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**Senior Seminar**

**4/27/2021**

### I-Introduction

Sex work may be looked at as illegal, demeaning, or even dehumanizing, but the criminalization of sex work has left an even larger negative impact on the workers than the work itself. The criminalization of sex work has had a big impact on people involved in the industry and even communities who are not involved but supported by sex workers. People are not educated about the outcome of criminalizing sex work or the history of sex work. The criminalization of sex work only leads to violence and danger for sex workers, making it essential to decriminalize this profession to protect all sex workers, both from legal punishment and to protect their health and safety.

### II-History

Sex work is one of the oldest professions in human history. Yet, the criminalization is new compared to the age of the profession. For centuries sex work has been part of the list of different employment around the time. From the article *Historical Timeline History of Prostitution from 2400 BC to the Present*, “The Sumerian word for female prostitute, kar.kid, occurs in the earliest lists of professions dating back to ca. 2400 B.C. Since it appears right after nam.lukur... one can assume its connection with temple service”(procon.org). From the time B.C, the employment of sex work had been visible and recorded. It had been accepted as a source of income. For example, in 594 B.C sex workers were taxed on their earnings. So why is it that

during the time of B.C, sex work was a legal profession, but when you compare the profession to today, it is not legal in most countries.

There are many ways that criminalization has progressed through state laws. From the article *The History Of Sex Work Law in Rhode Island* written by Bella Robinson and Elena Shih, “Most states criminalized prostitution around the time of the First World War, largely as a result of the actions of the Woman’s Christian Temperance Union, among other social reform groups” (Robinson, Bella, and Elena Shih). The criminalization of sex workers started around the time of WWI. The criminalization was inspired by a union called Woman’s Christian Temperance. This is a women's Christian group where they believed in abstinence-only(; this belief is part of the push for the criminalization of sex work. This goes to show that the criminalization of sex workers has been happening for a couple of decades. From the same article, UPRISE RI, “In 1980, the Rhode Island General Assembly changed the prostitution laws in an attempt to make them more specific. In the process, they created a legislative loophole that lasted almost 30 years that outlawed street prostitution but essentially made indoor prostitution legal” (Robinson, Bella, and Elena Shih). Focusing on Rhode Island, in the 80’s RI had to change its laws at the time to specify what was considered legal and illegal in the sex industry. While specifying the laws, they created a law that lasted about 30 years which indicated that street sex work is illegal and indoor sex work is not. An impact these laws had on sex workers was for them to stop appearing in public and promoting themselves for business. But if they were involved in indoor sex work, by law, they couldn’t be arrested.

In the light of fighting for sex work to be decriminalized, there have been activists like Bella Robinson, founder of COYOTE RI, who in the past have been fighting to address the

criminalization of sex workers. From the article *Up Rise RI*, written by Bella Robinson and Elena Shih, “The system that currently exists in Nevada. Under legalization, workers are required to register, pay for licensing fees, submit weekly STD test results, and turn over earnings to brothel owners' ' (Robinson, Bella, and Elena Shih). Luckily, Nevada is the one state in the U.S that legalizes sex work not only helps by legalizing the industry but also recognizes that health takes part in this, and it is important to get tested. With that result, there are a couple of requirements sex workers have to go by with. Some of these include registering, paying for fees, and taking plus submitting STD tests. From the text *Sociological Perspectives* written by Crystal Jackson, “Existing organizations, such as the Sex Workers Outreach Project (SWOP USA founded in 2003, local chapters continue to emerge) and COYOTE (Call Off Your Old Tired Ethics, founded in 1973), had engaged in political efforts, public awareness campaigns, and support for sex workers for decades” (Sociological Perspectives). Some organizations to focus on are SWOP and COYOTE. These organizations mainly focus on sex workers’ rights and other communities that get affected by the illegalization of the industry. Some ways they show their support is by engaging in political events and promoting campaigns for public awareness.

### III-Causes

In Rhode Island, there are individuals making a change to help decriminalize sex workers. Some ways they make change is through passing out bills that focus on the issue and sometimes even benefit other issues. Another way is by organizing different ways to educate others on the issue like ted talks, podcasts, slide shows, etc. In this poster *Support RI H5250*, ”H5250 is a Rhode Island House Resolution for “Creating A Special Legislative Commission To Study Optimizing Health And Safety Laws Affecting Marginalized Individuals.” It would create

a 13 member commission to study how laws affect people in the sex trades. The commission would report its findings in about a year, note the Reporting Date of 5/31/22” ([Support RI H5250](#)). A way of showing support to decriminalizing sex work is creating bills. A bill in Rhode Island called *H5250* helps support decriminalizing sex work by studying health and safety laws that affect individuals that are excluded. Norma Jean created this slide show to educate others on the stigma of sex workers and sex trafficking and what solutions can be made ([Slideshow](#)). This slideshow that Norma Jean created is a form of showing support by educating others on the disadvantages sex workers and people who are sex trafficked experience. Not only does she mention the disadvantages, but Norma Jean created this slideshow to also talk about possible solutions.

