

## INTRODUCTION

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“Are you a police officer?”

This simple question has been at the center of one of the United States’ most significant prostitution cases in recent history. In May 2013, Monica Jones, a full-time undergraduate social work student at Arizona State University (ASU), was walking home after having drinks with friends at a bar. Jones, a campus activist, had spent the previous day protesting her school’s involvement in Project ROSE (Reaching Out to the Sexually Exploited), a collaboration of Phoenix police, ASU’s School of Social Work, and social service agencies to rescue people from sexual exploitation, focused on people assumed to be street-based sex workers. As part of Project ROSE, over 350 people were detained during massive citywide sweeps that began in 2011. Rather than being taken to jail, the detainees were taken to a church basement. Their names were checked for previous prostitution convictions or outstanding warrants. Those with no warrants or previous charges were offered the opportunity to remain in the church basement with social service organizations and enroll in a diversion program. Those who were uninterested or ineligible for Project ROSE were charged and taken to jail to await adjudication (see Chapter 16 for more on Project ROSE).

Jones’s opposition to Project ROSE was personal: a few years earlier, she had been arrested in such a sweep and taken to that church basement. As a trans woman of color, she feared incarceration in a male jail but also did not identify as a victim of sexual exploitation. The social services presented to Jones as part of Project ROSE did not address the social factors, such as transphobia, employment discrimination, racism, or the rising cost of college, that had led her to engage in sex work in the first place (Bailey-Kloch, Shdaimah,

and Osteen 2015; Grant et al. 2011; Sanders and Hardy 2015). Jones would later recall the experience as “humiliating” (Ludwig 2015).

That night in May 2013, as she walked home, Jones saw a man watching her from a car. He eventually pulled up next to her, and the two started talking. At some point, the two agreed that he would give Jones a ride home. Once in the car, Jones felt nervous; something did not feel right. She knew that police were conducting stings that weekend as part of Project ROSE. She asked, “Are you a police officer?”

By asking that question, Jones violated Phoenix’s ordinance against manifestation of prostitution.<sup>1</sup> The undercover officer driving the car proceeded to handcuff her and take her not to jail but to the same church basement. Given her past prostitution arrest, Jones was not eligible to participate in the Project ROSE diversion program; instead, she faced a thirty-day jail sentence for repeat offenders. Instead of pleading guilty, a common outcome in most prostitution cases, Jones elected to take her case to trial. She and her attorneys enlisted the help of state and national branches of the American Civil Liberties Union (ACLU). Celebrities and trans activists Laverne Cox and Janet Mock rallied to Jones’s side, noting how trans women of color have always been criminalized for “walking while trans” and profiled as sex workers (Cassidy 2014).

Jones’s case highlights the confounding world in which sex workers live—the tension between criminalization and antitrafficking discourses that recast sex workers as victims, the rise of diversion and therapeutic court

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1. Phoenix has one of the most conservative ordinances on the manifestation of prostitution in the United States. Under City Code Article IV, Division 1: 23–52, the city establishes the following:

A person is guilty of a misdemeanor [of prostitution or solicitation of prostitution] who:

1. Offers to, agrees to, or commits an act of prostitution;
2. Solicits or hires another person to commit an act of prostitution;
3. Is in a public place, a place open to public view or in a motor vehicle on a public roadway and manifests an intent to commit or solicit an act of prostitution. Among the circumstances that may be considered in determining whether such an intent is manifested are: that the person repeatedly beckons to, stops or attempts to stop or engage passersby in conversation or repeatedly, stops or attempts to stop, motor vehicle operators by hailing, waiving of arms or any other bodily gesture; *that the person inquires whether a potential patron, procurer or prostitute is a police officer* or searches for articles that would identify a police officer; or that the person requests the touching or exposure of genitals or female breast;
4. Aids or abets the commission of any of the acts prohibited by this Section. (emphasis added)

As the reader can note, the italicized part in the third criterion includes the criminalization of people, such as Jones, who ask if a “potential patron, procurer or prostitute is a police officer.” For more about Jones’s case and Phoenix’s law, see Chapter 16.

