

Response to End Demand Policies

Prepared by the Sex Workers Outreach Project, Seattle

<http://www.SWOP-Seattle.org>

Draft Copy

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Rights, not rescue!

About Sex Workers Rights Day, March 3rd

Sex Worker Rights Day began in 2001 when **over 25,000 sex workers gathered** in India.

The event was organized by Durbar Mahila Samanwaya Committee, a Calcutta based group that has over 50,000 sex worker members. Sex worker groups across the world have subsequently celebrated March 3rd as International Sex Workers' Rights Day.

We cannot ignore tens of thousands of sex workers when creating policy and laws that directly impact their safety, well-being, and livelihood.

To hear from the global sex work community, visit: Twitter #sexwork, #rightsnotrescue

Calcutta



The Red Umbrella

Sex workers and sex workers rights organizations all over the world recognize the red umbrella as a symbol of resistance to violence and discrimination in the sex industry.

Nigeria



Cape Town



U.K.



Korea



Thailand



Barcelona



Cambodia



Turkey



New York



Seattle



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Summary Letter

“Putting sex workers voices at the center of policy is a key step in creating law reform that is ethical, effective and sustainable.”

– Scarlet Alliance, Australia

Dear Representative,

The Sex Workers Outreach Project (SWOP) is a national social justice network dedicated to the fundamental human rights of sex workers and their communities. Our focus is on ending violence and stigma through education and advocacy. SWOP-Seattle’s decision-making council is composed entirely of volunteers who are active or retired sex workers. SWOP-Seattle volunteers included allied social service and health providers, legal specialists, and a variety of individuals from the general public who support our efforts.

To learn more about who our supporters are we have included supplemental materials such as a guide to global sex worker advocacy organizations and decriminalization proponents; and our original Open Letter to Legislators with excerpts from over 200 supporters.

Inside this packet you will find topic pages discussing a variety of subjects about the sex industry, and a small selection of the studies and academic papers. Additional information, including the full body text of any papers or studies in our footnotes, are available upon request.

This booklet was created in response to End Demand based legislation and policies which conflate patronizing a prostitute with sexual exploitation and human trafficking. This approach increases penalties and promotes shaming for clients who patronize prostitutes regardless of the offense – violent or coercive, or not.

While well intentioned to protect vulnerable individuals, End Demand measures have the opposite effect to both consenting sex workers and trafficking victims’ health and safety.

Primary Concerns:

Conflation of trafficking and prostitution

Human trafficking occurs in a variety of industries – agriculture, manufacturing, domestic service, and yes – some people have been trafficked into sex work. Most sex workers have not been trafficked. Pimps and traffickers are involved in such a small percent of the industry that aggressive efforts to find and arrest them have yielded a very small number of individuals.

This conflation has created offenses such as sex workers being arrested and charged with trafficking their own selves, domestic partners and friends being charged as pimps and traffickers, and has created difficulty for law enforcement and migration/labor rights agencies in being able to differentiate and assist the victims of human rights abuse.

Incorrectly assuming that all prostitution is done under force, fraud and coercion denies the reality that there is a broad constellation of work arrangements, power relations, and personal experiences among participants in sexual work. Current anti-trafficking legislation and End Demand policies codify the moral judgment that sex work is inherently exploitative, creates confusion about what sexual exploitation actually is, and hinders our ability to identify and to address actual exploitation. Law enforcement efforts aimed at arresting clients does not assist victims of abuse and violence, and also supports government regulation in the sexual choices of adults.

This conflation additionally belies a seemingly willful ignorance of the distinction between trafficking and smuggling – the consensual migration of individuals with third party assistance. Many of those who migrate to participate in the sex industry are responding to factors such as the lack of economic opportunity in their home countries or the desire to provide a better life for family members, rather than coercion from a trafficker.

International authorities and UN agencies have consistently criticized approaches that treat all sex work as trafficking, concluding that the conflation of sex work and trafficking is counterproductive in practice.

Increased risk of violence and abuse against sex workers

We are opposed to the criminalization of clients of sex workers, and the criminalization of the sex industry. Sex is not a crime. Money is not a crime. Yet, the two exchanged somehow becomes a crime which is portrayed as inherently violent and abusive.

The anti-trafficking movement is America's new 'War on ~~Drugs~~ Sex'. Similar philosophies, justifications, and enforcement tactics are being used to try to change human behavior around an otherwise victimless and consensual crime. Arresting pot smokers did not end the violence of drug cartels, and arresting clients of sex workers will not end human trafficking, sexual assault, or violence and abuse.

The Washington State Buyers Beware program has been presented as a being human rights oriented effort to address the ills of human trafficking. Let us be honest – Buyers Beware is a program of increased criminalization of the sex industry – not a social service program. Social services do not need law enforcement intervention for access by those in need.

Criminalization of the sex industry creates black market conditions. Participants are targeted for violence and abuse due to a perceived inability to seek recourse for fear of arrest. Clients and sex workers themselves are in the best position to identify and report suspected abuse. Increasing penalization reduces the likelihood that reports will be filed.

End Demand decreases the number of safe clients (non-violent, low risk taking individuals) without removing the presence of predators (people already violently breaking the law). As the market reduces, sex workers and exploited victims alike will be left having to make hastier decisions at a greater compromise in order to make ends meet. A sex worker ends up with less power in negotiations, and decisions made in increased financial desperation.

There is evidence that these policies increase the risk of violence for everyone involved in sexual commerce, and have negative public health consequences. End Demand strategies do not address underlying issues of homelessness, trauma, mental illness, dependencies, or other

factors which leave individuals vulnerable to abuse, nor do they address societal barriers to exiting the sex trade such as stigma and incurred criminal histories.

Concern: Increasing penalties and incarcerating non-violent persons

The United States has repeatedly been criticized by internationally for incarcerating a large number of non-violent and victimless offenders. Our reputation as a free nation, and our overcrowded prisons, cannot handle the influx and of thousands of additional non-violent offenders that would result from making “patronizing a prostitute” a gross misdemeanor.

Additionally, we urge you to keep in mind that asset seizures and associated fines and penalties will most likely disproportionately impact men of color. A study of Chicago arrests found 88% of men arrested for soliciting sexual services were people of color.¹

Asset forfeiture can also unfairly affect innocent people whose property is used in crimes² and may wrongly incentive law enforcement.³ There are numerous civil rights groups in America asserting that the seizure of assets without conviction of a crime is unethical, and should be reformed. We question whether the income from increased penalties and asset seizure will begin to cover the additional public defender, court fees and administrative costs, and possibly even public benefits for the clients who lose their jobs after conviction.

Recommendations

SWOP-Seattle is actively engaged with other organizations and the community in conversations around finding solutions, including hosting our own well-attended panel discussion on Building Better Solutions. Panelists included a representative from API Chaya, a LEAD outreach worker, and a former sex worker. Our Allies Meeting in December was attended by over 30 individuals from a variety of organizations, including individuals involved in need exchange programs, hepatitis testing, homeless and youth housing services, as well as other social service and medical provider representatives.

From our conversations with with sex workers and allies over the past eight years, we make the following recommendations:

- Sex workers need to be a part of the conversation, and the solution,
- We support the need for more services, with a special emphasis on housing.
- We want recognition that genuine coercive situations are very similar to issues of domestic violence – it’s an issue of power and control – and there is a basic tenant victims of domestic violence do not respond positively to additional coercion from courts and service providers.
- Supported direct peer based outreach via SWOP and other on-the-ground organizations.
- We request a good faith effort from law enforcement that would enable sex workers and their clients to freely report abusive situations – amnesty, not spoken promises.

¹ <https://ssrcdepaul.wordpress.com/2012/05/31/mug-shots-part2/>

² [Bennis Vs. Michigan, Sourovelis vs City of Philidelphia](#))

³ See “[Policing for Profit](#)”

Decriminalization of sex work is recommended and supported by numerous organizations such as the World Health Organization, UN Women, the Global Commission on HIV and the Law, the UN Special Rapporteur on the Right to Health, Canadian HIV/AIDS Legal Network, Human Rights Watch, the Open Society Foundations, UNAIDS, as well as by many sex workers, and sex worker rights organizations worldwide.

Legislation that governs sex work without consulting sex workers themselves and sex worker advocacy organizations, inevitably falls short of understanding the complex nature of the sex industry.

Sincerely,

The SWOP-Seattle Council



Regarding Evidence-Based Policy

“Reliable statistics related to human trafficking are difficult to find.”

- US Trafficking In Persons(TIP) Report

Washington State rightfully takes pride in instituting evidence-based policy. With that said, SWOP-Seattle would like to express concern about much of the information used by End Demand proponents regarding the sex industry, as well as evidence which is presented about the effects of End Demand policies and the New Zealand model of decriminalization.

Many anti-trafficking organizations rely heavily on studies done by Melissa Farley through her Prostitution Research and Education non-profit. Much of the data is widely circulated without question. These studies are often contain sweeping generalizations that tend to accent disturbing instances of abuse presenting them as representative and indicative of intrinsic problems. There has been criticism that most of the empirical studies Melissa Farley cites are deeply flawed methodologically, with sampling biases and other procedural problems.

From the Court record of Justice Susan Himel, Ontario Canada:

“I found the evidence of Dr. Melissa Farley to be problematic. Although Dr. Farley has conducted a great deal of research on prostitution, her advocacy appears to have permeated her opinions. For example, Dr. Farley’s unqualified assertion in her affidavit that prostitution is inherently violent appears to contradict her own findings that prostitutes who work from indoor locations generally experience less violence. Furthermore, in her affidavit, she failed to qualify her opinion regarding the causal relationship between post-traumatic stress disorder and prostitution...”

Dr. Farley stated during cross-examination that some of her opinions on prostitution were formed prior to her research, including, “that prostitution is a terrible harm to women, that prostitution is abusive in its very nature, and that prostitution amounts to men paying a woman for the right to rape her.” Accordingly, for these reasons, I assign less weight to Dr. Farley’s evidence.”

Although criticism of methodology is common in debates, our concerns hold particular weight in this context because End Demand proponents rely on research demonstrating the harms of prostitution as the primary support for their recommendations, and it seems to be the only support outside of their moral convictions. We urge you to hear our concerns, and to be aware of and to review studies which contain opposing information.

We encourage you to listen to the policy positions of well-respected researchers and national/international organizations who support decriminalization, such as: the World Health Organization, UN Women, the Global Commission on HIV and the Law, the UN Special Rapporteur on the Right to Health, UNAIDS, the Open Society Foundations, Canadian HIV/AIDS Legal Network, Human Rights Watch, and more.

For a critical evaluation of the theoretical and empirical literature on contemporary prostitution, see: “New directions in research on prostitution “by Ronald Weitzer, sociologist specializing in criminology, George Washington University professor. (Included in our supplemental materials.)

The “Harms of Prostitution”

Most available academic writing equates all prostitution with street based prostitution. In the US and many other countries only a minority of prostitutes work on the streets (10–30%*). Evidence suggests that trafficking accounts for a minority of those entering sex work, 10-20% by estimates from Andhra Pradesh, India and Thailand.⁴ Yet, anti-trafficking organizations often conflate all sex work with trafficking.

Sex trafficking and street prostitutes receive the most attention in research, with findings typically presented as intrinsic features of sex work. This is despite the fact that sex workers differ in their risk of victimization: Assault, robbery, and rape are more common hazards for streetwalkers and trafficked individuals, but are relatively uncommon among off-street workers who have not been recruited by force or fraud.

