then I find out, and this is the second person I know who was a sex worker and was good about saving money, and now she's buying a house with her stripping money . . . she has a bunch of hundreds rolled up in this safe deposit box . . . sometimes people have a lot of money coming into these [settings] and . . . so she would make that kind of money that she stripped with, and she kept the money, and seven, eight years down the road she still has it, and she's using it as a down payment on a house. I have another friend that bought a car.

Another advocate added, "I know someone that saved four thousand [dollars.]" Clearly, given the potential earnings that can be made through sex work, the provision of financial counseling for this population would be of great utility.

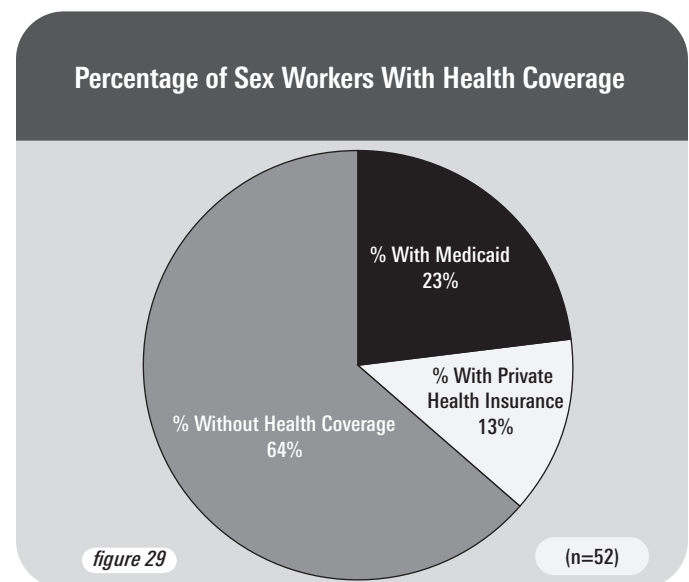
Comprehensive Healthcare

It is extremely difficult for many sex workers to find quality affordable healthcare situations in which they can feel comfortable disclosing the nature of their work. In fact, 64% (33 of 52) of respondents in this study had no health coverage.

One advocate states, "People do access services through the other parts of their life, and they may not be totally honest about sex work when they're talking to a health clinic doctor or maybe some other [person] who they're dealing with for some other reason." Another adds, "unfortunately, even when sex workers choose to be open to healthcare providers, they often encounter extreme judgment." "It's a major disaster," says an advocate, who later comments, "There aren't enough sensitive doctors. There aren't enough."

A service provider explains the stark situation in which one of her clients finds herself, in relation to healthcare:

A client of mine is currently in enormous need of health insurance, but is basically barred from any public benefit programs because she has too much money saved up for her retirement, and frankly, she's terrified that they'll find out that she's been involved in illegal activity for a really long time. She has run an illegal massage and sex business for years, but is reaching fifty and wants out. A recent emergency surgery for a chronic illness--for which she has been unable to get adequate treatment without health insurance--is now costing her between \$80,000 and \$100,000 in medical bills. She has the hospital breathing down her neck, has been turned down for disability by SSD because she makes too much money and the appeals



process can take two years, and will likely be turned down from Medicaid because she has saved income in the bank to run her business. Her income, while just keeping her afloat and at times giving her potential retirement savings, puts her above the income cut-off for Medicaid, which is really, really low for a single person without any minor children. She can't be honest about what she does . . . She can't tell them that the money in her checking account is all she has to run her illegal business, as well as live on, because she'll have to explain the bank account activity and likely admit to illegal and highly stigmatized activities. It's embarrassing and potentially dangerous for her. She's trapped—all of her savings she's worked so hard for will go for hospital bills and she's terrified of applying for help because it might mean that Medicaid investigations during a fair hearing will expose her illegal income and activities. She's losing a lot, but has a lot more to lose if she is forthright about the sex work; and honesty won't get her Medicaid.

One advocate noted that healthcare should follow a patient-centered model:

I would put it in terms of harm reduction. That many social service providers in this day and age see more value in helping people wherever they're at, than putting the focus on 'we need to tell you what to do,' which no matter what we're talking about usually doesn't work. And of course I don't think that people should try to be forced out of the industry. If they choose to work, they should be able to work. But yeah, to speak the language of social service providers, I would argue that all services should be provided from a harm reduction perspective.

Advocates commented that healthcare goes beyond physical health. A community advocate pointed out that generally, and in immigrant communities in particular, "there is a strong need for sex education in general." She and other advocates noted that access to mental health counseling is critical for people engaging in sex work, "because it is so stressful to be outside the mainstream, and it is quite difficult to find others with similar experiences."

CRIMINAL JUSTICE POLICY

Advocates stressed that the unlawful nature of much of sex work, and the accompanying stigma, can result in physical dangers for sex workers. They rated arrest and violence as the two most pressing issues faced by indoor sex workers. The advocates also argued that criminalization is not effective in decreasing the incidence of sex work, or in promoting harm reduction. Although fear of arrest causes great distress, it does not deter people from engaging in sex work if they need to make money, and it makes prostitutes more vulnerable to violence. Focus group members were very concerned as to whether the sex workers they meet protect themselves from arrest: "the question is, do you screen your clients, do you . . . share clients with associates, do you get references on clients?" They noted that these efforts might reduce risks associated with violence and health.

One advocate offered her perspective on laws around promoting prostitution, which she refers to as pandering, and their impact on organizing, advocacy, and service provision for sex workers:

The pandering law pisses me off. Big time. Because, I mean, for one thing, I want to see prostitution decriminalized but the pandering law is also extremely problematic because it inhibits outreach efforts and networking efforts. Because it states that if I tell somebody how to go about working in a way that could make it safer for them, that's technically violating the pandering law . . . It's been a real problem at [our] meetings, because no one is allowed . . . at [our] meetings we agree not to do anything illegal because we don't want to have to deal with the legal issue. So there are times where people are really asking for this information, and coordinators are expected to take the lead and say, 'You can't talk about this now. You just have to wait until the meeting is over.'

This quote essentially highlights that the fear of arrest serves to inhibit the promotion of safety measures among sex workers and service providers.

The fear of arrest also serves to push sex workers into more underground and clandestine situations. This idea is echoed by an advocate, who states,

I think that if you are focusing on street prostitutes, and there are these raids and clean-ups

happening, or sweeps, then what you're doing is driving a lot of that much more underground . . . and people become much more unsafe in those situations. And I think that's ultimately actually where you'll see even more of the conditions that look more like trafficking as well.

The service providers and advocates explained that when sex workers are pushed into clandestine situations by law enforcement policies, it is even more difficult for them to learn about and access mainstream services.

Finally, advocates expressed a desire to learn more about criminal justice policies and the law as it relates to sex workers so that their organization could more effectively service this population. One service provider stated that "training and assistance on criminal and legal court procedures . . . immigration legal procedures, that would be great."

Decriminalization

Advocates from PONY spoke specifically about decriminalization, in which prostitution is removed from the criminal code, making sex work subject only to laws that affect other businesses such as zoning and licensing. One advocate stated, "[We are] all for decriminalization, and realistic that [it] may not [happen] in this lifetime." Many mentioned that it is difficult for sex workers to take more active roles in advocating and organizing around decriminalization:

The problem, again, would be the legal problems, that people . . . are afraid to make themselves a target for law enforcement. People are also afraid to be too public and then there's a stigma involved. And they're also afraid to be too public, because then their clients might not want to deal with them once it's too public. Some clients are interested in that, and others are totally not going anywhere near it.