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programs, and these programs' inability to adequately address the unique or population-specific reasons that bring people into sex work. Street-based sex workers, who are more visible and more exposed to criminalization than other sex workers, often feel the effects of these programs most directly. The other notable aspect of Jones's case is the absence of her voice and the voices of other marginalized and street-based sex workers in the proposal, introduction, and execution of research and policy, despite her very close proximity to the program's creation. Jones was a student in the very school where Project ROSE originated. Other social work students were involved with Project ROSE. Yet as Kate D'Adamo notes in Chapter 10, sex workers are often excluded from these discussions, either because academics (and university-based researchers) are often too quick to assume that none of their students are sex workers or because they do not value these voices. Such assumptions rest on a highly exclusionary understanding of sex work, which views the two communities—the university and the street—as separate entities that do not meet. Jones's case, in part, gained such prominence because she herself so definitely threw off that assumption and underscored how interconnected the communities were.

Unfortunately, researchers and policy makers have been reluctant to initiate dialogue with those engaged in sex work or approach sex workers as experts on their own lives. When pressed, some researchers offer objectivity as a rationale for keeping sex workers, their experiences, and their opinions at arm's length. D'Adamo further challenges this approach, arguing that such a philosophical basis harms marginalized populations:

The “myth of neutrality” allows an academic to divest responsibility of the impact that their work has on a community. If an academic is intent on their work being put into the public consciousness, they must be diligent in making sure that its impact is not harmful. Regardless of whether or not academics acknowledge the effects of their work, they are inevitably making themselves parties to the policy and advocacy conversations that affect the daily lives of the researched.

Others scholars have made similar arguments regarding academic research about sex workers and stigmatized or marginalized populations more generally (Capous-Desyllas and Forro 2014; Cheng 2013; Fine et al. 2003). Indigenous scholars have argued that establishment of professional boundaries within modern social services programs and policies further restricts the freedom of marginalized groups by identifying professionals as “experts” who are separate from the communities they serve (Gray et al. 2013). Such boundaries

and practices, critics continue, promote success through a narrow, colonial lens rather than promoting holistic social justice.

If the marginalized voices of sex workers are included, they tend to be representative of the most privileged: adult, white, cisgender women with no history of substance abuse who choose to work in nonpenetrative forms of sex work (such as dominatrices, strippers, or, increasingly, burlesque dancers). Trans and gender nonconforming sex workers, sex workers of color, youth, and sex workers who work in less secure environments, including street-based workers, have called out such privilege within sex workers' rights organizations, but such concerns have largely gone unacknowledged by academics and policy makers (Bazon 2016; Koyama 2013; Panichelli et al. 2015; Simon 2016), with one notable exception: antitrafficking organizations.

Antitrafficking organizations have been especially willing to use the "privileged minority" argument to undermine the work of these same sex workers' rights organizations and to discredit their arguments for an expansion of civil liberties (Farley 2004; Jeffreys 2004; Moran 2015; Wilkinson 2016; see also Chapters 8 and 9). For example, following a 2016 *New York Times* article on decriminalization, the founding director of Demand Abolition, Lina Nealon, was explicit about whom she felt sex workers' rights organizations do not represent:

I agree with . . . the "sex work" advocates . . . interviewed [for the *New York Times* story<sup>2</sup>] that women and men bought for sex should not be criminalized or stigmatized. But I fail to see how the professed "right" of a small minority to sell themselves trumps the rights of the vulnerable majority of prostituted individuals that want to escape, but feel they have no other choice. Don't they also have rights, namely the right not to be bought against their will? Do they not have the right to options for a fulfilling life that won't reduce them to an object rented by the hour? (Nealon 2016)

Nealon's rhetoric was surprisingly similar to a blog post used by the Chicago Alliance against Sexual Exploitation (CAASE) six years earlier in response to the passage of new legislation in Iceland that would close all of the country's strip clubs. Sex-worker-led organizations around the globe responded with criticism to the legislation's passage, while antitrafficking proponents, such as

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2. Nealon was referring to a 2016 *New York Times* story by Emily Bazelon. The article featured full-spread photographs of sex workers dressed in their everyday clothes, presented them as advocates for Amnesty International's decision to promote decriminalization, and discussed their experiences with criminalization in the American context.