Most studies referenced by those who promote End Demand policies have been sourced from the most vulnerable, and yet least prevalent, sex worker populations.

To understand the effects of this – consider a British study of 115 prostitutes who worked on the streets, and 125 who worked in saunas or as call girls. This study found that the street prostitutes were much more likely to report that they had been robbed (37 vs. 10%), **beaten (27 vs. 1%), raped (22 vs. 2%),** threatened with a weapon (24 vs. 6%), or kidnapped (20 vs. 2%). A Canadian study found similar differences between street workers and escorts – robbery (37 vs. 9%), kidnapping (32 vs. 5%), **sexual assault (37 vs. 9%), beatings (39 vs. 14%),** and attempted murder (10 vs. 0%).⁵

Such significant disparities in victimization rates for street and indoor workers are reported in many other studies of Australia, Britain, Canada, New Zealand, and the USA.⁶

Comparatively - 1 in 5 women in the United States have been sexually assaulted⁷

The United States has a serious problem with sexual assault, abuse and domestic violence. Those in the sex industry, and particularly those who are street based sex workers, are more vulnerable than the general population due to core social issues of homelessness, drug abuse, poverty, and the stigma of its victims. Fear of law enforcement by sex workers decreases the likelihood that those affected will seek legal intervention or needed counseling and services.

* Alexander, 1987; Matthews, 1997; O’Leary and Howard, 2001

⁴ * Trafficking info: 8 Decker MR, McCauley HL, Phuengsamran D. et al. Sex trafficking, sexual risk, sexually transmitted infection and reproductive health among female sex workers in Thailand. *J Epidemiol Community Health* 2011; 65(4):334–9. Gupta J, Reed E, Kershaw T et al. History of sex trafficking, recent experiences of violence, and HIV vulnerability among female sex workers in coastal Andhra Pradesh, India. *Int J Gynaecol Obstet* 2011; 114(2):101–5

⁵ Alexander, 1987; Matthews, 1997; O’Leary and Howard, 2001; Church et al., 2001; Lowman and Fraser, 1995

⁶ See footnote 6

⁷ Street work and violence: National Intimate Partner and Sexual Violence Survey”, 2010 - the National Institute of Justice and the Department of Defense

What you have likely seen:

- “89% of women in prostitution want to leave”
- “84% (of trafficked victims) are controlled by a third party” (often quoted without qualifying)
- “71% have been physically assaulted while in prostitution”
- “63% have been raped”
- “69% meet the criteria for post-traumatic stress disorder”

Notice the incredible difference in these numbers compared to what was reported in the studies above. The shocking statistics come primarily from a Melissa Farley study that interviewed 854 people from 9 countries. The researchers state plainly that they are morally opposed to prostitution, indicating clear bias. The interviews came predominantly from the street, crisis centers and shelters, and legal brothel workers were not interviewed in Germany. The study was conducted in such a way as to weight the findings to where the likelihood of people having bad experiences is high. **This is like doing a study on alcohol use and only interviewing people in AA or in rehab centers.**

To further understand how incorrect it is to use such studies to describe an entire industry, please note information from the recent Leeds University study focusing on non-trafficked sex workers:

A recent study led by Leeds University focusing on non-trafficked, indoor sex workers in the UK found:

- 91 per cent of sex workers described their work as ‘flexible’,
- 66 per cent described it as ‘fun’,
- over half find their job ‘rewarding’,
- nearly 40 percent of sex workers in the UK have a degree from either college or university,
- more than 70 % had previously worked in the healthcare, education or charity work.
- (Similar results were found in a study of Danish indoor Sex Workers.)

A five year study by the Canadian Institutes of Health Research found:

- 82 percent of workers felt appropriately rewarded,
- 70 percent were satisfied with their jobs,
- 68 percent felt they have good job security.
- The sex workers in this study reported an average age of entry into the industry of 24 years old, with only 29% having engaged in sex work before they turned 19.

A client is a client, A predator is a predator – Do not confuse the two!

From a Seattle-SWOP member:

“As a sex worker of nearly seven years... This is the ONLY job I have ever had in which I DIDN'T feel exploited--I set my own hours, rate of pay, and work for myself when and where I choose. I understand that this is a privilege that not all sex workers have, and that is exactly why I think it is even more important to end the antagonistic relationship between sex work and the law. I want all sex workers to have these kinds of conditions, but we cannot organize for them while we are still facing legal threats...”

Many End Demand proponents will suggest that all clients of sex workers are near monsters – abusive rapists who are directly contributing to a market for abducted and abused women and pedophiles (child prostitutes). They further claim that prostitution (in their philosophy and moral belief) is “systematic violence against women”--which many consensual adult sex workers and advocacy organizations will strongly contest! These same organizations and individuals will often state that being a consumer of pornography and visiting strip clubs are also “systematic violence against women.” Where will End Demand end? Using this logic and following the slippery slope – your buddies bachelor party might cause him and his guests to become registered sex offenders.

From Melissa Farley:

False distinctions have been erected between online and off line prostitution, **child and adult prostitution**, indoor and outdoor prostitution, **pornography and prostitution**, legal and illegal prostitution, **and prostitution and trafficking...**

The difference between pimps who terrorize women on the street and pimps in business suits who terrorize women in gentlemen's clubs is a difference in class only.

To adequately address the serious issues of trafficking and abuse, as well as to prevent destroying the careers and lives of numerous non-violent individuals, it is imperative that we are able differentiate the vast majority of non-violent clients who are patronizing prostitutes from violent abusers.

There is a wide body of literature suggesting that customers patronize prostitutes for many reasons:

- They desire certain types of sexual experiences (e.g., oral sex) or more variation in their sexual experiences;
- They desire sex with a person with a certain image (e.g., sexy, raunchy, etc.) or with specific physical attributes (e.g., racial, transgender);
- They find this illicit and risky conduct thrilling;
- They wish to avoid the obligations or emotional attachment involved in a conventional relationship;
- They have difficulty finding someone for a conventional relationship.

In one study of 700 customers, for instance, 43% reported that they “want a different kind of sex”; 42% agreed with the statement, “I am shy and awkward when I am trying to meet a woman”; 47% said that they were “excited by the idea of approaching a prostitute”; 33% said they did not have the time for a conventional relationship; and 30% said they did not want the responsibilities of a conventional relationship.⁸

Another SWOP-Seattle member answers the question, “Who are Clients?”:

“You have the overworked professional, the man whose sex drive does not match his partner, or who is a caretaker for their spouse, those who are too socially unskilled to date, the 73 year old virgin, the young man with advanced MS, couples and even female clients. The typical image of who a client is does not match my experience. My clients tend to be respectful, and concerned that I enjoy our encounters. I love that my work enables me to make sweet connections with so many different personalities and persons.”

And from a few of the clients who answered the question - Why do you participate?

RB: “I cared for my wife of nearly 40 years as she was dying, and grieved terribly when she passed away two years ago. About six months ago I realized that, although I was not ready to take on another relationship that was as deep (and ultimately difficult) as that which I had lost - I was awakening to the idea that experiencing intimate physical contact with caring and sensual women was extremely important to my health and happiness.”

DW: “My wife has MS and suffers from chronic pain and fatigue among other ailments. We have not had sex in years. Sex is actually physically painful for her. I have a strong need for physical intimacy, so rather than go off and have an affair, with all of the associated emotional chaos and collateral damage that can involve, I decided to experiment”

UM: “Because it puts me in the company of women who are breathtakingly appealing: strong, smart, confident, accomplished... and very sexy....”

DD: “After losing two wives (divorce & cancer) I was real hesitant to start another full time relationship... has relieved me of the stress and strain of having to change my life style again to fit in with another wife at the age of 72.

TA: “I was in a completely sexless marriage. It was, quite frankly, a disaster of a situation. The woman I was married to saw sex as something dirty and for procreation only. We stayed together far too long for the sake of the child. Eventually, not even that was enough to make it worth while... I travel quite a bit and just don't have time date.

PM: “My wife and I were both virgins when we got married. Thirty-three years later I ended that relationship on friendly terms... (after) real terror, which became magnified in the bedroom: that I was not enough, not good enough, not deserving, not worthy, as a person, as a lover... One woman asked what I liked and my answer was, “I don't know.” While my therapist is amazing, only so much can be accomplished in the office. Field work is required. This was her suggestion... Sometimes I get a bit emotional when I talk about how the compassion and skill of these ladies has helped close up my wounds, soften the scars, soothe the pain. There isn't enough gratitude in all the world to cover what I feel.

⁸ Monto, 2000.

Youth Prostitution

False: "The average age of entry in prostitution is 13." (Or sometimes, "11-14.")

This number comes from a study which only surveyed youth. It does not include anyone over the age of 21, which *dramatically skews calculations* when trying to find an average.

False: "Between 100,000 and 300,000 children are at risk for prostitution each year"

This statistic represents the number of children "at risk" for sexual exploitation and prostitution, not the number actually involved. Those considered to be "at risk" for prostitution included runaways, transgender kids, female gang members, and children who live near the Canadian or Mexican Border. Those who were determined to be "at risk" for exploitation included children, teens and "youth," (which actually included young people up to 21) who were working in a strip club, engaging in male consensual homosexual activity, and those who were merely watching porn.

Secondly, the numbers that form the basis of their various "at risk" categories are themselves highly speculative. One large portion of the estimate is simply a crude guess that 35% of a national estimate of runaway youth out of their home a week or longer were "at risk". Another large portion was a guess that one quarter of 1% of the general population of youth 10-17 were 'at risk'. Together these two groups constitute nearly 200,000 of the 'at risk youth.

This statistic has been used to support End Demand policies--which do not address vulnerabilities, needs, and social issues affecting at risk youth.

These statistics are criticized as alarmist and lacking in hard data.⁹

What DOES juvenile prostitution look like? Ref: the John Jay Study, NYC

- Nearly half of the kids — about 45% — were boys.
- The average age of entry for juvenile females was 15.15 years and male juveniles 15.28 years
- Girls were more likely to have a pimp than boys or transgendered (10%, 3%, 0% respectively)
- Only 14% of the girls had even MET a pimp
- 95% said they exchanged sex for money because it was the surest way to support themselves
- 87% stated they would like to exit "the life" if given the opportunity

More than half of the teens interviewed (60%) said that stable employment was necessary for them to leave the market (followed by education (51%) and stable housing (41%))¹⁰

⁹ Estes and Weiner. 2003. *The Commercial Sexual Exploitation of Children In the U. S., Canada and Mexico.*

¹⁰ *Commercial Sexual Exploitation of Children in New York City, The John Jay study*

Note: Supported by the recent Curtis study – this study not reviewed, articles are in *International Business Times*, *Slate*, and more

Looking for Solutions:

The Swedish Model, End Demand, Legalization, Decriminalization...

Sex trafficking and prostitution conversations are everywhere – discussed in the news, books, community meetings, universities, and even your local coffee shop. Most individuals do not have untold hours analyzing thousands of pages of research studies and summary articles. The sheer amount of information available is often contradictory and can be overwhelming! So who can we believe, and what can we do?

SWOP-Seattle strongly recommends that sex workers themselves be central in these conversations, as opposed to our city and state blindly following the ideas espoused by anti-trafficking NGO's and organizations which are profiting in their attempts to "save us." We also suggest that you review the summaries and recommendations from respected national and international organizations, organizations that are not financially vested in policy making, and of course sex worker advocacy organizations that work with sex workers directly.