One advocate stated that she would like to see advocates who are not sex workers themselves work toward decriminalization because it is these individuals who are not personally at risk to advocate for such policies. However, she added "the proviso that what I think is that I would certainly like to see them take that position, but given the fact that decriminalization will not happen in this lifetime, and there are other issues . . . the more pressing issues might warrant more resources put to them." Another advocate added, "This is exactly what I wanted to say. I wouldn't like to see, for example, [organizations] put efforts and money towards decriminalization, and then feel the backlash from having done that, and not be able to offer these other services."

However, there was general agreement that it would be fruitful for legal and other advocacy projects to take a position on the issue. Unfortunately, many agencies rightfully fear that taking a stance on decriminalization of prostitution would jeopardize their funding and mainstream legitimacy.

One of the community advocates had this to say about decriminalization:

If there was a way of legalizing [prostitution] and not making it a [criminal] offense, then people would have jobs that pay well. Women could get tested, adults working consensually in the industry could do it in better working conditions . . . and people would not get arrested or worry about deportation . . . people are afraid of deportation regardless of sex work, but [it's one less factor.]

As stated earlier, fear of arrest and police interference directly affect the ability of sex workers to access services.

I would say that we would feel equipped to deal with them, but we are limited. . . there aren't any services, and, again . . . the laws are written in such a way that when you attempt to assist people, you are putting yourself in jeopardy. The laws are written so that you will put yourself in harm's way by trying to give out simple health and safety information.

While these advocates did not know of specific instances where people had been arrested for this kind of informal information-sharing, "the fear of police has a chilling effect on advocacy." One advocate says, "I feel that it would be enforced if we were visible, because it would give law enforcement something that we could be persecuted for."

Police Interaction With Sex Workers

Advocates expressed their concerns that police do not behave with respect toward sex workers, even when they are merely following the law. They would like “to see the police back off of arrests, and offer sex workers assistance when they come across them, rather than arresting them. Who are we kidding? Everyone—police, the City, and prostitutes—knows that arresting people does not stop prostitution.” Another advocate recommended approaches other than arrest for complaints related to prostitution, saying “If they get complaints about a place, go and ask the business to quiet down, to be more discreet—I think most prostitutes and businesses want to get along with their neighbors.” When asked what is so important about neighborhood relations, one advocate said, “Sex workers are part of the community and not adjacent to the community. They should not be ostracized and isolated. They should be able to rely on neighbors for help in violent situations.”

Advocates uniformly believed that arrests were not a good approach to sex work. However, one advocate stated that she did not “think you could ask the police not to enforce the law.” Another responded, “But sometimes they do. Sometimes if they feel like doing you a favor, if you have a girl on the street, sometimes they’ll say you know what, we’re going to be coming by later.” The advocates agreed that “to have a formal relationship with the police department, you’d have to have something coming from above, and it doesn’t seem like the current administration would be willing to take that.”

There were concerns that no administration would engage in such a policy, because it is not politically viable, and because prostitution arrests are simply too easy for police, who need to make a large number of arrests.

And also, some of the arrests that are happening with Bloomberg What it is, is that the new policing system that has gone into effect, they’re having these . . . they’re tracking arrests by computer, and they have these sort of [meetings] where the precinct captains get pulled in, and you have to have a certain number [of arrests.] It has more to do with the fact that they started this computerized system, which has grown and grown and grown . . . it’s actually so much pervasive through policing, it’s something that policemen don’t like . . . [It is called] Comstat.

Violence from Customers and Reliance on Law Enforcement

As stated above, advocates viewed violence and arrest as the most pressing concerns for indoor sex workers. When asked about how they felt the police could respond to the violence that sex workers often faced in their work, advocates expressed that they would like to see “a very dedicated, full-time, preferably two-person team police liaison and police training . . . to convince police to take complaints by sex workers about violence seriously and to treat them as they should be dealt with.” One advocate added, “to take complaints seriously, and to deal with them without prosecuting people, without threatening to prosecute them, and without asking for blowjobs.”

One advocate stated,

it’s critical for prostitutes—for all sex workers really—to have an advocate with them when they approach the police for help once they’ve experienced some kind of violence. It can be alienating and demoralizing because unless you really come across as a victim, they are not going to take you seriously. And if you’re transgender, they’re even less approachable.

Advocates also agreed that educating sex workers on navigating the system, and offering prevention information are important tools for empowering sex workers.

Researchers interviewed officers from the NYPD about their approach to handling complaints of violence, such as being the victims of mugging or physical assault, from sex workers that did not involve trafficked persons. The officers explained that the crime would be handled by the precinct where the crime took place, and assured the interviewer that sex workers were “treated as any other citizen.” In fact, one officer explained that “prostitutes are people too.” However, if the crime involved sexual assault, the complainant would be referred to the Special Victims Unit, and if it involved trafficking in persons, he or she would be referred to the Vice Enforcement Division, where some officers have special expertise on trafficking in persons.

Immigrant Sex Workers and the Criminal Justice System

Advocates were very concerned about the effects of criminal justice policy on immigrant sex workers. One concern is that immigration consequences for prostitutes are quite severe, and many immigrants are either not aware of the law or are misinformed about the law. Many immigrants do not recognize the distinction between local police and immigration authorities. Advocates worried that while some immigrant sex workers worry about deportation or removal from the U.S. if caught, they are not aware that they could be held in immigration detention until they are removed.

“They’re worried about immigration status and arrest, or [the combination.]” However, “some people don’t realize the situation.” One advocate stressed that deportation due to arrest is the primary concern among immigrants, while another added that “they’re not thinking about detention so much as deportation. They don’t even realize how long they could be in custody before they’re deported. And they don’t realize that there is a distinction between NYPD and ICE, the Immigration and Customs Enforcement agency.”

One advocate stated,

In terms of fear and isolation, immigrant sex workers have a worse time of it. They have almost no support system. It’s difficult to come forward and ask for help, even from service providers, because there is such a problem in trusting anyone with the information that you engage in sex work. Then, they deal with language and cultural divides, which can be very intimidating. There are no services offered to immigrant sex workers, outside of HIV/AIDS services or if that person has gotten on the radar as having been trafficked . . . and transgender sex workers who are immigrants find that their support systems are even more narrowed. There are so few support systems in place for transgender sex workers as is, and they are rarely tailored to the special needs of immigrants. It’s even more difficult to get married and get status that way, if you can’t afford an operation . . . and so many of their families back home do not welcome them as transgender persons . . . there’s a huge potential for abuse back home too.

One group also emphasized the importance for immigrants of earning enough money to send to their families back in their home country, which can contribute to their involvement in sex work, thereby exposing them to more risk:

I’ve had a few clients who were immigrant prostitutes who’ve been frustrated to find, after they leave sex work, that the jobs that are available to them only pay minimum wage. Many of my clients wanted very badly to go back to sex work, because their families back home were pressuring them for money. There’s a real responsibility to take care of those who are left behind. They don’t speak English and the job opportunities available to them are not well-paying, and they tend to be service sector jobs as well, or factory work.

One community advocate commented that it is not just sex workers themselves who are at risk for arrest and deportation. There are people who watch the women and who assist with advertising, and they do this because the pay is so much better than it is for other, lawful, work. “Many people don’t take the jobs around sex work because they are afraid. I guess the people who are doing it [anyway] are afraid, but they are making the money. I spoke with people who did not take these jobs [when offered to them] out of fear of both police and immigration.” She knows two parents who gave their daughters permission to work as dancers, and were not afraid until they learned of a raid—now they are more aware of the consequences.