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CAASE's Serena Curry, praised the decision, often questioning those critics' motives:

My question then, for feminists who are pro-sex work is this: whose rights are you fighting for? Women and girls in the sex trade in Chicago are overwhelmingly poor, drug-addicted, abused, young, and non-white. More often than not, they do not have the privilege of finding safe and liberating sex work. CAASE understands this reality, and appreciates the individual and their rights. The motive behind ending the demand for sex involves giving everyone in the sex trade an opportunity to claim their rights and find their agency. (Curry 2010)

In both cases, the voices of “everyday” sex workers are evoked, both to support the demands being made by antitrafficking rhetoric and as a tool to dismiss sex-worker-led organizations. While such advocacy groups have used these “voices of everyday sex workers” as a tool, the actual voices such organizations purport to represent are often difficult to find in the dominant academic discourse or at policy hearings. In the absence of these voices, stereotypes germinate. Street-based and other lower-echelon sex workers become drug-addicted, uneducated victims whom everyone wants to represent but no one listens to.

Indeed, research often reinforces stereotypes by an overemphasis on certain aspects of experience, particularly victimization, drug use, and HIV/AIDS status, while too often ignoring the systemic factors, such as poverty, the dearth of affordable housing and living-wage jobs, and global inequality, that shape such lower-echelon workers' choices to engage in sex work (Leon and Shdaimah 2012; O'Brien 2013). The focus on the dangers and stigma of sex work, especially street-based work, ignores or devalues accounts of rational choice, such as Jones's, within a limited universe of options and fails to address the more mundane or practical aspects of sex work, such as finances (Ditmore, Levy, and Willman 2010).

Jones's nonconformity to these stereotypes—as a college-educated, trans woman of color—makes her story, and her experience in street-based sex work, even more compelling.<sup>3</sup> Beyond challenging these stereotypes, Jones

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3. At the 2016 Desiree Alliance conference, Jones, who was a keynote speaker, also condemned organizations and individuals for appropriating her voice and story for their own purposes, including predominantly white, cisgender sex workers' rights organizations, like the Sex Workers Outreach Project (SWOP-USA). Jones criticized mainstream sex workers' rights organizations, noting that most of their advocacy goals did not address or alleviate the lived realities of trans women of color:

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embraced her identity as a sex worker. Her voice, and other voices like hers, were absent from prevailing research on lower-echelon sex work and prompted onlookers to question why it was not represented.

Also increasingly absent in the research and policy discussions are the voices of the everyday actors who must carry out such policies and who have relationships to the underpinning research—the police officers, public defenders, probation officers, and others whose lives are intertwined with sex work and its criminalization in the United States. Their experiences are underrepresented, and their views on prevailing research largely unknown, despite their disproportionate impact on the lives of people who do engage in sex work (Shdaimah and Leon 2016).

Perhaps that is no more clearly illustrated than in the role of police in sex workers' lives. Law enforcement is an omnipresent concern in the lives of most street-based sex workers (see Chapter 3). While some in the sex worker community have been vocal in criticizing the overarching policies that direct enforcement (Alliance for a Safe and Diverse DC 2008; China Sex Worker Organization Network Forum 2011; Human Rights Watch 2012; PROS Network 2012; Young Women's Empowerment Project 2009), individual officer discretion in how to enact or carry out such policies is much more difficult to highlight and curtail (Williamson et al. 2007). Individual officer discretion has led to the seizure of condoms and drug paraphernalia, even in countries where carrying such items is not illegal (Footer et al. 2016; Human Rights Watch 2012; Sherman et al. 2015). These actions can have dire consequences; Katherine Footer and colleagues (2016) found that contact with police was highly correlated with new HIV and STI infections among sex workers. Further qualitative research connects individual-level practices, such as the seizure of safer sex and injection materials, with increasing risks (Alliance for a Safe and Diverse DC 2008). Yet, surprisingly, little is known about the attitudes and beliefs of those who enact and carry out policies on the ground level.

This book attempts to bring the voices of lower-echelon sex workers and those individuals charged with policy development and enforcement into the conversation. These voices are invited to challenge and discuss how academic research (and subsequent policy) affects their lives and work. As academics, we join the growing number of scholars who have heeded calls for an inclusionary perspective, privileging the voices of those with lived

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SWOP wouldn't be shit without women of color. I didn't hear a clap back on that. Not feeling guilty? Trans women of color don't get to attend [these events], because even with decriminalization, we are still going to be marginalized. . . . If their basic needs aren't met, you aren't getting shit from trans women of color. PrEP [pre-exposure prophylaxis]? Don't have time for that. Decriminalization? Don't have time for that. Potlucks? Don't have time for that. Because [trans women of color] need to get out there and work.