We urge you to adopt evidence-based strategies based on human rights and harm reduction principles.

The Swedish Model

Often the Netherlands and Amsterdam are sourced for information used to support End Demand policies.

You may have seen information such as this:

80% of women in brothels were trafficked from other countries.

50-90% of women are "working against their will."

The unquestioned rhetoric that the majority of sex workers are victims and of prostitution equating exploitation cannot be substantiated with scientific data. An arbitrary dichotomy of 'forced' or 'voluntary' affects the validity of statistics: estimates of trafficked women in the Red Light District fluctuate between 10 and 90%.

Female tourists and sex workers who enjoy their work are automatically included in registrations by CoMensha, the Dutch coordination center for human trafficking, as possible victims of human trafficking. These numbers are then multiplied by *fourteen (!)* in the 2012 Report on Sexual Exploitation and presented as the number of *actual* victims. This is justified by assuming that most victims must be hidden.

Anti-prostitutionists often assert that inflating numbers and using unreliable data is acceptable when it's done to call attention to human rights violations. This is the opposite of evidence-based decision making for policy.

Some facts on Dutch sex workers:

- 90% don't even *know anyone* who is being forced
- 92% have *never* experienced violence at work
- 86% are happy or even very happy with their job
- 90% feel government does not protect their interests
- 95% claim politicians have no idea what is going on in the sex industry¹¹

With all that said, that there are many criticisms of the Swedish Model as to it's increasing risk and danger to sex workers, as well as the incidence of trafficking. What is happening?

Harms of the Swedish Model

"The Swedish model has been hailed as a great success that has been an effective deterrent to the purchase of sex and the trafficking of women," (Ekberg), and that "the ban on purchasing sex was an important instrument to prevent people trafficking and combat prostitution" (Skarhed)... - despite the 2007 report by the Swedish National Board of Health and Welfare acknowledging "it is impossible to form a precise picture of prostitution and its extent, regardless of the chosen method." This should be considered alongside the October 2009 Swedish Government publication, which stated that it is very difficult to monitor the extent of prostitution in Sweden because it is practiced discreetly and that existing figures "are very uncertain".

Given these admissions from the Swedish Government, it is very difficult to see how Ekberg and other proponents of the Swedish model could possibly claim that the law has been successful in reducing the number of women involved in prostitution and trafficking. "
Bob Wallace, Principal Policy Officer, Office of the PLA
THE BAN ON PURCHASING SEX IN SWEDEN: THE SO-CALLED 'SWEDISH MODEL'

As we saw above, trafficking is a small percent of the actual sex trade. However, the claim that criminalizing demand has decreased sex trafficking in Sweden is empirically unsound. According to the National Council for Crime Prevention, Sweden's criminalization model may actually have the opposite effect of deterring traffickers. Indeed, criminalization increases the profit for traffickers who are able to provide services without being caught. This in turn, makes Sweden an attractive country for experienced traffickers. A National Police Board press release from Sweden stated (more than a decade after they criminalized the demand for sex work) that, "Serious organized crime, including prostitution and trafficking, has increased in strength, power and complexity during the past decade. It constitutes a serious social problem in Sweden and organized crime makes large amounts of money from the exploitation and trafficking of people under slave-like conditions."

Data compiled by the UN Global Commission on HIV and the Law and the UN Global Development Fund found that since Sweden enacted their policy to criminalize the demand for sex work the policy has not improved the lives of sex workers--in fact, it has worsened their situation. Sex workers report an increased difficulty in accessing condoms, and

¹¹ *De Amsterdamse Prostitutie Monitor 2010*, for an English summary: <http://marijkevonk.com/problems-with-prostitution>

diminished bargaining capacity and time to negotiate condom usage. This puts sex workers at a higher risk of exposure to HIV and other STIs.¹² Criminalization and aggressive policing of sex work has shown to increase sex workers' vulnerability to violence, extortion, and health risks. This is particularly true for street based sex workers, who are already a high-risk population. Furthermore, this legislation may have a disparate impact on the LGBT community. Roughly 20% of Transgender individuals have done sex work at some point in their life—many of whom turn to sex work as a last resort economic survival because of widespread ignorance, discrimination, violence, and harassment in typical work places.

Criminalization in an attempt to End Demand has the opposite effect of its intended goals. Indeed, the unintended consequences of this legislation are devastating for some of the most vulnerable communities in the sex trade.

Critiques from Sex Workers, Academic Papers, Swedish Government papers, and more:

http://www.bayswan.org/swed/swed_index.html

How do sex workers perceive the Swedish Model working in Amsterdam?

“Unlicensed sex workers are subjected to violent police raids, financial penalties, their belongings and money are confiscated, and anybody working for them or with them is arrested. Sex workers in the unlicensed sector who have children are usually reported to child protective services, and because unlicensed means criminally coerced in the minds of many health care professionals, children are assumed to be at risk and are often put in custody.

Licensed workers on the other hand are forced, by the government, to place themselves in a dependent working relationship with a proprietor who has a brothel license. Because of the permit-shortage, proprietors find themselves in a extraordinary position of power which almost begs for abuse. Sex workers are refrained from starting their own brothel, are not allowed to work independently, are refused by banks, get kicked out of their houses if the landlord finds out what work they do... and are subjected to random police raids and interrogations. And when they have the misfortune of being suspected of being a victim (for example because they placed an ad, bought new things or even had a threesome) they go through the same misery as unlicensed sex worker.”¹³

¹² I Gould, A., (2001), *The Criminalisation of Buying Sex: The Politics of Prostitution in Sweden*, *Journal of Social Policy*, 6 August 2001, 30: 437–456; Sukthankar, A., (2011), *Sex Work, HIV and the Law*, Working paper prepared for the Third Meeting of the Technical Advisory Group of the Global Commission on HIV and the Law, 7–9 July 2011. See also Levy, J., (2011), *Impacts of the Swedish Criminalisation of the Purchase of Sex on Sex Workers*, Presented at the British Society of Criminology Annual Conference, Northumbria University, 4th July 2011. Available at: <http://cybersolidaires.typepad.com/files/jaylevy-impacts-of-swedish-criminalisation-on-sex-workers.pdf>; (2012), *The Swedish Law to Criminalize Clients: A Failed Experiment in Social Engineering*, Issue Paper 4 – April 2012, Program on Human Trafficking and Forced Labor, Center for Human Rights & Humanitarian Law, American University – Washington College of Law. Available at: <http://rightswork.org/wp-content/uploads/2012/04/Issue-Paper-4>.

¹³ <http://marijkevonk.com/problems-with-prostitution/> (many direct reports available upon request)

The effects of criminalizing clients in Canada?

The headlines speak for themselves

Criminalizing Clients Doesn't Work¹⁴

Canada's New Law Forcing Sex Workers Onto the Streets and Into Harms Way¹⁵

Reckless Endangerment – Q&A on bill C36¹⁶

306 Academics Are Concerned About Canada's Sex Work Laws¹⁷

More than 60 Organization Call for Repeal of New Prostitution Law¹⁸

Canada's New Prostitution Law is Still Unconstitutional¹⁹

Prostitution Bill Still Dangerous: Sex Workers²⁰

¹⁴ http://www.huffingtonpost.ca/nikki-thomas/criminalizing-clients-doesnt-work_b_3432643.html

¹⁵ <http://www.thenation.com/blog/196497/canadas-new-law-forcing-sex-workers-streets-and-harms-way#>

¹⁶ http://www.pivotallegal.org/reckless_endangerment_q_a_on_bill_c_36

¹⁷ http://www.vice.com/en_ca/read/306-academics-are-concerned-about-canadas-sex-work-laws

¹⁸ <http://www.ctvnews.ca/canada/more-than-60-organizations-call-for-repeal-of-new-prostitution-law-1.2135924>

¹⁹ <http://www.theprovince.com/life/Canada+anti+prostitution+still+unconstitutional+workers/10359264/story.html>

²⁰ <http://globalnews.ca/news/1657550/prostitution-bill-still-dangerous-sex-workers/>

End Demand

End Demand proponents will often point to what is referred to as, "The Swedish Model," as a successful means of addressing human trafficking and abuse within the sex industry. End Demand programs are not grounded in sound empirical evidence and have grave consequences for the communities it is purported to protect.

As to the Swedish Model of criminalization (*reference position paper "Swedish Model" for details*), data compiled by the UN Global Commission on HIV and the Law and the UN Global Development Fund found that since Sweden enacted their policy to criminalize the demand for sex work the policy has not improved the lives of sex workers--in fact, it has worsened their situation. Sex workers report an increased difficulty in accessing condoms, and further, an increased difficulty in negotiating condom usage with their clients. This puts sex workers at a higher risk of exposure to HIV and other STIs. Further, the claim that criminalizing demand has decreased sex trafficking in Sweden is empirically unsound.²¹

Please consider that End Demand is absolutely incomparable to the Swedish Model unless and until sex work itself is decriminalized, and we have an established and comprehensive social and health well fare support system available to sex workers. End Demand strategies do not address underlying issues of homelessness, trauma, mental illness, dependencies, or societal barriers to exiting the sex trade such as stigma and incurred criminal histories. Criminalizing clients while sex workers are criminalized, without adequate social and health services available, (e.g., number of homeless youth matching stable housing options), creates increased economic desperation and risk to those already most vulnerable within the industry.

Criminalization of clients in an attempt to "End Demand" has had the exact opposite effect of its intended goals in every situation where this has been tried – from US alcohol prohibition, to international drug and sex work policies. Indeed, the unintended consequences of this approach to legislation are devastating for some of the most vulnerable communities in the sex trade.

There is one absolute similarity between End Demand and the Swedish Model:

The (Swedish) model... tells all women selling sex that they are victims and that they need saving, even if they do not realize or are incapable of realizing it. It tells them that there is no way that they could possibly have chosen to be a sex worker or in the terminology of radical feminists, a 'prostituted woman'. The Swedish law fundamentally infantilizes women and tells them that they are incapable of making rational choices. It is the state telling those women, we do not actually care what you think, because we know best. In this regard, it is instructive that sex workers or sex worker organizations were not even consulted on the Swedish law.

- Bob Wallace, Principal Policy Officer, Office of the PLA

²¹ see footnote 15

Decriminalization

Decriminalization refers to the removal of all criminal laws relating to the operation of the sex industry. The decriminalization model aims to support occupational health and safety and workplace issues through existing legal and workplace mechanisms. In some proposals, money spent on enforcing prostitution laws is redirected to social service organizations.

Decriminalization of sex work is recommended and supported by organizations such as UNAIDS, the World Health Organization, UN Women, the Global Commission on HIV and the Law, the UN Special Rapporteur on the Right to Health, Canadian HIV/AIDS Legal Network, Human Rights Watch, the Open Society Foundations, and by many sex workers and sex worker rights organizations around the world.

Decriminalization does not increase “sex trafficking” or the sex industry.

New Zealand, a country with an incredible amount of gender equity, was the first nation to fully decriminalize sex work. Careful empirical data collected by the New Zealand government and corroborated by independent organizations shows that there has been no increase in the size of the sex industry or sex trafficking.

