

Surviving SESTA: Understanding the Impact of Anti-Trafficking Policy on US-Based Sex Workers

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Background

In April 2018, US Congress signed into law two policies surrounding sex trafficking; the Stop Enabling Sex Trafficking Act (SESTA, Senate) and the Allow States And Victims To Fight Online Sex Trafficking Act (FOSTA, House of Representatives). These bills hold websites that “knowingly assist, facilitate, or support sex work” criminally responsible to eliminate sex trafficking.¹ The bills had immense bipartisan support with the SESTA-FOSTA passing 97-2 in the Senate after passing through the House.

The passage of these bills has led to the closure of advertising platforms such as Backpage.com and many online communities for sex workers, such as The Erotic Review. Although intended to address sex trafficking, these policies also had immediate consequences for consensual adult sex workers that use the internet to safely advertise, screen clients, and build support networks with other sex workers. This study looks to better understand the impact of SESTA and FOSTA on US-based sex workers and their ability to maintain their health and wellbeing in the year following the signing of SESTA and FOSTA into law.

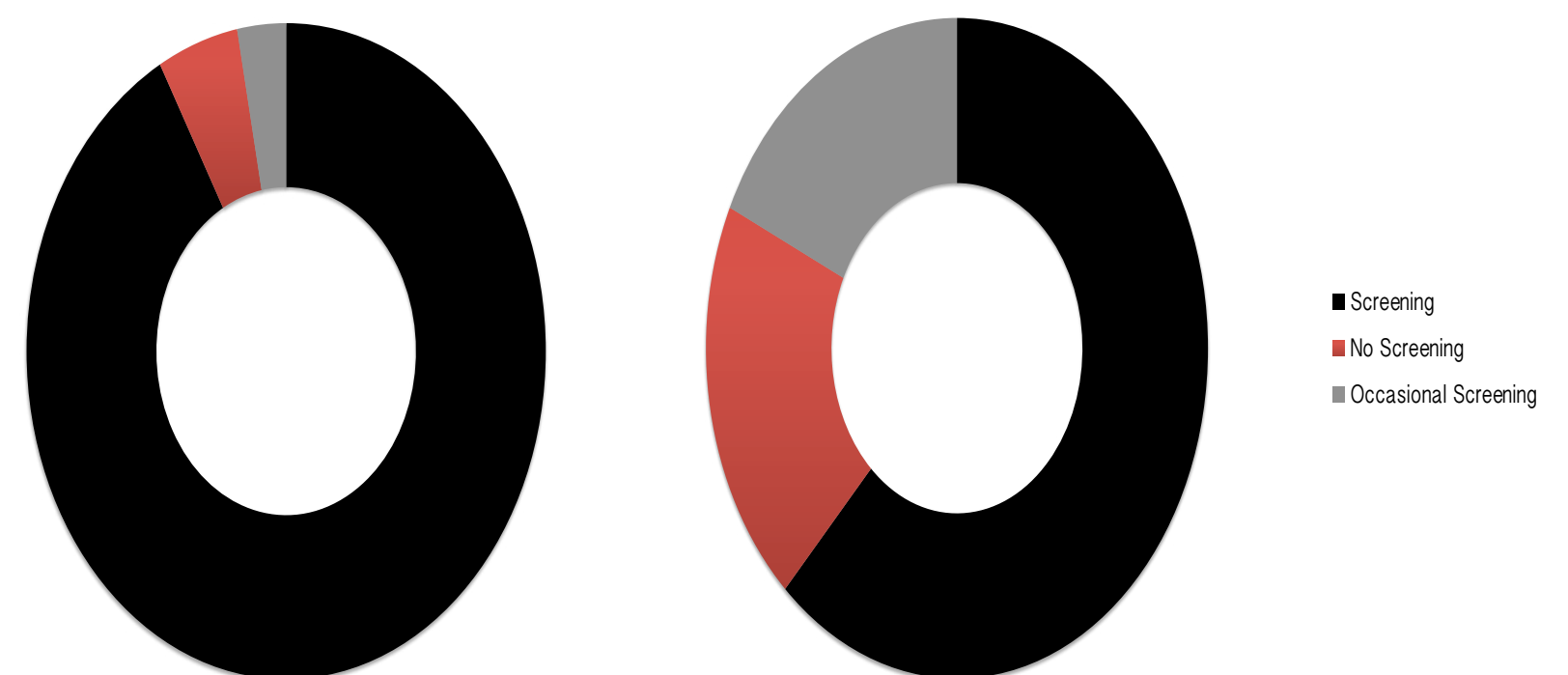
¹ Portman, Rob. S. 1693 - Stop Enabling Sex Traffickers Act of 2017 (2017). <https://www.congress.gov/bill/115th-congress/senate-bill/1693>.

Methods

This research analyzes a database [n = 279] collected by COYOTE RI in the year following the passing of SESTA and FOSTA. COYOTE RI is a community-based sex workers rights organization that was founded and is run by sex workers and was able to recruit participants and distribute the survey used to collect data through the trust established with sex workers throughout the US through over a decade of activism. Data was deidentified and the online survey for sex workers was opened the week SESTA/FOSTA passed and remained open for a year, from April 14, 2018 to April 14, 2019. This mixed methodological study analyzes this data through qualitative analysis consisting of grounded theory and additional quantitative analysis.