Another advocate highlights the economic imperative that influences the decision of many immigrants to become involved in sex work and says, “almost everybody I know sends money home.” She continues, noting again that basic financial education is important for this population,

Almost every [client] we’ve worked with has used those Western Union type services, and just educating them about banking and bank accounts, and not having to pay those kinds of fees, and having a real educational approach to, you know, you don’t have to go through these companies that are taking a large chunk out of their money that they’ve earned. So I do think that that’s a real issue . . . I mean, they’re doing that for everything, whether it’s sending money home, but they’re doing that to cash a check, too, they’re using those Western Union services for every aspect of their . . . everything. But in terms of sending money home, that has been the only alternative, unless they send it with somebody who’s going, which isn’t safe either.

Law Enforcement and Trafficked Persons

Advocates noted that, in their experience, government immigration agents are not helpful to immigrant sex workers, unless those sex workers had been designated as trafficked persons. This almost always means that the sex workers are willing and able to work with the criminal justice system. One advocate spoke of the obstacles that face immigrant sex workers who may identify as trafficked:

The problem with that is that you have to be closely involved with law enforcement agents to access the rights of a trafficked person. Most immigrants, and especially immigrants who engage in sex work, do not feel safe coming forward and cooperating with law enforcement. And unfortunately, if a sex worker comes forward, but immigration or police aren't interested in the case, there's no guarantee that the prostitute will get benefits even though he or she made an offer to cooperate.

Other advocates expressed similar sentiments, stating:

I'd really like to see some amendments to [the federal anti-trafficking law], especially with the area of law enforcement cooperation. Since the law is so new and there are so few applications for immigration [status] really, I think we're still kind of testing out what the standard is for law enforcement cooperation. But in order to get that endorsement signed off by law enforcement, they really want victims to bend over backwards and really give a lot. And the immigration agency has a lower standard [than law enforcement agents.] So we're still trying to feel that out. But I'd actually like to see a change in the legislation, be it cooperation of law enforcement . . . or some other alternative to the law enforcement component.

A third service provider agrees: "It's a huge burden. I mean, when I count my clients, I think I've only brought about a quarter of the people to law enforcement who've worked with my office. It's such a huge burden [to ask them to work with law enforcement.]" Another provider continued, "the thing is, many trafficked persons probably would cooperate, but you have to ask them to get involved when they're ready and they feel safe, and often their timeline is different from the government's."

Advocates did say that they have found many immigration agents, police, and prosecutors to be very helpful and concerned with their trafficked clients, but that this often depends on how informed the government official is on the dynamics of trafficking. One provider pointed that "there are some excellent prosecutors and immigration agents here in New York City and New Jersey who really get the victims and their needs and are willing to work to make sure they're comfortable and their rights are protected, but that's not necessarily the norm here or nationally." Another agreed,

I've worked with law enforcement where they have been helpful, whether that's using access to their own emergency funds, in some cases they'll take some advice or direction from us [about our clients' needs.] It's not always just [about the prosecution] and they do understand which immediate needs of the victim need to be met first, versus their own interests for procuring a witness.

Another advocate spoke of the philosophical problems that stem from the focus on the needs of trafficked sex workers versus all sex workers, or all immigrant sex workers: "The problem is that it's, once again, turning the argument into good girls vs. bad girls with trafficking victims being the poor innocent victims, and women who work by choice, well, who cares what happens to them?"

Advocates were very apprehensive about the effect of the government's focus on trafficked sex workers, in terms of the impact that it has on all of the sex workers who are not subject to coercion: "If law enforcement goes into a brothel to 'rescue' a few trafficked women, what happens to the other women who aren't trafficked? They're all going to be arrested and possibly deported."

A related concern over law enforcement and trafficked persons is that in order to better serve those who have been trafficked and who may be arrested or otherwise discovered by local police, cooperation between local police and federal law enforcement is being encouraged by both advocates and the federal government, via funding initiatives. However, at the same time, [many other] advocacy groups are saying local law enforcement should not be . . . having such close ties with immigration. And in this one particular issue, we're seeing . . . either they need to work collaboratively, or it works better if they work collaboratively, but on the other hand, I [advocate against that and ask] 'Why should local law enforcement be enforcing immigration

laws?’ It’s a conflict.

Another provider points out the problems on a more basic level: “From a domestic violence advocate’s perspective, you don’t want someone who’s a victim of domestic violence not calling the police because immigration is going to show up. It’s public safety.”

Similarly, advocates are worried about the impact of this focus on trafficked sex workers on workers in other industries. “Whenever I talk to media, one of the first things I say is that I don’t work only on sex trafficking, but trafficking as a broader issue. And that’s pretty much the first thing I bring up with the media.” A provider explains, “what they’ve done, is conflated trafficking and sex . . . and then it’s kind of served the purpose of taking over the whole sex work agenda and the whole issue, in that people just think everybody who’s in sex work has been trafficked, and that’s not true. And so it’s really . . . confused.”

Other advocates agree: “There are people who are victims of trafficking, but I don’t think it has much to do with sex work. I think that most victims of trafficking worldwide are put into factories . . . that some people would rather be in sex work. You don’t want to be chained to those factories.” Another advocate emphasizes this point, saying, “the most horrible thing about this big concentration [on sex work], too, is that it just overlooks the [other] victims, of whom there are many. The people who are brought in as dishwashers and are working in Queens, and those factory workers, [many] of those people are, for instance, men.”

SERVICE PROVISION FOR TRAFFICKED SEX WORKERS

Advocates discussed service needs and delivery for sex workers who have been trafficked. A common perception among all advocates is that it is difficult to conduct outreach to this population because these sex workers lack the same autonomy enjoyed by many other sex workers.

In terms of how many trafficked sex workers these agencies serve, one advocate estimated that, since Winter 2001, they have seen 40-45 clients who “have been involved in what I would call forced prostitution. So whether they came here agreeing to do sex work, or they thought they were going to do something else . . . but when they arrived, they were forced into some kind of sex work.” Another service provider estimates that, since Summer 2003, “we’ve had three or four clients that fit in that category.”

One of the most immediate concerns of and challenges for service providers working with sex workers is housing.

One thing that makes it so difficult for trafficked sex workers is that once they come forward and say they want to cooperate with law enforcement and are on track to receive benefits, they can’t work as a prostitute anymore. But there’s no housing specifically set aside for them, and now they can’t work at the job they know, where they have contacts, and that pays fairly well. So where are they going to come up with rent money? We scramble for that every single time.

Another advocate added,

The way we’re able to access services [for trafficked sex workers] really depends on their status, their willingness to cooperate, and whatever the presenting issue is. So if, for example, there’s no housing for them, but at the same time if they say, well, I came here with my boyfriend and when I got here he forced me to do sex work and I’ve managed to escape or this is the scenario, then we’ve been able to put them in a shelter—because they fit the guidelines of domestic violence. So we can make a case that whatever circumstances they’ve found themselves in are eligible for services that way. But not based on just being a victim of trafficking or working in the sex industry of some kind.

Another serious problem that stems from the lack of safe housing is the fact that many trafficked sex workers come to the attention of authorities through raids on brothels. In these situations, sex workers who are potentially trafficked women are held in jail or immigration detention until the authorities can determine whether they are victims who are willing to cooperate. One advocate said, “I can completely sympathize with the fact that they [police and immigration agents] have no idea what is going on until they interview someone, but they really need to put these women, who are quite possibly victims, in a safe place, and jail is not that place. Trafficking victims should not be arrested, and they should be offered services immediately so they know that there is a system in place to help them.”

One advocate noted that “right at this moment, we’re hoping to expand into creating a potential safe house for trafficking victims.”

Advocates emphasized that housing is not one-size-fits-all. “I think there needs to be a range of options. Because some people can manage in a shelter type situation, and some people need a lot more of one-to-one support, depending on their level of trauma. And some people just want to be able to move on and have accessible, affordable housing. And there just isn’t [this availability.]”