“Since decriminalization, street prostitution has spiraled out of control, especially in New Zealand's largest city, Auckland. A 200-400% increase in street prostitution has been reported.” - *Melissa Farley*

However, in reply to such claims, the Prostitution Law Review Committee (2008: 40) stated:

“In the Committee's first report, the number of street-based sex workers in Auckland was estimated to be 360. An increase of 400% would mean there would now be 1,440 sex workers on Auckland's streets. The Committee considers that the research undertaken by the CSOM conclusively refutes an increase of this magnitude, with the 2007 figures estimating the number of Auckland street-based sex workers at 230.”

Information received from Immigration Service NZ indicates that no situations involving trafficking in the sex industry have been identified (Department of Labor, 2007)

No dramatic increase in the number of people selling or buying sex, the number of under-age people in the sex industry or of trafficking” (PLRC 2003)²²

²² *Report on the Operation of the Prostitution Reform Act New Zealand Government 2003*

Conflating migration and “sex trafficking”

Some projects attempting to quantify victims count all migrants who sell sex, others consider anyone who agrees to denounce a ‘trafficker’, others count everyone who gives money to a boyfriend, and yet others include all illegal sex workers. - *Laura Agustin on unreliable trafficking statistics in Sex At the Margins, pg 41*

Conflating sexual commerce with “sex trafficking” makes it difficult for us to identify, assess, and address harms and human rights abuses. Similarly, conflating migration for economic benefit with sexual exploitation results in skewed statistics and hysterical rhetoric about sex trafficking. The example on the next page about the effects of decriminalization in New Zealand clearly demonstrates how the perspective anti-trafficking organizations use does not match reasoned and objective interpretations of data.

“Seeking to ‘rescue’ trafficking ‘victims’ in sex work areas, ‘raid and rescue’ operations fail to distinguish between voluntary adult workers and those who are trafficked or underage. The effects of such actions have been damaging—communities disrupted, social and health services interrupted and sex workers taken into custody, abused or driven underground, increasing rather than reducing their vulnerability.”

-Smarajit Jana, Bharati Dey, Sushena Reza-Paul, Richard Steen
Durbar Mahila Samanwaya Committee, Kolkata, West Bengal, India
Community Health Services, University of Manitoba, Manitoba, Canada

The Sex Industry in New South Wales

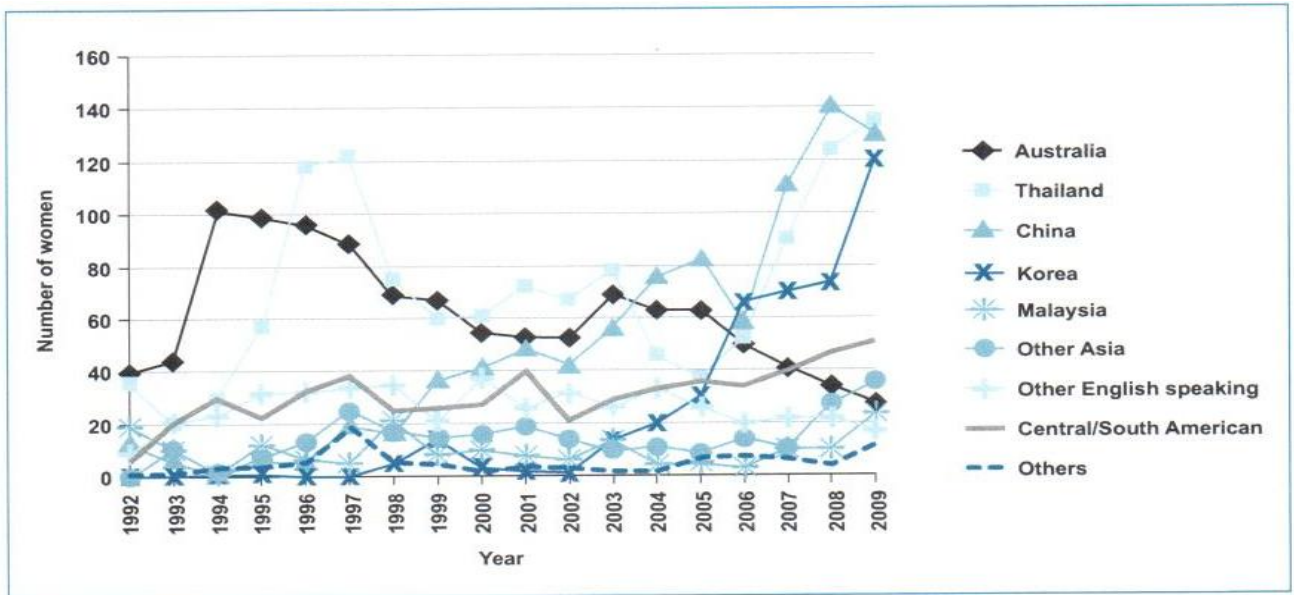
Basil Donovan and Christine Harcourt - The Kirby Institute, University of New South Wales, and, Sydney Sexual Health Center, Sydney Hospital; (et al) – full report available upon request

“Notably, these estimates of the current size of the NSW sex industry are similar to estimates prior to decriminalization (Parliament of NSW, 1986). New Zealand has also found no increase in sex worker numbers with decriminalization (Abel et al., 2009)”

The number of sex workers in Sydney brothels was similar to estimates from 20 years ago. These data confirm that the removal of most criminal sanctions did not increase the incidence of commercial sex

Condom use at work approaches 100% in Sydney

In regards to the charges that trafficking has increased, there is a rise in migration--with a corresponding decline in Australian born sex workers in the brothels. This is described quite clearly in the above statements as well as in the chart below:



“...an increase in the proportions of Asian immigrant sex workers in brothels in NSW since the early 1990s... educational levels among Asian sex workers in Sydney are now much higher, and most have permanent residency or legitimate student visas. Debt bondage among Asian sex workers is now rare.”

The positive effects of decriminalization can be seen in New Zealand:

Nationwide standards of occupational health and safety have been created and are enforced

Sex workers are reported to have a greater sense of well-being, sex workers are more likely to report incidents of violence to the police²³

“Reforms that decriminalized adult sex work have improved human rights; removed police corruption; netted savings for the criminal justice system; and enhanced the surveillance, health promotion, and safety of the NSW sex industry. International authorities regard the NSW regulatory framework as best practice. Contrary to early concerns the NSW sex industry has not increased in size or visibility.”²⁴

"Decriminalization allows those who are prostitutes to go into business for themselves. Self-determination is a tenet of feminist politics. Decriminalization removes hypocrisy within the criminal justice system and fosters responsibility, empowerment, self-esteem and self-care." - *Feminists for Free Expression, position paper*

"Decriminalization, rather than legalization, offers a valuable opportunity both to lessen the unnecessary harassment of prostitutes by police and to assist women in finding safer urban areas to work." - *The Lancet, 8/96*

²³ *The Impact of the Prostitution Reform Act on the Health and Safety Practices of Sex Workers Gillian Abel, et al 2007*

Department of Sociology, George Washington University, Washington, DC, USA

²⁴ Full report: <https://maggiecnell.files.wordpress.com/2012/04/nsw-sex-industry-report-2012.pdf>

Case Study: Looking for Solutions to Sex Trafficking Sex Workers themselves – part of the solution!

Sex workers have a vested interest in reducing the risk of violence and abuse in their industry. By regular viewing of advertising sites, peer support networking, and getting first-hand accounts - sex workers and their clients are in a strategic position to identify abuse - including under-aged participants, and coercion or force. Sex workers are also poised to be effective in connecting those in need to available services, as well as to assist in assessing the needs of vulnerable populations within their industry and community.

Combating human trafficking in the sex trade: can sex workers do it better?

(Below is a summary. Full publication is available on request.)

Smarajit Jana, Bharati Dey, Sushena Reza-Paul, Richard Steen

Durbar Mahila Samanwaya Committee, Kolkata, West Bengal, India

Community Health Services, University of Manitoba, Manitoba, Canada

“Seeking to ‘rescue’ trafficking ‘victims’ in sex work areas, ‘raid and rescue’ operations fail to distinguish between voluntary adult workers and those who are trafficked or underage. The effects of such actions have been damaging—communities disrupted, social and health services interrupted and sex workers taken into custody, abused or driven underground, increasing rather than reducing their vulnerability.”

Methods

We review an alternative response to combating trafficking and child prostitution in the sex trade, the self-regulatory board (SRB) developed by DMSC, Sonagachi. DMSC was formed as a community-based organization of Sonagachi sex workers, currently representing 65,000 members. DMSC operates 51 clinics, 33 self-regulatory boards (SRBs) and 32 educational activities including homes and schools for children of sex workers. They also have a number of community development projects.

To address the problems of under-aged and coerced women in sex work settings a multi-stage response was developed based on SRBs and community vigilance to regulate entry into sex work, identify abuses and respond comprehensively where coercion or under-aged sex work was suspected. Each SRB is of 10 members - 6 from the sex worker community, a local ward counselor and representatives from health, social welfare and labor sectors.

Results

DMSC-led interventions account for over 80% of successful 'rescues' reported in West Bengal. From 2009 through 2011, 2195 women and girls were screened by SRBs: 170 (7.7%) minors and 45 (2.1%) unwilling adult women were assisted and followed up. The remaining 90.2% received counseling, health care, and the option to join other community programs designed to reduce sex worker vulnerability.

Between 1992 - 2011 the proportion of minors in sex work in Sonagachi declined from 25 to 2%;

The median age of sex workers increased from 22 to 28 years old;

There have been significant changes in STI/HIV risk among sex workers and their clients in DMSC project areas since 1992. Reported condom use has increased from 3% to 87% in 2007. Syphilis prevalence has declined from 25–30% to 1% during the same period. HIV prevalence remains stable at 5% among Kolkata sex workers, compared with rates surpassing 50% in other major Indian cities.

Conclusions

With its universal surveillance of sex workers entering the profession, attention to rapid and confidential intervention and case management, and primary prevention of trafficking—the SRB approach stands as a new model of success in anti-trafficking work.

Global Sex Worker Advocacy

Experts, organizations, and sex workers call for decriminalization and a HUMAN RIGHTS BASED approach to the sex industry.

Many of these organizations have been working as sex worker advocates for nearly 20 or even 30 years!

Global Network of Sex Work Projects (NSWP)

NSWP, founded in 1990, is a network of over 150 organizations from over 60 countries that endorse the aims of NSWP and confirm their commitment to NSWP values: acceptance of sex work as work; opposition to all forms of criminalization and other legal oppression of sex work; supporting self-organization and self-determination of sex workers.

<http://www.nswp.org>

World Health Organization (WHO)

The WHO has released a report focusing on the violence that sex workers face and their vulnerability to HIV/AIDS. It included currently used intervention strategies as well as policy recommendations. Another report addressing HIV prevention in middle to low-income countries was released with policy guidelines.

<http://www.who.int>

“all countries should work toward decriminalization of sex work ...”

United Nations (UN)

UNAIDS has written reports that include case studies to support ways to improve access to health services in Asia and the Pacific, and policies surrounding sex work in Asian and Pacific countries. Some of the recommendations for governments included decriminalizing sex work and activities associated with it, providing sex workers with work related protections, and supporting sex workers' access to health services.

<http://www.undp.org/content/undp/en/home/librarypage/hiv-aids/sex-work-and-the-law-in-asia-and-the-pacific/>

http://www.unaids.org/globalreport/Global_report.htm

International Labor Organization (ILO)

The ILO, founded in 1919, has released reports suggesting policies that could be put into place to address the vulnerabilities that sex workers encounter, including a report on sex work in Cambodia. Some of the recommendations from this report suggest addressing violence and abuse, expanding unions, bringing a workplace perspective to prevention care, and coordinating health and safety interventions.