Before SESTA/FOSTA

After SESTA/FOSTA

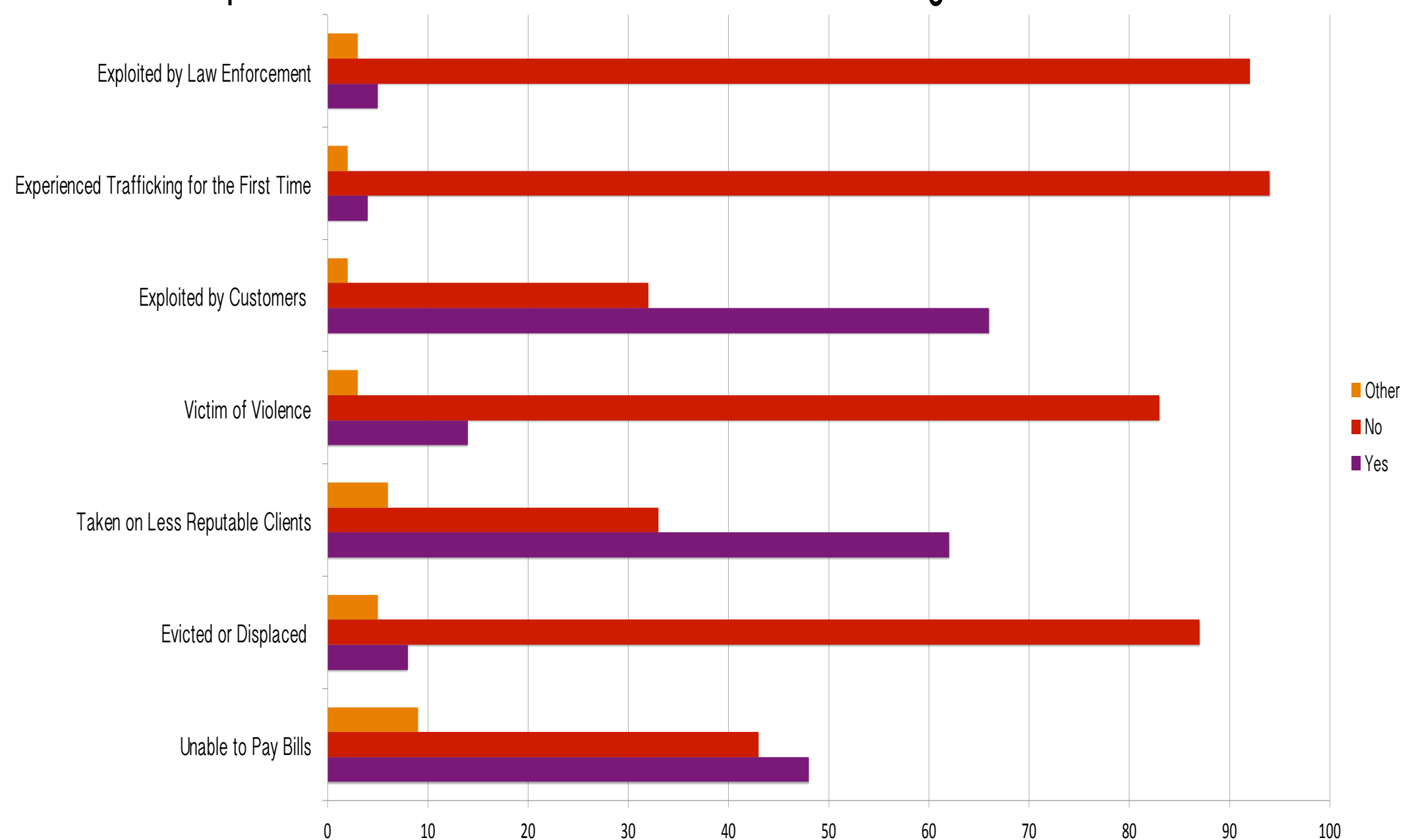


Results

In the weeks and months following the passage of SESTA and FOSTA, US-based sex workers found themselves less able to advertise, find clients, and cover their living expenses. Of sex workers surveyed, 70% relied on sex work as their only source of income prior to SESTA/FOSTA and 77% were the sole providers for their families. After the passage of SESTA/FOSTA 29% stopped screening clients due to their inability to screen clients or pressure to take any clients available. Sex workers took on clients they felt less safe with and experienced increased instances of violence from clients, pimps, and law enforcement.

Additionally, respondents reported being solicited by unknown pimps and finding themselves in situations they did consider to be sex trafficking as a result of the desperation of not being able to work as they did prior to SESTA and FOSTA.

Experiences of US-Based Sex Workers Since Passage of SESTA/FOSTA



“I don’t screen at all anymore. I don’t have the privilege to choose to see a safe client over a dangerous one. I need the income.”

“I think the ramifications of FOSTA on SW mental health are important. I am chronically ill and sex work is important for my survival as i am able to set my own rate and work when i am able. I have a stress based auto immune disease and FOSTA has definitely harmed my mental and physical health and the mental health of a lot of members of the community that I know and love. People are terrified and confused.”

Conclusions

Hearing directly from US-based sex workers provides a clear picture of how anti-trafficking policy that further criminalizes consensual sex work jeopardizes the safety of sex workers. Without online platforms to safely advertise to, screen, and review clients, sex workers experience higher incidence of violence and exposure to unsafe working conditions. Additionally, many sex workers have experienced sex trafficking characterized by force, fraud, or coercion being used against them in the sex industry since the passage of these policies and the destabilization of their working conditions.



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SESTA and FOSTA have put the safety of US-based sex workers, an already marginalized group due to criminalization and stigma, further at risk. Sex workers have been made vulnerable to both predatory clients, law enforcement, and pimps through losing their access to the tools to ensure safe working conditions.

In designing and implementing anti-trafficking policy in the US, it is essential that the experiences of US-based sex workers be taken into consideration and prioritized.