After housing, service providers were most concerned with the availability of health care to sex workers. Specifically, they were concerned with “Whether they’ve been exposed to any STDs that they know of, or that they’ve had any complications as a result of the work that they’ve been either forced to do, or have been doing.” After health care, service providers consider “the level of trauma that they’ve [sex workers] sustained, and if they’re continuing . . . behaviors that can affect their legal or social status.” A caseworker added that after thinking about health issues, she also asks her clients if they “are still actively engaging, are they looking to get out, have they just gotten out, what are their other job prospects?”

Finding economically viable job prospects is also critical for this population. Some trafficked sex workers return to the trade after they leave the coercive situation. “It’s easy money. Good money.” One advocate states that this pattern of return also relates to “the lack of choices. I think also just a lack of . . . because they’ve come from another country and that’s what they’ve known when they’ve gotten here, those are the connections they’ve made. Whether they no longer work with the trafficker, per se, but the only people they’ve met in this country are people somehow connected to that particular type of work. That’s their network.”

When working with trafficked persons, service providers expressed frustration over the fact that it is difficult to sustain continuous contact with these individuals: “It’s hard to maintain consistency. Even if we manage to kind of successfully get them some of the legal status, through working with attorneys and getting them certified and some kind of temporary protections, I think still it’s been very hard to maintain a regular relationship with them. And, I mean, it probably has to do with a lot of things, including trauma and their still real fears for themselves or their families back home.”

Other necessary services provided by advocates for trafficked persons include case management; counseling; assisting with public benefits that are available to this specific population; legal services; and making referrals for employment. Despite their efforts at assisting this population, there are simply not enough services available. As one provider stated, “housing seems to be a huge problem, as well as psychotherapy . . . more intensive trauma counseling, something more than a social worker could provide . . . language issues, and healthcare is . . . a nightmare.” They also noted that childcare is problematic—“in many of these cases, these kids are exposed to extremely violent circumstances, chaotic circumstances, so it’s not just about finding childcare, but childcare that’ll respond to what these kids have been exposed to.”

As discussed above, advocates also emphasized that it is difficult to provide services to trafficked sex workers who do not want to work with law enforcement, because the law that provides for benefits mandates such cooperation. One advocate says, “It’s really clear that government’s perspective on this law is that it’s law enforcement centered. It’s all about law enforcement, and they can talk about the victim-centered approach all they want, but that’s not in reality how these cases are coming out, and I’m seeing that more and more.”

Impact of Funding Restrictions on Services for Trafficked Persons

The federal anti-trafficking law, discussed elsewhere in this report, was reauthorized in December 2003. While this reauthorization provides funding for services to trafficked persons, it prohibits the use of funds to “promote, support, or advocate the legalization or practice of prostitution,” thereby threatening the loss of funding for anti-trafficking programs which do not specifically espouse an anti-prostitution mission. The overwhelming sentiment among participants was that this aspect of the law had a chilling effect on advocacy work around sex work and anti-trafficking issues. In fact, some advocates were not comfortable discussing the issue of decriminalization at all. One advocate noted, “It’s become an issue that people don’t even want to bring up or be associated with the conversation. If you’re found out as being open to the idea of decriminalizing or legalizing prostitution, you could potentially lose your funding.”

One thing that has come up with the funding is the reauthorization . . . You have to state your organization’s standpoint on prostitution, if you’re . . . getting trafficking funding from the [federal] government. And even if, I mean come on, does [my agency] have an opinion or an

official standpoint on prostitution? No. All the people I work with, are they prostitutes? No. If we're up here working exclusively with domestic workers or agricultural workers, there's a requirement that you put in your statement your position, official position on prostitution. And if it's leaning towards the legalization of prostitution, you're not going to get funded.

Another provider noted that this is part of a larger funding trend under current policies, where international aid provided by the U.S. is subjected to similar restrictions: "And that's happening obviously worldwide."

When asked whether agencies would decline government funding in order to be able to take a public stance on the legal status of prostitution, one service provider replied, "Funding is limited for this particular area, and so we are dependent on the government. So far, [some groups] haven't had to make a statement like that. Then, similarly, there's organizations on the other side that absolutely do support the government's position." Another provider continued, "Only if you're doing anti-prostitution focused work . . . a lot of agencies that talk about working on trafficking are really talking about working on anti-prostitution." Another advocate added, "Right. And 'rescuing' them, and that kind of thing."

One advocate explained that this type of restriction is not the solution to assisting people who want to leave prostitution: "I think if you provide . . . if you had an agency that could provide job training and be very supportive holistically, some people would still choose to do sex work, but if they don't have a desperate need for money and they don't want to [work in the sex trade], then they won't." Another advocate commented,

All this is doing is hurting the organizations that are closest to sex workers, who practice a harm reduction approach and advocate for civil and human rights of sex workers, because they are the ones who are closest to and have the most access to sex workers. They often support sex workers wherever they are in their lives, and this is what is ultimately most useful to sex workers—being able to meet their needs in a way that does not judge them, but genuinely supports them and their agency as a human being.

CONCLUSIONS

This research shows that indoor sex workers in New York City experience a number of severe problems, including but not limited to:

- Violence at the hands of customers, abusive employers, traffickers and police;
- Fear of arrest and its consequences, including stigma;
- Lack of intensive supportive services which could assist them in finding stable housing and alternative employment that pays a living wage; and
- Extreme social isolation from friends and family, neighbors, other sex workers, service providers, and certain mainstream institutions such as banks.

Not everyone would agree that this population represents a priority among those in greatest need. However, the City administration, police, and residents in some neighborhoods continue to target the control of sex work. Unfortunately, the chosen methods consume police, court and other resources but fail to create any appropriate long-term resolution. This report calls for a reasoned, fact-based, and informed debate regarding sex work in New York City.

Sex workers experience a great deal of violence, from customers, traffickers and pimps, and even police. Forty-six percent (24 of 52) of respondents had experienced violence from customers; among any other population, such high numbers of violent incidents would be cause for public outrage. Fourteen percent (7 of 52) had experienced violence at the hands of police. Moreover, the fact that many facets of sex work are unlawful gave them little recourse or hope of remedy: the vast majority of sex workers feel that they have almost no options in terms of reporting violence or pursuing justice on their own behalf, and never complain to the authorities. Police behavior has encouraged this fatalistic view by generally failing to take such complaints seriously. While we see this widespread indifference on the part of the police as a serious problem in and of itself, we also note some laudable individual instances of positive police responses, which should act as models for best police practices. Regrettably, such positive responses are still relatively uncommon.

The criminal justice system has a direct impact on the ability of indoor sex workers to avoid violence and create stability for themselves and their families. Indoor sex workers have a great deal at stake in situations of arrest, including: housing; future mainstream employment; and relationships with friends, family and community. This situation is even more severe for immigrants, most of whom fear deportation and already find it difficult to obtain mainstream employment that pays a living wage due to a lack of proper work authorization, and in some cases, a lack of language skills.

Proponents of arrest for sex workers sometimes argue that arrest is a gateway to services. However, this philosophy does not reflect the experiences of sex workers in this sample. Arrests did not lead to the provision of useful and appropriate services for them. The exceptions were two trafficked women who were arrested and held in immigration detention. It is clear that the provision of substantive services that holistically address needs is unique to trafficking cases. It is unfortunate that arresting trafficked sex workers appears to be such a heavily utilized strategy for identifying and assisting them. Trafficked persons who are not arrested tend to have more positive experiences and be more cooperative with law enforcement. This was the case with two trafficked women who escaped their captors with the assistance of male workers in the brothel.