<http://www.ilo.org>

United States

Sex Workers Outreach Project-USA (SWOP-USA), founded in 2003, is a national social justice network dedicated to the fundamental human rights of sex workers and their communities. There are 15 regional chapters of SWOP. <http://www.swopusa.org>

Australia

Scarlet Alliance, founded in 1993, campaigns for the full decriminalization of sex work, in addition to providing HIV/AIDS outreach and education to sex workers. http://www.scarletalliance.org.au/library/principles_2014

Africa

SWEAT (Sex Worker Education and Advocacy Task), founded in 1996, is an advocacy organization located in Cape Town, South Africa with the goal of providing education and public health services to sex workers. <http://www.sweat.org.za>

“... call for the decriminalization of consensual adult sex work to stop stigma and hate crimes against sex workers as decriminalization is the only legal model that can protect sex workers human rights.”

Asia

Founded in 1994, the Asia Pacific Network of Sex Workers was formed to advance the rights of sex workers, to provide direct support to sex workers, particularly in relation to human rights and HIV services: <https://apnsw.wordpress.com>

“There is abundant evidence to show that criminalizing sex work has damaging effects, both in terms of health and human rights outcomes for sex workers.”

Europe

TAMPEP, founded in 1993, aims are to help migrant sex workers in more than twenty-five European nations especially focusing on the public health needs of those workers. It also examines the legislative framework that sex work takes place within in order to suggest better policies that would protect sex workers. <http://tampep.eu>

“Migrant sex workers should be considered as part of the labor migration of women rather than thinking of all migrant sex workers as victims of trafficking and sexual slavery.”

Hong Kong

Founded in 1996, Ziteng is formed by social workers, women studies researchers, church workers and labor activists. *“We actively advocate for the decriminalization of sex work...”*

<http://www.ziteng.org.hk>

India

Durbar represents 65 000 sex-workers. Founded by public health scientist Smarajit Jana in 1992, Durbar is now largely run by the prostitutes themselves. Durbar is explicit about its objective to establish the rights of sex workers. Durbar demands recognition of sex work as work.

<http://durbar.org>

North America

The Sex Professionals of Canada (SPOC), founded in 1983, is a national, sex worker-run organization that is funded entirely by donations. The organization seeks to decriminalize sex work through advocacy and education. <http://www.spoc.ca/>

“(Re: C-36) “If our leaders truly care about making sex workers safer, they will stop criminalizing our work, our workplaces and our clients.”

South America

The Network of Sex Workers in Latin America and the Caribbean was organized in 1997 to fight for the rights of sex workers. The Network comprises 15 countries, with an outreach to more than 15,600 sex workers.

<http://www.redtralsex.org>

Thailand

Founded in 1984, Empower supports sex workers in Thailand and lobbies to extend labor protections to sex workers and to decriminalize sex work. Over 50,000 sex workers have been involved with Empower. <http://www.empowerfoundation.org>

“Human trafficking and sex work must be considered separately – they cannot be addressed together... deal with the persons affected according to human rights as a guiding principle.”

U.K.

Founded in 2002, The International Union of Sex Workers (IUSW) is a UK based trade union for sex workers. It campaigns for the decriminalization of prostitution, and to have sex work acknowledged as viable labor.

“Prostitution is having sex for money, and neither having sex nor getting paid is inherently degrading, abusive, exploitative or harmful. But, by confusing prostitution with a whole host of other problems, we produce conditions in which those problems flourish.”

<http://www.iusw.org/wp-content/uploads/2014/04/SexWorkAndHumanRightsIUSWMar14.pdf>

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An Open Letter To Policy and Law Makers

“Putting sex workers voices at the center of policy is a key step in creating law reform that is ethical, effective and sustainable.” – Scarlet Alliance, Australia

Dear Representative,

The Sex Workers Outreach Project-USA (SWOP-USA) is a social justice network dedicated to the fundamental human rights of sex workers and their communities. Our focus is on ending violence and stigma through education and advocacy. SWOP-Seattle’s decision-making council is composed entirely of volunteers who are active and retired sex workers. We are offering a voice against the pervasive myth that all sex work is inherently damaging and exploitative.

This letter is in response to multiple bills in both the House and Senate regarding increasing penalties for patronizing a prostitute to include asset seizure and the reclassification to a gross misdemeanor, as well as expanding the definition of human trafficking.

Of particular concern to us is the language inserted into recent bills that conflates prostitution with human trafficking, and calls for an End Demand approach to prostitution. **Although well intentioned to protect people who are vulnerable to exploitation, we believe that the language inserted into this bill will have the opposite effect it is intended to have. Empirical evidence has shown these measures may negatively impact both consenting sex workers’ and trafficking victims’ health and safety.**

We urge you to remove this language and to recognize a distinction between exploitation and consensual sexual commerce. We recommend that you focus the state’s efforts on finding effective means to reduce the serious violation of human rights issue of sexual exploitation and abuse, and individuals subjected to force, fraud or coercion without compromising the safety of sex workers.

Language of Particular Concern:

“Sec. 1. The legislature finds that human trafficking is modern day slavery, which often takes the form of forced prostitution...”

“Local and law enforcement agencies must have the effective tools necessary to focus on the buyers of sex in order to deter the demand for prostitution...”

“Providing law enforcement with the ability to seize and forfeit the personal property of buyers who use that property to commit the crime of patronizing a prostitute will hold these individuals responsible for actions that perpetuate human sex trafficking in our state.”

Concern: Conflation of trafficking and prostitution

There is no demonstrable evidence that “most” prostitutes have been trafficked. (Ref., position pages “Evidence Based” and “Swedish Model”). Most of the commonly recognized statistics regarding human trafficking come from research conducted on vulnerable populations in places such as trauma and social service centers, and during law enforcement interventions. Many of these studies have not been peer reviewed or

accredited, and are openly biased against sex work. The language in the current bills denies the reality that there is a broad constellation of work arrangements, power relations, and personal experiences among participants in sexual commerce.

The language in these bills codifies the moral judgment that patronizing a prostitute is inherently exploitative, which creates confusion about what sexual exploitation actually is, and hinders our ability to discern and address actual exploitation. It also supports government regulation in the sexual choices of adults.

This conflation belies a seemingly willful ignorance of the distinction between trafficking and smuggling – the consensual migration of individuals with third party assistance. Many of those who migrate to participate in the sex industry are responding to factors such as the lack of economic opportunity in their home countries or the desire to provide a better life for family members, rather than coercion from a trafficker.

Trafficking is defined as “... means such as force, fraud, or coercion.” With the City of Seattle’s recent action of renaming “Patronizing a Prostitute” to be “Sexual Exploitation,” it is alarmingly evident how quickly patronizing a prostitute (“Sexual Exploitation”) easily becomes trafficking. Well-meaning and poorly written laws such as these can have disastrous and unintended consequences.

Sexual exploitation that involves underage persons or adults subject to force, fraud, or coercion is a serious violation of human rights; but sex work by individuals who are choosing to sell sexual services and which does not include these elements is not inherently exploitative, and it is not trafficking.

International authorities and UN agencies have consistently criticized approaches that treat all sex work as trafficking, concluding that the conflation of sex work and trafficking is counterproductive in practice.

Concern: ‘End Demand’ does not work

We are adamantly opposed to the increased criminalization of clients of sex workers (also referred to as the Swedish Model or End Demand), and the criminalization of the sex industry to begin with.

There is no evidence to support the assertions that End Demand policies increase sex worker safety or reduces sex trafficking. On the contrary, there is much evidence that these policies increase the risk of violence for everyone involved in sexual commerce, and have negative public health consequences. (Please reference position pages “Evidence Based”; “The Harms”; and “The Swedish Model”.)

End Demand strategies do not address underlying issues of homelessness, trauma, mental illness, dependencies, or societal barriers to exiting the sex trade such as stigma and incurred criminal histories. For people who are already vulnerable, the increased criminalization of clients will remove their source of income, increasing financial desperation. The critical safety measure of screening – one of the few tools a sex worker has to avoid dangerous individuals--will be stripped away as clients resist screening methods in fear of arrest.

End Demand also decreases the number of safe clients (non-violent, low risk taking individuals) without removing the presence of predators (people already violently breaking the law). As the market reduces, sex workers and exploited victims alike will be left having to make hastier decisions at a greater compromise in order to make ends meet.

Are we trying to end human rights abuses, or are we enforcing morals around sexuality?

Human trafficking and human rights abuses occur in many industries – production of garments and commercial goods, domestic labor, agriculture, and food service. In no industry, outside of vices, have we called for an attempt to stamp out an entire industry in an attempt to stem abuses. What is the difference in how we are responding to trafficking into the sex trade and trafficking into other industries? Sex. Have we not learned from our history with alcohol prohibition and The War on Drugs that prohibition is ineffective and often expands the criminal black market? We did not make purchasing cotton and tobacco illegal in an attempt to eradicate slavery, nor have we tried to abolish the garment or agricultural industries despite human rights violations occurring within them.

End demand negatively impacts our ability to discern and assist victims of abuse and other human rights violations. Clients and sex workers themselves are on the front line in a position to identify and report suspected incidents of abuse. Increasing their penalization reduces the likelihood that reports will be filed.

Concern: Incarcerating non-violent persons

The United States has repeatedly been criticized by international organizations for incarcerating a large number of non-violent and victimless offenders. Can our reputation as a “free nation” and our overcrowded prison system handle the influx and of thousands of additional non-violent offenders that would result from making “patronizing a prostitute” a gross misdemeanor?

Additionally, we urge you to keep in mind that asset seizures and the associated fines and penalties will most likely disproportionately impact men of color. A study of Chicago arrests found 88% of men arrested for soliciting sexual services were people of color.²⁵

Asset forfeiture can also unfairly affect innocent people whose property is used in crimes²⁶ and may wrongly incentives law enforcement.²⁷ Lastly, there are numerous civil rights groups in America asserting that the seizure of assets without conviction of a crime is unethical, and should be reformed. We question whether the income from increased penalties and asset seizure will begin to cover the additional public defender, court fees and administrative costs, and possibly even public benefits for the clients who lose their jobs after conviction.

Decriminalization

Decriminalization of sex work is recommended and supported by numerous organizations such as the World Health Organization, UN Women, the Global Commission on HIV and the

²⁵ <https://ssrcdepaul.wordpress.com/2012/05/31/mug-shots-part2/>

²⁶ [Bennis Vs. Michigan, Sourovelis vs City of Philidelphia](#)

²⁷ See “[Policing for Profit](#)”

Law, the UN Special Rapporteur on the Right to Health, Canadian HIV/AIDS Legal Network, Human Rights Watch, the Open Society Foundations, UNAIDS, as well as by many sex workers, and sex worker rights organizations worldwide.

Along with many respected organizations, including those listed above, we recommend:

- **Pause actions on all bills promoting End Demand policy for further review and study;**
- Stop conflating sexual exploitation with sex work;
- Stop promoting End Demand as an effective enforcement tactic;
- Focus on human rights violations - *including creating comprehensive services and assistance for those who are susceptible to, and victims of violence and abuse;*
- Adopt a new approach that values independent, unbiased and methodologically sound research and that includes the voices of all concerned parties (survivors, sex workers, youth, public health professionals, anti-trafficking organizations) in order to produce evidence-based legislation.