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experiences in sex work (Bernstein 2007; Lutnick and Cohan 2009; Sanders 2005; Showden and Majic 2014; Wahab 2004) and the execution of the policies surrounding it. Our authors provide, through the prism of their own experiences, a missing perspective to inform current and future policy, research, and scholarship.

To meet this goal, this book and its chapters draw heavily on qualitative research methods that highlight the voices of the people studied. Since these chapters are rooted within the “everyday” lived reality of lower-echelon sex workers, they draw attention to motherhood, neighborhood gentrification, safety, and collective efficacy. Other academic contributors focus on the development and impact of domestic and international policy brought about by reductionist attention to labels such as “victim” or “sex worker” without full consideration of the whole person and their circumstances. As Cheng (2013) points out in her photovoice study of sex workers living in a condemned red-light district in Seoul, South Korea, when the prevailing discourse focuses only on sex, it negates the humanity of the workers themselves.

Side by side with academic chapters are the contributions of current and former sex workers and sex worker advocates, a police officer, a public defender, and a probation officer, who address the same themes. Sex worker authors and advocates, like some of their academic counterparts, suggest that mundane experiences are often at the center of motivations for engaging in sex work, while the creation and enforcement of “problem-solving” policies, such as diversion programs or therapeutic courts, can further restrain people’s choices. For sex worker contributors, even alternatives to incarceration can lead to prolonged involvement of the criminal justice system in their lives. Meanwhile, non-sex worker respondents, including a police sergeant and an ACLU civil rights attorney, express their frustration with how the current system interferes with their ability to form meaningful relationships with sex worker clients or provide them with necessary resources. Some decry new enforcement policies; others, like probation officer Linda Muraresku (Chapter 2), embrace problem-solving alternatives that provide better opportunities to work with clients than the prevailing model does:

Probation in the criminal justice system, I think, is on the bottom of the hierarchy. . . . We really work hard; we really do. We have caseloads that are way too large, and it’s impossible to help everyone. Most probation officers do the best that we can. I know just like anywhere, there are bad apples and good apples. . . . People think of us as law enforcement, which we are, but in the end, after the police are done with [the women], after the courts are done with them, we have these people for four, five years. You wind up having a relationship

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with this person and their family. Whether it's good or bad, it's a relationship.

The common ground among all the contributors, though, is that the current system must change, though opinions over what that change should look like are divided.

The inclusion of “everyday voices” necessitated that we, as academic authors, revisit not just our ideas of what constituted a chapter but also how to navigate author identity. In most academic works, identity and association are used as a proxy to expertise. Such titles hold prestige and considerable privilege. The same is not true for those who identify as sex workers. Sex work is still criminalized in the United States. Stigmatization and “whorephobia” are both widespread in American society. As illustrated earlier, sex workers’ voices, even when they are introduced, are questioned, undermined, and devalued. For this book, we approached authors who were either known to us or recommended through their involvement in sex-work-related research, organizations, or programming. However, we did not ask about or require authors to disclose their own identities as active or former sex workers. Some, as readers will see, decided to self-disclose within their chapters. Others did not. That is an individual choice and one we, as editors, respect.

We also introduced an innovative format for collaborative chapter creation. Many of our nonacademic participants have demanding careers (with impossible caseloads, as Muraresku illustrates). In other cases, they did not feel comfortable adhering to a traditional academic format. Since we did not want to further exclude valuable voices, we provided the nonacademic authors with the option to contribute their chapters using an interview format. Two of the editors (Hail-Jares and Shdaimah) conducted interviews using brief questions and prompts drawn from other chapters or supporting works. Authors guided the conversation and added to those initial questions based on their own priorities and what they wanted to convey to readers. We transcribed the interviews and then shared them with the authors in a collaborative editing process. Authors had final say over their chapters, and many added to the text on their own after receiving drafts. This collaborative method was crucial for engaging nontraditional authors in the volume, centering their voices, and creating a text that was accessible for a wide variety of readers.

Before we describe the organization of this book, a note on terminology is warranted. Sex work is highly contested, both as a profession and as a field of scholarly inquiry and social policy. Accordingly, those writing about sex work should be transparent about their ethical and political commitments



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and their choice of terminology. We have chosen to use the term “sex work” in our title and in this introduction, as it is a broad term, encompassing an exchange of a wide variety of sexual services for money or in-kind goods or services such as shelter, drugs, or clothing. The term “sex work” also indicates that sex work is a form of employment, thus acknowledging its legitimacy as a choice by which people earn a living and sustain themselves with dignity. At the same time, we agree with those who note that this form of work is often exploitative, and in a world that is overwhelmingly capitalist and patriarchal, viewing sex work as a fully free choice separate from structures and mores of oppression may be unrealistic or naive (O’Connell-Davidson 1998).