The unlawful nature of most sex work often results in extreme isolation. Such isolation is problematic for a number of reasons, including the fact that it serves as a barrier to service provision, and to access to services by those who need them. While street-based sex workers are in desperate circumstances and are severely underserved, they do receive harm reduction outreach in the form of condoms, syringes, and food, and some service providers send vans to specific spots in a neighborhood. The street-based population often knows when and where the van or outreach workers will be available. Therefore, as little service-based infrastructure as exists for street-based sex workers, there is even less—almost nothing—for their indoor counterparts. The Sex Workers Project is the only project in New York City specifically reaching out to this neglected population, in part by partnering with Prostitutes of New York, a local support group for sex workers.

Indoor sex workers are invisible. This is especially true for independent sex workers who work on their own. This invisibility does reduce the number of arrests that indoor sex workers experience. However, the pervasive fear of arrest and stigma is heightened among this population, because many indoor sex workers have more to lose, socially and economically—such as an apartment, savings, community respect, and anonymity in their work—than their street-based counterparts. The combination of potential losses and stigmatization exacerbates and perpetuates the isolation experienced by this population. This in turn means that their needs are, for the most part, unacknowledged and misunderstood. One of the most significant findings of this study is that there is unquantifiable value for indoor sex workers in simply knowing others who are in this work. There is a clear need for peer support.

Stereotypes of sex workers focus on those who are high-income, and at the other extreme, those who are destitute and substance-dependent. The sample of indoor sex workers whom we interviewed fit neither stereotype—they were largely low-income to middle-income, and in fact represented a variety of life experiences and current situations. Participants led more stable lives and experienced a far lower degree of substance dependency, violence and arrests than our sample of street-based sex workers, suggesting that this population has an opportunity to gain a foothold on long-term stability. Housing is a critical element in attaining stability, but it is not enough. Creating an environment that encourages true stability means meeting the following needs: protection from violence and legal redress in instances of violence; legal information and assistance; peer support; counseling; job training for work that is more rewarding (financially and otherwise) than minimum-wage jobs; language classes for non-English speakers; financial counseling; and access to comprehensive health care.

Due to the financially rewarding aspects of indoor sex work, financial counseling would be a useful service for sex workers. It is critical that sex workers seeking to change occupation have the opportunity to procure alternative economic opportunities that pay at least a living wage and do not involve unacceptable conditions. Some respondents described sexual harassment and hostility in mainstream employment that made sex work preferable. Sex workers have limited opportunities to find other jobs that offer a living wage outside of sex work. The majority of respondents cited unlivable wages in other work. Participants reported entering the sex industry because other occupations that they had tried did not provide enough money to live.

The failure to address these problems is an obstacle to finding long-term and viable ways to assist low-income and middle-income people who feel pressure to turn to sex work in order to create some kind of stability for themselves and their families. Current policy and law enforcement efforts are not effective, as indicated by the fact that many prostitutes who exit sex work return to the trade when they find themselves at vulnerable or frightening points in their lives. They do this despite their overwhelming fear of arrest, stigma, deportation, and other negative consequences associated with the work. There exists a critical need for targeted and substantial programs and support systems that will help indoor sex workers who want to leave the life now, or at some point in the future, reach economic self-sufficiency and stability. This is especially true when one considers the high frequency of an expressed desire to exit the trade found in this sample. Often, these individuals desire a new life, with greater opportunities. Because of this, they should be considered prime targets for service delivery as they are a population ready and willing to receive such assistance.

RECOMMENDATIONS

The following recommendations are based on findings derived from this research and include recommendations suggested to the researchers by the respondents themselves. They provide ways that stability and economic security may be achieved among indoor sex workers in New York City, specifically touching upon the ways in which public discussion, criminal justice practices, and programs and services can contribute to this stability.

Public Discussion

- Based on these findings, which include the needs and concerns of sex workers, this report recommends an informed and fact-based public discussion and further inquiry to erase the idea that prostitution is merely a criminal justice issue; to focus on the real economic needs of many indoor sex workers, who are part of the working poor; and to find ways for police to be productive in ensuring the safety of sex workers.

Violence and Coercion Against Sex Workers

- Whatever one's feelings about sex work, no one should be willing to condone incidents of violence against sex workers, or coercion into sex work. In no other occupation does society regularly blame the victims of violence for acts committed against them in the way that it does for sex workers. It is imperative that the police department adopt best practices for dealing with violence against prostitutes and that police officers be properly trained.
- Complaints by sex workers should be met with the same respect and regard that would be given to any other crime victim, and complaints must be addressed and investigated by law enforcement agencies without penalty to these victims of violence, even when they were subjected to violence or attempted violence while committing prostitution or other illegal acts. It is critical that police assure prostitutes that they will not be investigated or arrested for illegal behavior if they come forward to report a crime of violence.
- Police who commit violence or other crimes against prostitutes must be held accountable for their acts. These acts include sexual assault or abuse, sexual harassment, theft, and extortion of sexual services in exchange for not being arrested. Police leadership must make it known that they take such exploitation seriously. Police and the courts must aggressively investigate and punish police officers who engage in sexual harassment or violence of any kind against sex workers.

Police Interaction with Sex Workers

- Policymakers should carefully consider the extent to which they make prostitution a criminal justice priority. It is important to bear in mind that many in this population are engaging in prostitution in order to support themselves and their families, and could benefit from substantive services and assistance rather than arrest.
- Where a person has not engaged in a violation of the law, police should not initiate contact.
- Arrest statistics are useful tools for government, community members, and advocates, as they inform all invested parties about significant problems and changes in criminal justice trends. Currently, arrest data is disaggregated by age, race/ethnicity, gender, and borough. We recommend that arrest data be further disaggregated by age and race/ethnicity; race/ethnicity and gender; age and gender; and gender and gender identity. Furthermore, arrests are often reported as "prostitution-related offenses" or "loitering" and are not disaggregated by individual offense. NYPD should keep these records of individual offenses and make them available to the public, and report them to the New York State Division of Criminal Justice Services.

Trafficked Sex Workers

- Police must be trained and willing to identify trafficked and other sex workers who are in coercive or violent situations, and to refer them to agencies that can assist them. Sex workers must be made to feel that they can step forward, that there will be a proper response to their victimization, and that they can seek justice on their own behalf.
- Trafficked sex workers should not be arrested or held in detention. Instead, they should be directly referred to safe housing, service providers, and attorneys who can assist them.
- Trafficked persons should not be compelled to cooperate with law enforcement in order to access services and legal immigration status. Many trafficked persons are willing to cooperate in investigations and prosecutions. However, they should not be expected to do so until they are emotionally and financially stable, physically well, and safe. Even those trafficked persons who never feel able to cooperate with law enforcement deserve necessary services and legal protections.
- Funding streams for anti-trafficking efforts should not restrict recipients' advocacy on behalf of people in the sex industry. Sex workers and other personalities should be recognized as potential allies in the ongoing struggle against trafficking in persons. Workers and clients in the sex industry have assisted trafficked sex workers in escaping coercive situations, and some trafficked persons return to the sex industry for economic reasons. Therefore, organizations should be able to continue to assist them.
- Create transitional shelters that are similar to domestic violence shelters, but which specifically serve trafficked persons.

Programs and Services

- Create funding for peer support networks for indoor sex workers. Such programs will allow those who engage in sex work during vulnerable times in their lives to reach out to others who have more experience and understanding of the risks involved. Such networks would reduce isolation and the fear of stigma, allow for information sharing among sex workers, reduce the likelihood that sex workers will be ill- or misinformed about the law, and also create an environment that is rich for outreach workers to offer assistance.
- Create and expand desperately needed seamless services for indoor sex workers. Necessary services include mental health and counseling/support; appropriate job training; language classes; financial management; and comprehensive healthcare.
- Programs that serve sex workers must maintain realistic and flexible hours that reflect the schedules of the target population.
- Service providers must train their program staff to be sensitive and open to sex workers. Furthermore, staff must be trained to understand the stigma and discrimination to which this population is exposed, and their consequent fear of seeking help. Service providers must treat sex workers with respect, and serve or refer them to necessary programs as appropriate so that they do not fall through cracks in the system.
- Create steady federal, state, and local government funding streams for these service programs for indoor sex workers, redirecting money from funds for arrest and incarceration as appropriate. While sex workers may be eligible for service programs focused on other populations, such as the homeless, substance abusers, or those with psychiatric disabilities, the specific nature of the problems that they face, including the stigma attached to their occupation and the isolation that it creates and reproduces, means that their needs require additional, special attention.