• **Legislation that governs sex work without consulting sex workers themselves and sex worker advocacy organizations, inevitably falls short of understanding the complex nature of the sex industry.**

We would love to discuss these matters with you further.

Sincerely,

The SWOP-Seattle Council



Community and Public Support

On Jan. 28th, 2015, SWOP-Seattle posted an “Open Letter” on our website blog. In just one-week, we received more than 200 comments of support. You may be surprised to hear hear who replied, and what they had to say. (*Selected excerpts.*)

<http://swop-seattle.org/about/an-open-letter-to-policy-and-law-makers/comment-page-1/#comment-5800>

Cat Brooks “As the mother of a sex worker, I am signing in full support.”

Meg Munoz Kudos to SWOP Seattle and their supporters for bravely stepping out in support of those working the spectrum of sex work. As a former sex worker and domestic sex trafficking survivor, I’m adding my name and support to chorus of those who make up the industry, yet so often are refused a voice in the conversation against commercial sexual exploitation. Having read the body of text and comments that followed, I’m not sure that I have anything more significant to add aside from this daunting reminder gained during my time in the industry as well as that of a service provider: When we treat sex workers well, we are undoubtedly treating the exploited well. When we treat those who are being trafficked well, we are undoubtedly treating sex workers well. Because there is no clear cut distinction between the two and no way to tell which is which, it behooves us all to consider human rights based approaches that reframe our current focus and efforts in the fight against trafficking. What we are doing now is not currently working, and global approaches such as those prescribed by WHO or UN AIDS are policies worth considering.

Charles Hill... End Demand reduction strategies are unlikely to reduce human trafficking and forced sex work and may actually make things worse for the most vulnerable sex workers. ... sex for money between consenting adults... may offend moral sensibilities, but is not trafficking... There is no solid data to suggest that more than a small minority of sex workers are coerced or “trafficked”..... often cited “statistics” on trafficking in sex work do not stand up under scrutiny and are systematically misquoted and exaggerated by NGOs and other interested groups...

... There is reasonable concern that adopting a Swedish model of demand reduction will have negative unintended consequences... Contrary to popular mythology, the evidence from Sweden on the efficacy of demand reduction strategies suggests that the policy is not working... In a 2012 report, Sweden’s National Police Board reported an increase in human trafficking since 2008...

... The prosed Seattle legislation does not represent a full adoption of the Swedish model, since sex work will still be criminalized (in Sweden it is not). This will work to further decrease the safety of sex workers.

Charles WL Hill, Ph.D
University of Washington

Author: “Sex Trafficking, Moral Panic, and Bad Laws”
<http://charleswlhill.blogspot.com/2015/02/sex-trafficking-moral-panic-and-bad-laws.html>

Christina A. DiEdoardo, Esq., In my **near decade of practice as a lawyer** in Nevada and California, few things have become as clear to me as the need to both decriminalize and normalize sex work. I have seen first hand the toll archaic and sexist prohibitions wreak on human beings and I'm honored to stand alongside in support with my sisters and brothers in the SW community in WA as they fight against these misbegotten legislative proposals.

Hugh Taylor There are a lot of things the legislature and the police should be concentrating on. The consensual exchange of sexual services for money is not one of them. No one is opposed to the strict prosecution of underage or forced prostitution, but don't be confused between that and consensual sex work.

JCS Fundamentally, this takes a serious problem (human trafficking) and for apparently moralistic reasons ties it to a single type of work... I hope that WA legislators come to understand this and will instead recognize the terrible problem of human trafficking across all of the industries it pervades and comes up with legislation that deals with the problem comprehensively.

Evelyn Isley I care about the lives of people who are actual victims of human trafficking. I care about the lives of consensual adult sex workers. These proposed laws harm them both. Please reconsider and include those whom these laws affect in the conversation.

Peter **As a physician** with a relatively objective view on this subject, I support the decriminalization of sex workers and their clients. To equate the voluntary relationship between an adult sex worker and their client with the involuntary relationship between an illegally exploited minor is completely misdirected.

M.P. Baretta **Sex workers are against sex trafficking.** By allowing those who are consensual to function without hindrance, you gain an ally in the the real fight that everyone wants to win. Against those forced non-consensually into selling their bodies for money. End Demand is NOT the solution."

ClemK49 PLEASE CAREFULLY READ AND CONSIDER THIS SWOP LETTER!...

Laura Cannon Legislation that will negatively impact the safety of sex workers is a human rights problem. Let's be on the right side of history!

Bob T. I sign this letter in full support of SWOP-Seattle, as **a friend and ally of a number of former and current sex workers.** Stop the infantilization and victimization of those who choose to work in this field as well as those who are trafficked and abused; treat sex work as work.

Maggie Leake I agree with everything. It's time we treated sex work for what it's. A job.

Venushakti Velatura As a **recovering former drug-addicted street prostitute who was also subject to human trafficking on multiple occasions** ... I agree that any criminalization of demand does nothing to solve the problem that criminalization hurts human trafficking victims...

R. Gomez I am submitting my support for "Rights, not Rescue "...

Maggie McNeill ... I was a librarian before I was a sex worker, and have been consulted as an expert in the field by journalists, academics, lawyers and even legislators. It is my opinion as both a sex worker and a scholar in the field that SWOP's statements above are absolutely correct: the ONLY legal approach to sex work which has consistently resulted in harm reduction for everyone involved is decriminalization, such as that in New Zealand and New South Wales state, Australia. All other models, including the "Swedish model" of client criminalization, have been shown to increase crime and violence against sex workers, and often to exacerbate police corruption. It would be a grave mistake for the legislature to enact these failed, dangerous and ethically repugnant policies into law.

Boris "Instead of waging war on basic human instincts, you could instead focus on trying to help those in need of help – real victims of trafficking and abuse – and not on forcing your morals on people who neither want, nor need it.

Samuel Henly As a private citizen, I ask you to recognize the dignity and rights of sex workers.

As an empiricist working on a very large data set detailing the dynamics of commercial markets for sex in North America, I submit my opinion that the statistics quoted in support the resolutions under considerations are incredible in the strictest sense of the word.

As an economist, I urge you to consider the unintended consequences of the bills under consideration and, after consideration of the harm the legislation is likely to cause, to reject those bills. If you are sympathetic to free markets, consider the typical side effects of violent regulation on a market; if you are sympathetic to oppressed groups, consider the effects of a policy that results in a more intense application of police force against any such group's members.

I would be happy to discuss any of these points, although you really ought to just listen to SWOP. The group's members are the people who will actually be affected by the enactment of the legislation under consideration, and they have simultaneously the greatest incentive to identify weaknesses in the law and the best-developed knowledge of their market to discuss the likely effects of regulatory action.

Regards,

Sam Henly

sehenly@uw.edu

PhD Student

UW Department of Economics

Inara ... I am a very happy sex worker who would be willing to share how un-victimized I am.... I have never been LESS exploited and I have never had more control and enjoyment of my work than I do now (... I am a very well-educated woman in her 30's...). I believe that everyone involved in this is trying to solve this problem the best that they know how, but being outside of the industry gives lawmakers a huge disadvantage. Please listen to the voices of these men and women who are risking their livelihoods, their reputations and in many cases their families to speak up and help work out other options.

Michael Shook The kind of reckless, and ill-thought action proposed..., however well intentioned, will only hurt sex workers... A much better tactic would be to TALK TO and enlist the help of sex workers in and around Seattle in order to craft effective legislation.

Bryan Fabert I sign on to support this letter. Please recognise the difference between forced trafficking and consensual sexual commerce between adults. **This kind of criminalization tactic only makes peoples lives MORE dangerous...**

Rex B Grigg II I know quite a few sex workers, and none of them were forced into their line of work... The assumption that a sex worker is forced into that line of work is like thinking only homosexuals get aids: it is backwards and in of itself bigoted....Let these voices be heard.

... Criminalizing sexual commerce, its professionals, or its clients has a negative impact on the safety and liberty of all involved, and disproportionately affects transgender women who face additional hurdles and stigma when seeking traditional employment during and after transition.

For examples of policy and legislation that works, we can look to countries like New Zealand...

All adults should have the right to engage in private consensual sex without fear of harassment or public shamming. Sex workers and their clients should be no exception.

Alex (Sabrina) Morgan,

Sex Educator and Public Speaker on Human Rights Issues

Aidan Allgood I stand in full support of my sex worker brothers and sisters.

Chloe I've been a sex worker for two years, and I fully support this letter. "End demand" legislation is infuriating, ineffective, and makes my job more dangerous. I'm a healthy, happy adult, and I'm not trafficked. **My clients are normal people, not predators, and they are certainly not exploiting me.** I support decriminalization and hope that one my profession will be less stigmatized.

Jim Samford The new laws being proposed are ludicrous... Many escorts are single mothers supporting their children, funding college, or buying a home. The overwhelming majority are independent, they work for themselves... This kind of legislation will have the opposite effect of what you're trying to achieve, it will just make it more dangerous for everyone, especially the women.

sol finer ..."All adults should have the right to engage in private consensual sex without fear of harassment or public shamming. Sex workers and their clients should be no exception." (Alex Morgan)...

Princess FancyPants Start listening to the people you are attempting to legislate! As a constituent of Washington State and King County, I support the statements and position outlined above and I reject the proposals of HB 1558, SB 5277, and SB 5041.

Bobcat Girl **As a registered voter, and as 16-year career sex-worker,**- I agree with and give my full support to Swop and all Sex-workers on these issues...We need to decriminalize consensual adult sex work- This is the first of many many steps to end the current suffering by trafficking victims without adding innumerable victims in the process...

Stephanie D I'm a graduate student and mother, and I am in full support of the decriminalization of sex work. Not only does criminalization divert funds from those who need it most, but it contributes to an overall culture of violence and oppression against women. I support those in the sex industry and stand with them to implement harm reduction strategies that will actually help people who are trafficked and exploited rather than endanger them further. I urge you to include the members of this organization and other sex worker-led groups in developing harm reduction legislation (NOT end-demand) that will improve working conditions for those who choose the work, and protection for those who are not given a choice.

Chelsea Lane ... I have been a sex worker in the Seattle area for a year, and by far my greatest fear is encountering law enforcement while on the job... I do this work so that I can afford college tuition for my Bachelor's degree and later, grad school. It seems quite ironic that the very work that allowed me to graduate debt-free could destroy my future and career options... I have the privilege of guarding myself against these dangers, but not all sex workers do. End demand legislation affects all sex workers, but particularly those already most vulnerable.... If you want to end trafficking and coercion into the adult industry, it is necessary to create social services and end poverty, homelessness, and violence. The act of selling sex for money is not inherently exploitative - I truly love my job. Forget about prostitution, and focus your energy and resources instead on creating a living wage, getting folks off the streets, and targeting violence against women.

Roland I support a woman's right to choose a career as a sex worker. Stamping out trafficking and abuse of younger people are worthy goals, but government should not at the same time attack the rights of

Vignette ...Signing on in support. Sex workers do not need to be rescued or recovered or refurbished. Sex workers need rights and respect, something these bills do not provide.

Will ... people who's lives are most affected deserve a place at the table. Consensual sexual activity between adults is a moral issue, not a criminal issue. Prohibition has never been an effective tool and only serves to promote the interests of people who would exploit the most vulnerable among us.