As some of the contributors to this book show, sex work is often a better choice than other forms of exploitative low-wage labor. Sex work may provide autonomy and flexibility (Rosen and Venkatesh 2008). For many, sex work is a source of pride, power, satisfaction, and personal and professional pleasure (Bernstein 2007; Boitin 2013; Kulick 1998). Sex work may also be a moral choice, allowing people to support themselves and their families through labor that is less harmful than many of the other potential sources of income available to those who cannot make ends meet through legal employment (Shdaimah and Leon 2015). Although sex work is the organizing terminology for the book, the chapter authors use the term(s) that best describes the people and the practices that they discuss, since we have chosen to highlight and respect insider perspectives.

Under the wide umbrella of professions that sex work refers to, we have chosen to focus this volume on street-based sex work. In most cases, this refers explicitly to individuals who engage in prostitution—the exchange of sex for money, goods, or services. Based on our own research and the similarity of experiences and concerns, we expand this discussion by including all lower-echelon sex workers. This change in terminology better reflects the lived reality of many of our authors and research participants. Technology has altered experiences of street-based sex work. In their (unpublished) interviews with Washington, D.C., sex workers, Katie Hail-Jares and Sharon S. Oselin found that the majority of street-based sex workers engaged in both web-based and street-based solicitation. In this new “wired” era, lower-echelon sex work may be a more accurate and inclusive description, rather than defining sex work by a specific type of setting. Similarly, this terminology more accurately addresses the variations in individual concerns, as noted by Monica Jones, based on socioeconomic status, rather than defining the group by whether they operate indoors or out. With that in mind, our authors focus their chapters on lower-echelon workers, prioritizing those soliciting street side, working out of single-room occupancy hotels, advertising on low-cost websites, or operating in similar low-wage conditions.

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Our choice of terminology is also reflective of our commitment to a debate that acknowledges the social, moral, and economic complexity so often missing from research and policy making. The contributions to this book are all grounded in critical, participant-focused scholarship or people's lived experiences, through which we hope to ensure the relevance of this topic that so often eludes academic scholarship and ideological debates. This means that we do not offer one cohesive answer to debates regarding sex work, and, through the inclusion of a diversity of voices and perspectives, we try to situate sex work within its current reality of constrained choices, social and economic marginalization, agency, moral and strategic decision making, and the value of sex work (see Chapter 10).

Our approach to organizing this book reflects our objection to the dominant narratives that are typically what Eve Tuck calls "damage-centered," in which marginalized populations,

though visible in the literature, are invariably portrayed as either victims or perpetrators. These characterizations frame our communities as sites of disinvestment and dispossession; our communities become spaces in which underresourced health and economic infrastructures are endemic. They become spaces saturated in the fantasies of outsiders. (Tuck 2009, 412)

Although Tuck refers to research on urban youth engaged in street life, she uses the example to illustrate a broader trend encompassing research on racial and ethnic minorities, low-income communities, and other oppressed groups and individuals. In moving away from damage-centered research, we avoid the typical categorizations of scholarship on street-based sex work, such as policing and disease, to organize the book. Instead, we organize according to themes that emerged from the perspectives of people on the ground: community, agency, research, and policy.

We begin with the theme of community. This first part centers on the idea that sex work happens within a number of intersecting and nested communities of support and contestation, which sometimes include and (perhaps counterintuitively) overlap with law enforcement and rehabilitation. Part II, on agency, asks the reader to rethink victimization and agency as polarities and critically examine the harms that such a dichotomized view creates. In Part III, we turn our pages over to sex workers and allies to address the obligations of researchers who work with highly stigmatized populations, both as examples in the classroom and as subjects of research. Part IV offers research that illustrates how policies affect sex workers as individuals and members of community. Although we hope that this collection provides many answers,

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our goal is to raise even more questions. Thus, the Conclusion invites readers to reflect and critically challenge their own practices as activists, researchers, scholars, sex workers, and people who work with sex workers, whether they are allies or agents of the state.

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