APPENDIX A

INTERVIEW PROTOCOL

Interview #/Name _____ Interviewer _____
Interview Date _____ Interview Location _____

SEX WORKERS PROJECT—URBAN JUSTICE CENTER Interview Outline for Indoor Sex Workers, FALL 2003

GO THROUGH INFORMED CONSENT

INTERVIEW

Thank you for volunteering to be interviewed. We are going to cover a few different areas, including dealing with the police, housing and money situations, and your thoughts on the kind of help you would like to receive from different people or agencies.

WORK

Sex work experience.

First, I'd like to ask you some questions about your sex work.

For how many years have you worked as a:

[PROMPT: How many years have you done this work? What year did you start this work? Did these work experiences ever overlap?]

	YEARS WORKED	YEAR STARTED WORKING
A. Street sex worker	_____	_____
B. Independent/Working on your own	_____	_____
C. Brothel/Parlor	_____	_____
D. Escort Service	_____	_____
E. Strip Clubs	_____	_____
F. Doms/Subs	_____	_____
G. Bars/Clubs	_____	_____

Do you ever leave the club with a customer? YES NO

Tell me about how you got involved in sex work. [PROMPT: for the money; inability to get other work; need to support family; drugs; were you pressured? IF YES, by whom?]

What did you have to spend money on to get started as a sex worker? [PROMPT: clothing, costumes, cell phone, give money to someone for protection]

Do you ever solicit your own customers? YES NO

IF YES, do you solicit your customers: INDOORS OUTDOORS BOTH

How do you solicit your customers? [PROMPT: Internet, telephone, newspaper, face-to-face, word of mouth]

When you are working, do you usually work: INDOORS OUTDOORS BOTH

Which do you prefer, if you have a choice: INDOORS OUTDOORS BOTH
Why?

How many clients did you have last week?

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

How many of your clients last week were regulars?

How many nights last week did you do this work?

Where do you usually work?

HOTELS

BROTHEL

OWN PLACE

CARS

PARKS OR ALLEYS

CUSTOMER'S RESIDENCE

Are there others I haven't mentioned? _____

Where would you like to work if you had a choice, and why?

Have you ever engaged in sex work in the projects? YES NO

Do you usually work in the projects? YES NO
Why?

Why do you stay in the work? [PROBE: Does the money make all the risks worth it?]

How long do you think that you'll stay in sex-related work?

Do you want to look for other types of work? YES NO

IF YES, what type of work would that be?

How would you go about finding that job? [PROBE: friends, relatives, newspaper, Internet, word of mouth, social services]

What is the hardest thing about sex work?

What is most rewarding about sex work?

Non-sex work experience.

Now, I want to talk about other types of jobs you've had and also about your future plans.

What other kinds of work do you do?

How many hours per week do you do this work?

How much do you make?

What other types of work have you done in your life?

Did any of these jobs pay enough to live on? YES NO

Do you see similarities between sex work and other work?

What's the best job you ever had?

What's the worst job you ever had?

MONEY

Now, I'd like to talk specifically about money.

Income.

How much money do you try to make when you work? [PROMPT: Per client, week, or month?]

Did you make what you wanted to last week? YES NO

Would you say you usually make this amount or do you fall short?

MAKE THIS AMOUNT FALL SHORT

Can you tell us what happens when you don't make that goal? [PROBE: Find other job, steal, borrow money,

*INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered.
Probe immigrant status affects where appropriate.*

work more, cut back]

We have some questions about your monthly income in addition to the money you get from sex work.

Can you tell us whether you get any money from the following income sources, and if so, how much you get from each per month?

<u>TYPE</u>			<u>AMOUNT</u>
Food stamps?	YES	NO	\$ _____
Child support?	YES	NO	\$ _____
Any other kind of public assistance? (PROMPT: AFDC, SSI, unemployment)	YES	NO	\$ _____
Any other source? SOURCE: _____	YES	NO	\$ _____

What's the first thing you pay for with the money you get from sex work?

What are your main expenses each month?

How much money do you spend on housing or rent each month?

How much money do you save each month?

What are you saving this money for?

Do you keep your savings in a bank? YES NO
IF NO: Why not?
Do you have a checking account? YES NO
Do you have a savings account? YES NO
Do you have credit cards? YES NO

Do you pay taxes on your income from sex work? YES NO
IF YES, why?

When you make money from sex work, do you get to keep it all? YES NO
IF NO, who do you give it to?
What do you get in return for giving your money to them?
What happens when you don't give them your money?

Drugs & Sex Work.

Do you use drugs? YES NO

What is your drug of choice? [PROMPT]

POT HEROIN
COCAINE CRACK
SPEED/AMPHETAMINES ALCOHOL
SOMETHING ELSE? _____

Would you say you got into sex work because of drugs? YES NO

Do you stay in sex work to support your drug use? YES NO

SETTLEMENT & LIVING ARRANGEMENTS

I'm going to ask you a couple of questions about your living arrangements now.

Current Residence.

Where do you live now? [PROMPT: Neighborhood, area of the city]

How long have you lived in the place where you are living now?

What type of place is it? [PROMPT: Apartment, house, section 8, public housing, shelter, motel, SRO, the place where you work]

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

How did you find this place? [PROBE: Did others help you?]

Who has the lease?

Who else lives there with you?

How many of them help to pay the rent?

How many bedrooms are in the unit?

How much do you pay to stay there?

Can you afford your rent? YES NO

IF NOT, how much do you think you could afford to pay right now per month?

Do you ever help in other ways besides giving rent money? [PROMPT: Do the cleaning?] YES NO

Do you feel stable and safe in the place you are living in? YES NO

IF NO, What makes you feel unsafe living there?

How long does it take you to get to work?

How do you get there? [PROMPT: Car, bus, train, public transit, private transit, walking]

How long do you plan to stay in this place?

IF PLANNING TO MOVE:

Why?

Where do you think you will move to? [PROMPT: Area of the city or type of place depending on how the question is answered]

Who will you live with?

In the past few months, have you ever lived in more than one place? YES NO

Residential hopes.

Where would you most like to live? [PROBE: Area of the city or type of place depending on how the question is answered]

Why?

How would this affect your life?

What do you need to make this happen for you? [PROBE: Contacts, money, help from family]

Residential history.

Before you lived/stayed at your current address, where did you live? [PROMPT: Neighborhood, part of the city]

And, what type of place was it? [PROMPT: Apartment, house, public housing, section 8, shelter, motel, SRO, the place where you worked]

How long did you live there?

Who had the lease?

Who else lived there with you?

How much did you pay to stay there?

Why did you leave this place?

And, can you tell us where you lived before that? [PROBE: Area of the city or type of place depending on how the question is answered]

How many places have you lived in the past two years?

Have you ever been a leaseholder? YES NO

Have you *ever* lived *or* stayed in any of the following places?

Public housing apartment? YES NO

IF YES, where was it? For how long?

IF NO, did you ever apply at any time? Were you turned down?