Sherry Burnett I'm signing this as a consensual sex worker of 35+ years

Tully Mars ... If those who proposed this misguided legislation only knew what harm they are about to impose on the poor ladies who are truly the victims, they would not even think of following through...As one (somewhat) senior citizen who has had his life enriched by many of these women ...many of whom I have come to consider dear friends, I implore those trying to conflate this profession with human trafficking, please, PLEASE put politics aside and do what is right. That is what you were elected to do, even when it is not "popular".

PACE Society Sex Work is work.

Bella Robinons ...Through the efforts of <http://www.iswface.org/> we find the following: The average age of entry into prostitution is 17 to 25, The average age of those arrested for prostitution related charges are 25 to 65. When we look at all the prostitution

and disorderly conduct arrest in the US from 1981 until 2013, we find that **only 1.8% of these cases involved minors.** ...Please note this data was taken from the FBI + DOJ websites

Sex workers would like to know why our government is failing our youth, the US currently has 2.5 million homeless kids.... These agencies might improve upon their \$400,000-per-rescued-child ...97% of sexual abuse of children happens with someone the child knows... Yet the trafficking narrative has misled the media into thinking that most sexual abuse towards children happens with sex trafficking...

Nootka The agreement between two consenting adults of their free will is not exploitation and cannot be confused with trafficking. The abuse of minors that are forced into working for pimps and their their rights violated by adults cannot be confused with the above. The government's duty to its citizens is NOT to legislate morality, the duty is to uphold the right to freedom and protect them from exploitation and abuse.

Hazel Cordelia ...**This is outrageous!** I know many sex workers and their clients. There really is a community of people out there who partake in safe, consensual, date for hire. There is a need for this sort of work. There are so many lonely people out there.... Sex is not a crime as long as it is consensual. Please stop wasting tax payers money on bills like this, and target the sector of the industry that are actually hurting people, and decriminalize prostitution! ...

Chloe Parker As a sex worker of nearly seven years, I can say with authority that my life and livelihood would both be greatly improved by the complete decriminalization of sex work. This is the ONLY job I have ever had in which I DIDN'T feel exploited: I set my own hours, rate of pay, and work for myself when and where I choose. I understand that this is a privilege that not all (in fact perhaps not even most) sex workers have, and that is exactly why I think it is even more important to end the antagonistic relationship between sex work and the law. I want all sex workers to have these kinds of conditions, but we cannot organize for them while we are still facing legal threats all the time...

Freedom4All I have never engaged the services of a sex worker but I have found myself making friends with several. None of the women I know who do this work feel exploited...

Abby ...If WA wants to be truly effective and progressive in protecting the rights of victims and ending human trafficking we must move away from criminalization and toward respecting and enforcing the rights of individuals... **"end demand" gives more power to abusers making victims MORE vulnerable** to violence and exploitation. Legislation like this is **harmful to the very people it purports to help** and is also harmful to a vast group of people who's existence the legislation denies – consensual adult sex workers. Furthermore such legislation has a discriminatory effect in that it is typically enforced against people of color and trans people. Please stop it.

Karyn ...The sex workers I've met have better business ethics than the politicians that claim to be trying to help them...

Jayne Swift As a **PhD Candidate specializing in the study of commercial sexual cultures**, I urge WA state lawmakers to read between the lines of sex trafficking discourses. Turn to the words and work of people in the sex trades and credentialed academic researchers

working in consultation with sex worker, harm reduction and immigrant rights organizations, and disrupt the tendency to imagine that the only response to issues of labor exploitation and economic inequality is one of further criminalization. These laws may be popular with some of your citizenry—those who find that movements to “end demand” speak to their desire to reform heterosexual male behavior—but they only harm the most marginalized.

Emily Wasik As a constituent of WA State and King County, I support the statements and position outlined above and I reject the proposals of HB 1558, SB 5277, and SB 5041.

Michelle Powell ... Sex workers who are engaged with full agency and consent are easy to find. And they would love to talk to you... If the genuine goal is to identify people who actually are victims of sexual exploitation, it's way past time to start listening to what sex workers themselves have to say about their own experience. And, what better way to identify and assist those who really are in need than to join hands WITH the sex worker community to find a solution?

Peter Rabbit It's difficult to express the good work NWswop has done in this area. As a person who both a participates in the world of sex work as a client while also investing significant time and resources fighting the tragedy of real human trafficking, it concerns me that this legislation conflates the two.... If we truly care about stopping human trafficking and sex exploitation, we need define it properly within our legislation so we can focus and go after the true criminals with the full force of the law instead of wasting our valuable and limited resources and energy chasing down consenting adults making a business transaction...

Eric Gamonal The state has no right to punish and exclude from the community consenting adults for doing non-privileged sex acts. If the state wants to stop prostitution, it should eliminate the economic conditions that lead men and women to place themselves in the sexual marketplace.

Warren ... Legislation that would willfully ignore the vast difference between truly criminal behavior (trafficking) and consensual commercial relationships among adults, isn't in anybody's interest. Our over-burdened criminal justice system doesn't need to deal with a new wave of “offenders” who have, at most, offended the morality of a narrow segment of society.

Jason Congdon SWOP-Seattle's concerns and recommendations are well-stated and supported by a preponderance of research and informed argument and analysis, including a wide range of activist and academic voices reflecting a diverse range of political and intellectual traditions. Any policy-making process that ignores these arguments contributes to undermining social and civic inclusivity and integrity while unnecessarily imperiling sex worker health, safety, and well-being.

Consider requesting input from current sex workers before ruling on any end demand or trafficking related legislation. We are who this legislation will primarily be affecting, after all.

Jim Sullivan ...bills like this only serve to increase violence against sex workers, and the conflation of sex work with trafficking diverts a tremendous amount of resources from

actual cases of trafficking. Sex workers don't need saving; they deserve freedom from violence and...healthcare, housing, and other human rights that are routinely denied to them through 'End Demand' and other carceral models. I'm not a sex worker...

Jenna ... Because sex work is largely an underground community surrounded by social stigma and legal bullying, it is understandably a difficult community to research effectively. There was a recent Seattle Times article where a veteran Seattle detective who has spent more than half of his 45-year career working prostitution cases stated, "There are no happy hookers", which flabbergasted many sex workers and further alienated them because it shows such an incredible lack of understanding for the women he's supposedly helping. (http://seattletimes.com/html/localnews/2024779850_sexbuyerprogramxml.html) Sex workers are prostitutes, escorts, tantra practitioners, and dominatrixes...and they are also strippers, porn actors and actresses, and even educators. It is a diverse community like any other; it's likely MOST are consenting adults. The reason you don't see "happy hookers" is no prostitute being arrested or seeking help is happy to be in that situation. When will those who oppose the victimization of women and children focus on helping those who are under-aged or who are otherwise coerced or forced? When will these organizations stop painting an unattainable landscape with the wide brush of ending stripping and pornography? When will these campaigns stop trying to change people to fit their moralized standards, and start focusing on health, well-being, and safety? Why do they saviors think the sex worker community is going to open itself to their help when they so clearly have already made assumptions and passed judgment? ... When will they stop trying to "end demand" for sex, intimacy, and companionship—a blatantly ridiculous, unrealistic goal?

How can you begin to help a community who FEARS you?

Here's a thought: Create a sex-positive, secular organization willing to dialog with this marginalized population without judgements, assumptions, or threats. Be open to learning who they really are and what they really want and need. Welcome sex workers who need help with open arms and community resources, healthcare, education, and job placement services. Work toward decriminalization so NO victim of trafficking or violence has to fear arrest/prosecution. Understand that most johns are everyday people ... and consider treating them with compassion instead of automatic contempt.

samm **Sex work is work!** Consenting adults are just that

Radarvectors ...We don't need, or want another "nanny law" ...

Lorelei ... how about seeking some evidence-based information, or investigating it when it's presented to you? Your feelings and some oft-debunked statistics are not enough to justify legislation, particularly while ignoring and silencing those most affected.

nicole ... I've never been treated with more respect than my clients consistently show me in any other field or other areas of my life. Period.

Paul F **I am a father to a daughter,** hard worker, and care about the rights of all people...

mark walling As a business owner, tax payer and registered voter ... Please at least LISTEN to them before attempting to write laws impacting them.

rachel ... nobody should be forced into being a prostitute, and nobody should be forced to not be a prostitute.

found fulfillment and great rewards with this work... Who are you to tell me that I am unhappy or even more ridiculous, being trafficked? To me, working those other jobs to scrape by was akin to prostituting myself. I would actually cry sometimes putting on my waitress outfit. I would lose sleep worrying about bills. Life often didn't feel worth living... you are taking attention AWAY from the real issue ..

Douglas Moran I completely and fully support this letter and the actions of SWOP Seattle. I am not a sex worker nor a client of sex workers; I am merely a citizen who believes that sex work is *work*, and deserves the dignity and respect of any other form of work. If the city of Seattle is concerned with trafficking, they should concentrate on *trafficking*, not sex workers. Not all sex workers are trafficked; not even a majority. Not all of trafficking is for sex work; research shows it's a small percentage...

Savannah Sly I am a **retired sex worker with 11 years of experience** of traveling, meeting, and working with other sex workers in a myriad of aspects of the adult industry...

Angelina Nichols I support the right of sex workers to do their job safely, and for trafficking survivors to get the help they need. More restrictive policies accomplish neither of these things.

Hsofia I want to see sex work decriminalized so that sex workers can participate, without fear, in public life; so that they can seek help from the police or other public agencies when they need it; and so that their perspective on issues that directly affect them are acknowledged and included in policy-making...

The Prophet ... serious about ending human trafficking, pushing this industry further underground is not the way to do it. I also have huge concerns about giving law enforcement financial incentives through asset forfeiture which in every case that has led to abuse. Should a supposedly "progressive" city be looking to put more people in jail?

David The simple fact is that the attempted prohibition of sin, is a complete waste of time and energy. **This law would not protect the people who are truly being trafficked, which is a small percentage of the people who are engaged in sex work...**

Lauren Reichel As somebody who cares about sex workers, and about their rights and health and security and happiness, I sign and support and applaud this letter.

Delia Delions ... As **a sex worker and Washington citizen** I am grateful for the efforts of SWOP in getting our voices heard in policy matters affecting our safety & livelihoods. **Decanter** ... My biggest frustration is that politicians, law enforcement and even the media, as intelligent as they typically are, seem incapable of comprehending the simple truth that not all sex work is exploitative. Nor can they conceive of the notion that an educated, adult woman would willingly choose to become a professional sex worker...

Shinda S I support decriminalization of consensual sexual services between adults.

Sarah ... Sex work is work, and we need labor protections and the ability to pursue justice for abuses against us without fear of persecution. As Martin Luther King, Jr. said, "Until all are free, none are free."

Ellie Seattle resident signing on in support of this letter. I think anti-trafficking campaigns often come from well-intentioned people who just haven't fully analyzed the effects of end-demand campaigns. But end demand legislation harms all sex workers, particularly the most vulnerable, and does nothing to prevent trafficking – it just pushes it further underground. I'm concerned about all the anti-trafficking legislation being introduced in the state congress without the input of all the diverse communities said legislation would affect. **I know a ton of sex workers, ALL of whom advocate for decriminalization.**

Kristen Knapick, MA, LMHC As **a psychotherapist and former sex worker of 8yrs**, I sign in support of this letter from SWOP-Seattle. Conflating sex work– a consensual exchange of fee for services– with enslavement is damaging to the mental health and well being of those choosing to engage, and it distracts resources from those forced to engage.