Section 8? YES NO

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

IF YES, where was it located? [PROMPT: Area of the city, neighborhood]
A shelter? YES NO

IF YES, what type of shelter? [PROMPT: Church shelter, domestic violence, EAU/Homeless Families, youth]
A motel or a hotel? YES NO
An SRO? YES NO

Have you ever been forced to leave or been evicted from a place you were living in? YES NO

IF YES, would you say this has happened to you:

ONLY ONCE 2-5 TIMES 5 TIMES MORE THAN 5 TIMES
Did any of these times have to do with your sex work? YES NO

IF YES, tell me about it. What happened that time?

[PROBE: What were the circumstances under which you were evicted (had to move)? Tell me about your eviction (move). Tell me about your interaction with the landlord. Tell me about your interaction with the police. How did you find a new place to live? What happened to the people that you were living with? Tell me about the eviction/moving experience from the time the landlord determined that you should be evicted (move) until you moved into your new residence.]

How did you usually find new places to live? [PROBE: Friends, relatives, a broker, the newspaper, the Internet, word of mouth, social services?] Tell me about it.

Have you ever been in a living situation where you didn't feel safe or where you felt it was too crowded or unhealthy?

YES NO

[PROBE: Who was living with you at the time? Why did you stay in this situation? Did you try to leave? Did anyone help you try to leave?]

Have you ever lived in a place where you couldn't come and go as you please? YES NO

[PROBE: Who was living with you at the time? Why did you stay in this situation? Did you try to leave? Did anyone help you try to leave?]

Housing and sex work.

When you first got involved in sex work, where did you live? [PROBE: Area of the city or type of place depending on how the question is answered]

Did your living arrangements change after you became involved in sex work? YES NO

IF YES, how so? [PROMPT: you moved to a new neighborhood, you moved to a different type of housing, the people who you lived with changed, you moved around more, you were able/not able to pay your rent]

Do you think, in general, your involvement in sex work affects your housing situation? YES NO

IF YES, how so?

Do you prefer to live in an area different than where you work? YES NO

Why or why not?

Have you ever lived in the same area where you worked? YES NO

IF YES, How would you say this has affected your work? [PROBE: Make easier, harder...]

Have you ever lived with other people who were sex workers or who employed sex workers? YES NO

IF YES, who were they?

For how long did you live there?

Why did you live together? [PROMPT: Did you share rent?]

If you no longer live with them, why not?

Do you ever work at home? YES NO

IF YES, are there advantages? Are there disadvantages? [PROMPT: People know where you live]

What do you do to make sure you are safe when you work at home?

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

Residential prospects.

If you were told right now that you must move out of the place that you are living in, how would you go about finding a new place to live?

How would you get the money to pay for it? [PROMPT: Work more, borrow, savings, make other arrangements]

How would you find a new place to live? Why would they help you? Why would you use them? [PROMPT: Tell me about it.]

OTHER PEOPLE (family, friends, colleagues, a broker)?

MEDIA RESOURCES (newspaper, magazines, public postings, internet)?

WORD OF MOUTH?

SOCIAL SERVICES?

RELATIONSHIPS WITH IMMEDIATE FAMILY

Now I'm going to ask you some questions about your family life.

How many children do you have?

How many of your children are less than eighteen years of age?

Children's living arrangements.

If interviewee has children under 18: Do your children live with you? YES NO

Has ACS/Child Welfare removed your kids from your custody? YES NO

IF YES, what was ACS's reason?

If children do not live with respondent:

Who do they live with? [PROBE: Friend, relative, foster parent]

For how long?

Why do they live there?

How often do you see your children?

Are you satisfied with this arrangement? YES NO

IF NOT, would you like to live with your children? YES NO

What would make it possible for you to live with your children?

If children live with respondent:

Have your children always lived with you? YES NO

IF NO, where else have they lived?

For how long?

Do you worry that you will not be able to live with your children at some point in time? YES NO

What would be the reason for this to happen?

Do you worry that ACS or the police will take your kids away? YES NO

Do you take any precautions that prevent this from happening? YES NO

[PROMPT: Hide sex work from family, children's father, friends, neighbors]

Relationship between interviewee, sex work, & children.

Do your children know that you are a sex worker? YES NO

IF NO, how do you hide your work from your children?

Childcare arrangements.

How do you handle childcare?

How much do you pay this person?

Is there anyone else who helps you? YES NO

[PROBE: Who?]

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

SOCIAL NETWORKS & ASSOCIATIONS

Now I'm going to ask you some questions about your relationship to your friends and family.

Think of people who do the same kind of work that you do:

Do you share things with them? [PROMPT: Money, letting them stay in your house]

YES NO

Do you share information with them about things like dates and clients, police, bad clients?

YES NO

How about sharing information with each other about things like doctors, lawyers, or organizations that can help you?

YES NO

If interviewee is an immigrant:

Sometimes there are networks of sex workers from the same country or ethnic community. Can you tell me a little bit about this?

Family networks.

Do any of your relatives help you out? YES NO

IF YES, what kind of help do they give you?

Have you ever had relatives who were sex workers? YES NO DON'T KNOW

SOCIAL SERVICE PROVIDERS

History of help.

We're going to ask you a couple of questions about how you receive help. If you don't want to give names, that's okay.

Do you receive help from any agency or organization in the city? YES NO

How did you learn about this help/agency/person?

PERSON (family, friend, colleague)?

ADVERTISING (newspaper, internet, radio, public posting)?

FROM ANOTHER ORGANIZATION?

WORD ON THE STREET?

Help needs & prospects.

Now I'm going to ask you a couple of questions about help that you have gotten or help that you would like.

	NEED HELP	ARE GETTING/ HAVE GOTTEN HELP	WOULD YOU MIND TELLING US WHO HELPED YOU?	HOW DID YOU LEARN ABOUT THIS HELP?
Immigration				
Other employment				
Drugs/Alcohol				
Police/Court				
Domestic Violence				
Medical				
Child Welfare				
Counseling/ Psychological				
Other: _____				

Do you have health insurance? YES NO

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

Do you have Medicaid? YES NO

RELATIONSHIP TO NEIGHBORHOOD/COMMUNITY

Do you have trouble with people in the neighborhood where you work? YES NO

IF YES, please describe. [LET SUBJECT ANSWER, THEN PROMPT]

BOYFRIENDS

RESIDENTS

STOREOWNERS

DEALERS/GANGS

COPS

JOHNS

Do you think people in the neighborhood complain about sex work in the area? YES NO

SAFETY/STRESS ISSUES

Have you ever been robbed by a John? YES NO

IF YES, how often has this happened?

Have you ever been forced to do anything by a John that you did not want to do? YES NO

IF YES, can you tell me what happened?

Have you ever been threatened or beaten up when you were doing sex work or because someone knew you were a sex worker?
YES NO

IF YES, how often?

By whom? [NO NAMES—CATEGORIES OF PEOPLE]

What happened? Can you give most recent or memorable experience?

Did you report this incident to the police? YES NO

IF YES, what was the result?

What safety precautions do you take?

How well do you think these precautions have worked?

What types of help would make it less dangerous and difficult for you to earn a living as a sex worker? You can say you don't know if you don't have an answer. [PROMPT: police stop making arrests, provision of social services, johns pay more, prostitutes look out for each other, make it legal, help with immigration question-

[LET SUBJECT ANSWER, THEN PROMPT FOR HOW EACH LISTED BELOW CAN HELP]

BY POLICE?

BY COURTS?

BY LAWYERS?

BY SOCIAL WORKERS?

BY JOHNS?

BY PIMPS?

BY CHANGING THE LAWS?

SEX WORKERS TOGETHER?

If it was legal to be a sex worker, do you think things would be much different? YES NO

IF YES: In what ways, and why?

IF NO: Why not?

POLICE

I would now like to learn about your experience with the police.