Matt Green – **The proposed laws rest on an incredibly poor definition**, which is ignorant at best and disingenuous at worst, and which conflates engaging in sex work with being either a victim or a perpetrator of human trafficking. This denies the agency of sex workers as human and economic actors, and provides politically expedient cover for policymakers the shameful practice of ignoring the voices of the sex worker community on issues that affect it.

- The proposed laws will not address trafficking in other economic sectors, although far more persons are trafficked into agricultural or other service work than into sex work.
- The proposed laws will not be effective at reducing actual incidents of trafficking, because they will disincentivise sex workers and clients from reporting incidents to police.
- The proposed laws will, however, be effective at doubling down on failed and irrational policies of criminalizing the sexual behavior of consenting adults...
- The proposed laws are likely to increase harm to sex workers by constraining their ability to screen clients, and potentially by reducing the pool of safe, respectful clients. An overall reduction of demand, if it does occur, will exert downward pressure on prices, thus making sex workers more economically insecure.
- The increased harm caused by the proposed laws are likely to disproportionately affect women and transgender people of color, people with limited economic options, and other marginalized populations.
- The proposed laws wreak harm on these populations without increasing support to them, such as increasing their options to engage in other forms of work.
- The proposed laws rest in part on an increasingly problematic mechanism of asset seizure/forfeiture... – These laws are being written and debated without soliciting input from the sex worker community, and indeed in a manner that willfully ignores their voices.

Nicholas de Villiers ... Conflating sex work and exploitation/trafficking is harmful, stigmatizing, and ignores the voices and dignity of sex workers and the evidence-based policy recommendations of international human and labor rights organizations.

Sean Wilkins The first step when considering legislation that has an impact on people's working life should be to get the opinion of the people doing the work...

John Smurd I sent the following to all members of Seattle City Council. I received no reply

"In my lawful, licensed professional duties I have become acquainted with several women whom men hire for sex. These women are not drugged, pimped, underage, trafficked nor smuggled into USA. She is an independent, self-reliant business person. She is usually an educated, sophisticated, down-to-earth young woman. She is not walking on Aurora Ave. N. She is sitting in your waiting room right now. You might think she was a graduate student, housewife, techie, mom, office worker, nurse, fitness instructor, etc. She is an adult... A man who purchases her services may be sitting next to you, right now. Or maybe down the hall. Or writing your will. Or driving for Metro. In fact he may have been at your Thanksgiving dinner. He is not a "John." He is a citizen who may have voted for you. He pays his taxes. He is not engaging in exploiting trafficked women! He is engaged in a business transaction with the woman described above...

He and she and me and you are all opposed to trafficking unwilling women. But it is not sensible to lump trafficked women and the creeps who exploit them with the men and women described above. Increasing the penalties for the men who patronize the above-described women will not shut down trafficking... Please do not increase penalties for those who patronize this business. They are not about trafficking.

JCC5 This SWOP letter makes way too much sense on such a hot-button issue... the moral, social and economic lessons of the "War on Drugs" has been lost upon you all. Abortion, gun rights, trafficking are real hot-button issues but this response will further enrich the exploiters while making the average sex worker's life even more onerous and anxious... **End trafficking, yes, that should be the point, not "End Demand".**

Haley In my 10 years experience as a provider of erotic services, I have met some of the most genuine, lovely people in my work. Criminalizing clients does nothing but make our job harder, scarier, and pushes us further to the margins of society... these initiatives are only seeking to further exclude us from participating in society.

Liliya K. ... I believe that ethical, empowered sex workers who choose their profession provide a valuable resource in society. I want to see our legal and legislative systems support social and criminal justice, and I believe that the laws being proposed, however well-intentioned, open the door to far more harm than good... this legislation unjustly conflates issues of consensual, adult decisions with a perceived societal ill, and it ignores pernicious and far more widespread, prevalent human trafficking issues, such as the exploitation of undocumented workers who aren't being sexually exploited.

Regina I've been in the adult industry for more than 10 years. Contrary to media portrayals, my quality of life has increased. I choose the work I do, I choose my clients, and I choose my hours. I am not trafficked nor have I been exploited. My clients are sweet men, sometimes disabled, who have a basic need that desires fulfillment. Blurring the lines between consensual sexwork and human trafficking does not increase safety for anyone. ... I ask for rights not rescue.

Mindy H I absolutely ask you to recognize the dignity and rights of sex workers. Adults should be allowed to make adult decisions. Anything else is unadulterated moralizing, and we're better than that!... Stop acting like bullies and fight real crime!

chel Exploitation and sex work are not synonymous...

Molly Hodgdon ... I'm a graduate criminology student and there is no reason to conflate prostitution and human trafficking. These laws contain fundamental errors in perception, legal terminology, and understanding of the economic and personal dynamics of sex work...

Noah I. Voluntary sex workers are no more exploited than voluntary workers of any profession. Adults should be allowed to make adult decisions. Anything else is unadulterated moralizing, and we're better than that.

Eric Martin I am absolutely for the repeal of laws against prostitution, which is simply the exchange of services for money between consenting adults and cannot be equated with slavery or human trafficking unless it is being forced upon participants in that context...

Paul Phillion I am adding my support as an ally of sex workers in Seattle (and world-wide). Decriminalization of sex work will protect women who choose sex work far better than the current laws, and allows resources to be focused on harm reduction.

Zephyr ... The conflation of sex work and trafficking and the exploitation of minors is a huge disservice to everyone. Let's move towards researched, proven methods of decreasing violence and stigma and not leave out the voices of people affected the most by this.

Andie deRoux ... Consensual Sex Work is NOT "human" trafficking. I know dozens of sex workers in Seattle and the Bay Area, and none of them are trafficked and they all enjoy and do consensual sex work. Some of them specifically see disabled people. This enables these clients to experience intimacy when they normally would not.. These laws are out of date, and are based on outdated religious morals. Sex work is work...

The underfunded police department needs to focus on the real problems we are facing. Real Human Traffickers, organized crime, murders, domestic violence against women including processing all of those rape kits that are submitted to cases, open air drug markets Downtown and in the ID and more. Let's focus on what really keeps people safe instead of focusing on outdated nanny laws and bullying women making a living.

Joy As a 52 yr old sex worker for the past 7 years and an advocate for whole-hearted touch and connection, I am signing on as another voice of support for SWOP-Seattle and the rights of sex workers.

Purpleasure34 ...Trust sex workers and their patrons to help; don't push the industry further underground.

Slowtrucker Every person that has written in is very much against trafficking and coercion, and very much in agreement with consensual sex.....so why not just go after the traffickers, and leave the rest of us consenting adults alone!!

Holly Blumenthal I've chosen to work as an independent sex worker for 14 years, and I absolutely support this letter. The healing and connection I provide is absolutely consensual and bears no relation to human trafficking.

Robert James I'm writing as someone who recognizes the seriousness of human trafficking or involvement of minors in sex work, and am involved myself in numerous social justice and feminist initiatives. But I think the legislature is making a mistake in trying to increase penalties on sex work, including the approach of criminalizing users ...

Men participate in this world for a variety of reasons... representatives of the SWOP-Seattle ... They're smart, thoughtful women who share your core values of human respect, and take equally seriously the importance of making vulnerable women less vulnerable. Those who go public on their participation also have a lot of courage. You might not agree with all their perspectives, but I believe you can learn from them. And since they're part of the community presumably being protected, it behooves you to take their perspectives seriously.

Mistress Matisse ... Sex workers need rights, not rescue.

Stephanie Anderson ... legislation, that only serves to enrich those with power, over marginalized lives & seeks to punitively punish out of misguided & archaic, 'moral' obligation. In order to show constituents that, 'government is working', I don't think that folks are looking for the passage of, more over-criminalization, as proof of same.

Elected & appointed public officials, work for it's citizenry. That, no one from any sex-work led organization has had or been invited to, give input on this bill, speaks volumes.

I am against human trafficking in all it's forms, the most pernicious, being that in order to survive in this society, one MUST, do some form of work, in exchange for the necessary financial means to live, at all... First off, I'd like to state, that morality based laws, passed emotional button pushing assumptions & hyperbole, made without any fact-based evidence will only harm those "intended" to "help"...

Ian Bone Despite being a proposal that purports to lessen the harms of trafficking, this bill is quick to take power away from sex workers in a way that is straight out of an abuser or trafficker's handbook: withhold information, cut off contact, and shame. No victim was ever helped by being added to a lesser class, and any proposal to help sex workers should give power and protection rather than removing it.

Barry Sex work involves legal consent whereas human trafficking and slavery do not.

Paul ... Instead of focusing on your alleged targets, you cast a wide net that will have many unintended consequences not the least of which is that the true traffickers will go further underground making the dangers more extreme. In effect the primary ones being punished by this proposed law are the consenting sex workers and their clients who will be punished, stigmatized, and forced to also go underground increasing the personal dangers.... Please re-consider this proposed law and find a better way to specifically target enforcement to only those vulnerable citizens you say are your primary targets... Please police the streets, not the bedrooms...

Zephyr The conflation of sex work and trafficking and the exploitation of minors is a huge disservice to everyone. Let's move towards researched, proven methods of decreasing violence and stigma and not leave out the voices of people affected the most by this.

david By all means attack all form trafficking, abuse and exploitation but don't automatically assume all professionals working in this area falls into this category...The main differences when people are trafficked or exploited in other activities are 1) they aren't illegal and 2) there is no moral stigma attached to that profession, only to how it is practiced. The solution to factory sweatshop conditions hasn't been to attack the "demand-side" of high-end sneakers and smart phones. Smart regulation of safety, child welfare and worker freedom of choice over how to practice the activity provides the safest and economically secure possible environment.

Katherine Beasley You quote falsified numbers that conflate trafficking with consensual sex work(often even using studies that pad their numbers with women/people who "are likely to" do sex work) to justify changing the language. And once you've orchestrated this hat trick then you claim your original fake numbers ARE accurate because you've legally changed ALL sex work to mean trafficking... you should be ashamed of yourselves for the real world risk that you add to the lives of the men/women/transgender individuals in this industry all for the sake of political points, padding police coffers, and victorian era moralizing... LISTEN TO THE PEOPLE WHO CAN ACTUALLY HELP AND STOP IGNORING OUR EXISTENCE. For the sake of the god you claim to represent, tell the truth and shame the devil, make the truly brave and righteous choice and let this conversation be brought back to one of real progress and assistance.

Buddy ... This doesn't recognize...independent sex workers who are not exploited..

... Nearly all men have purchased sex some time in their life whether it is porn, strip clubs, phone sex, peep shows, erotic massage, etc.. When the New York Times wanted to do a study comparing men who bought sex to those who didn't, it was impossible for them to find a control group of 100 men who had not paid for *some* sexual service. They were eventually forced to define men who had not bought sex to mean those who don't go to a strip club more than twice a year or watch porn more than once in a month!

... It is highly ironic that the persons (Johns) most capable of reporting these hideous crimes to the police are now proposed to being punished more strongly should they try to bring it to the attention of police.

Dr Ian Walters I fully support the SWOP stance on these issues. Time to listen to sex workers; they know best what's good for their industry.

Brian Howard I'm signing on because I support the rights of all workers to have self-determination--especially those who are most marginalized. ..

Evie Eliot As a producer/performer in the adult entertainment industry, I support the arguments...

Mike Chase This letter clearly and compellingly outlines the human rights violations that result from the conflation of sex work involving consenting adults with trafficking.