Have you had any run-ins with the police? YES NO

What kind of trouble? [LET SUBJECT ANSWER, THEN PROMPT FOR TYPES OF TROUBLE AND FREQUENCY BY WEEK AND MONTH]

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

ARRESTS RELATING TO SEX WORK?

IF YES, how many times?

TAKEN INTO CUSTODY BUT EVENTUALLY LET GO?

IF YES, how many times?

HARASSMENT:

Near-daily or daily law-enforcement initiated interactions.	5
Frequent (more than monthly) law-enforcement initiated interactions.	4
Infrequent law-enforcement initiated interactions.	3
Rare interactions initiated by law enforcement.	2
None. All contact with law-enforcement is self-initiated.	1

VIOLENCE?

IF YES, how many times?

SEXUAL SITUATION?

STEALING YOUR MONEY?

FALSE ARREST?

TOO MANY ARRESTS?

FORCING YOU TO MOVE TO ANOTHER AREA?

How often do the police come to the place where you work [PROMPT: per month or per week]?

Have the police ever taken pictures of you that weren't related to being arrested? [PROMPT: Pictures that you thought for some reason might be for their own personal use?]

YES NO

Please tell me about the **last time** you were arrested. When and where was it? I'd like us to go through what happened step by step, from the initial police approach to your court appearance and court disposition. Please include:

Who was there when you were arrested?

Who else was arrested with you?

What were you doing, and with whom, when you were arrested?

Who arrested you?

Were they undercover? YES NO

How long was it before you saw the judge?

Did you spend any time in jail? YES NO

IF YES, how long did you spend in jail?

What were you charged with?

Was what you were charged with an accurate description of what really happened? YES NO

IF NOT, what actually happened, and why do you think they reported it in that way?

How did you plead in court?

IF YOU PLEAD "NOT GUILTY," how long did it take to resolve the case?

Were you convicted of anything? YES NO

IF YES, what was your sentence? [may ask — "what did you get?"]

What were your alternatives?

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

Why did you choose that plea?

Who, if anyone, advised you to make that plea?

Do you think that was the best choice for you in that situation? YES NO
Why or why not?

Did you have a lawyer? YES NO
IF NO, why not?

IF YES, did you or friends pay a lawyer to represent you in court or did you have a court appointed attorney?

PAID A LAWYER COURT APPOINTED LAWYER

Tell us what the lawyer did for you.

Was your lawyer helpful, concerned, effective? YES NO

Did the lawyer defend you as well as you think you might have been defended if you were able to pay more?
YES NO

What do you think your lawyer might have done for you in court that was not done?

What kinds of legal questions do you have? [Let subject answer then PROMPT]

HOUSING
DOMESTIC VIOLENCE OR FAMILY LAW
ACS
SEX WORK
OTHER CRIMINAL _____
IMMIGRATION
OTHER _____

Has the judge or DA ever offered you some kind of help as a result of an arrest or conviction? YES NO

IF YES, what kind of help?

Was it useful? Did it give you any lasting help? YES NO

Why or why not?

Did you want this help? YES NO

Have the police, judges, or lawyers ever helped you with housing? YES NO

IF YES, how so?

Tell me about the arrest experience that you remember most clearly.

RESPONSE TO POLICE INTERACTIONS

Now, I want to talk a little about how you deal with the police.

What do you do to avoid interference from the police?

How does this change the way you work—for example, changing your location, or the way you let men know you are looking for customers?

Have you had to shift out of certain neighborhoods because the police or the residents would threaten you with arrest or other harm if you continued? YES NO

What are you most worried about when you are arrested? [Let subject answer, then PROMPT]

EFFECTS ON FAMILY/KIDS
DAY JOB
WITHDRAWAL/DRUGS
INS
HOUSING
OTHER

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

IF NOT WORRIED: Why not?

What in your opinion makes the police more or less likely to arrest you?

Is there a time of year, day of the week or time of day when the police are more likely to arrest or harass you or other sex workers? YES NO

What's the worst that has ever happened to you as a result of police activities?

Do you know of any Johns that have been arrested? YES NO

IF YES, please describe any special circumstances that you believe might have resulted in the John's arrest.

Do you go to the police when you have trouble? YES NO

What kinds of trouble do you go to the police with, and what do they do about it?

Tell me about any good interactions with the police you have had.

Are they helpful when you have trouble, like with a threatening or abusive John, or one who tries to rob you?

YES NO

IMMIGRANT SEX WORKERS (topical specific questions)

Were you born in the United States? YES NO

IF YES, DO NOT ASK ANY MORE QUESTIONS IN THIS SECTION. PROCEED TO CONCLUDING QUESTIONS.

General.

How old were you when you came here?

Where did you come here from?

What is your legal status?

What can you tell me about how you got here?

Who has your passport/other papers right now?

Why did you leave your home country?

Why did you come to the Unites States?

Why did you come to New York City?

Did you know anyone in the city before you arrived? YES NO

IF YES, who?

How did you know this person?

Did you arrive in NYC with anyone else? YES NO

IF YES, who?

How did you know this person?

Tell me about your immigration experience.

Did anyone help you come here? YES NO

IF YES, who?

How did you know this person?

What type of help did they provide?

Did you have to give them anything in exchange for their help? YES NO

Are you still in contact with this person? YES NO

IF YES, tell me about it.

Did anyone help you once you arrived to New York? YES NO

IF YES, what did they help you with? [PROMPT: Jobs, housing]

How do you know them?

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

Are you still in contact with this person? YES NO

IF YES, how often? What type of contact? What is your relationship to them now? Do they still help you?

IF YES, with what?

IF NO, why not?

When you first came here, how did you find a place to live?

Where were you living?

Would you eventually like to return to your home country permanently? YES NO

IF YES, why?

IF NO, why not?

Do you send money back to family or friends in your home country? YES NO

If you don't have legal status here in the U.S., do you want to get legal status? YES NO

IF YES, why?

How do you think you can get it? [INTERVIEWER MAY PROVIDE LEGAL INFORMATION]

IF NO, why not?

Trafficking/Explanation of T Visa. [*Interviewer should explain requirements of T Visa and potential benefits and pitfalls.*]

Do you think that you are engaging in sex work as a result of force, fraud, or coercion? [*Interviewer should explain meaning of these terms.*]

If working with police and immigration officials would help you get the visa, would you be willing to do it? [*Interviewer should explain meaning of "working with police and immigration officials."*]

IF YES, why?

IF NO, why not?

Work history.

Were you involved in any type of sex related work in your home country? YES NO

When did you know or decide that you would do sex work here in the U.S. to make money?

If undocumented or in temporary legal status:

How does your legal status affect your job options?

How does your legal status affect your working conditions?

Do you worry about being caught by the police, INS? YES NO

Do you think your work experience would be different if you had permanent legal status in the U.S.?

YES NO

IF YES, how so?

IF NO, why not?

CONCLUDING QUESTIONS

Would you like to tell us about any plans for the future?

What would help you get there?

Is there anything else that you want to tell me?

What is the most important thing to you that we talked about today?

PERSONAL INFORMATION

Sex:

Age/Year born:

Age of entry into sex work:

Race/Ethnicity:

INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered. Probe immigrant status affects where appropriate.

Can you tell me how much school you have completed? (Circle One)

0-8 YEARS

9-11 YEARS

HIGH SCHOOL (GRAD/GED)

12+ (SOME COLLEGE, NO DEGREE)

COLLEGE GRAD, DEGREE EARNED: _____

Do you vote? YES NO

Where born:

Native language:

Years in USA: (Immigrant status)

Years in NYC:

*INTERVIEWER: If the interviewee is an immigrant, be aware of how this will affect the way the questions are answered.
Probe immigrant status affects where appropriate.*

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