There are reasons why people choose sex work as their employment. For some, sex work is the only opportunity of employment due to poverty and gender inequality. Those who haven't been noticed by politics see sex work as an escape. From the text *Sociological Perspectives*, “Sex worker rights activists argue that they are not victims in need of protection from prostitution, but from larger institutionalized forces like poverty and gender inequality” (*Sociological Perspectives*). The most common assumption is that sex workers are victims and are in need of protection from the sex industry. What sex workers are actually victims of is poverty and gender inequality. These are large issues in society that really need to be focused on instead of disagreeing with what they chose their career to be. From the article, *Sex Work Is an LGBTQ Issue*, “Sex work has offered a lifeline for those marginalized, an opportunity for many with few, the backbones of nascent organizations and a sub-community for many who have been invisibilized by respectability politics” (*Sex Work Is an LGBTQ Issue*). Not only has sex work

been an opportunity for seeking employment. It has allowed people in the industry to feel accepted for who they are. Sex work also allows for one's body choices.

Alongside the need for financial assistance and the struggles with gender inequality, sex workers also face violence that they cannot be legally protected from. Many reasons sex workers are arrested are due to the lack of education the law enforcement receives and the unjust opinions people have on sex workers. From a research brief, *Is Sex Work Decriminalization The Answer?* "Most sex workers indicated that they did not report violence to the police because of fear that law enforcement would blame the sex workers themselves" (ACLU, *Is Sex Work Decriminalization The Answer?*). In many cases, police have arrested sex workers due to their occupancy. Without hesitation, once the police officer finds out that the person calling for help is a sex worker, they automatically victim blame or arrest them. From the article, *Sex Work is Real Work, and it's Time to Treat it That Way*, "Criminal law enforcement of sex work comes with unjust police practices, like the use of condoms as evidence of intent to do sex work" (ACLU, *Sex Work is Real Work, and it's Time to Treat it That Way*). One evidence to prove that law enforcement demonstrates a lack of education is through the protocol of condoms. From the same article, *Sex Work is Real Work, and its Time to Treat it That Way*, there have been cases where officers find condoms in a women's purse and assume that the woman is involved in sex work. By law, they can arrest them for it because it is seen as evidence. A report led by *Providers and Resources Offering Services for Sex Workers* in 2012 found that some sex workers experienced harassment from police officers as a result of carrying condoms, this statistic is from the *Meaningful Work Report* written in 2015, "...about half of all respondents 9 reported that police had confiscated, damaged, or destroyed their condoms; 67% reported that police destroyed

condoms they were carrying solely as a means of harassment, without making an arrest...other cities has found this pattern as well...widespread fear among...communities that carrying condoms would lead to arrest” (*Meaningful Work Report*). The arrest of carrying condoms puts them in danger for HIV as well as for charges of criminal HIV exposure.

A community that is most common in the sex work industry is the LGBTQ+. Because there is a lot of stigma in the work environment around people who identify as LGBTQ+, some rely on the sex work industry as their source of income. Not only is getting arrested tough on sex workers, but there are more barriers sex workers experience. From the article, *Sex Work Is an LGBTQ Issue*, “As a result, LGBTQ-identified individuals have often relied on sex work as a means of survival. The most recent Transgender Discrimination Survey found that 11% of respondents report having done sex work” (*Sex Work Is an LGBTQ Issue*). A specific group who most individuals are involved in sex work is Transgender people. Because there is a lot of discrimination in the workforce towards Transgender people, they don’t have many options for employment. From the report *Meaningful Work*, “The NTDS found that transgender people overall experience high levels of discrimination in every area of life, as well as high levels of poverty, unemployment, homelessness, negative interactions with police, incarceration, and violent victimization. As a result, many transgender people participate in the sex trade in order to earn income or as an alternative to relying on homeless shelters and food banks” (*Meaningful Work*).

From the article *Sex Work Is an LGBTQ Issue*, “A prostitution conviction can mean disqualification from public housing[vii], deportation or the inability to adjust one’s immigration status, violating a code of conduct to lead to expulsion from higher education, denial of student

financial aid[viii], civil consequences such as eviction or removal of children from the home, among many other collateral consequences” (Sex Work Is an LGBTQ Issue). The aftermath of being convicted of prostitution is crucial to people's lives. People convicted of prostitution can be denied so many things like eviction and even getting their children taken away.

#### IV-Effects

Something that is important to note is the outcome of criminalization. People who have never experienced being incarcerated don't relate of course and don't understand the many issues that not only come with being incarcerated and the aftermath of incarceration. From the text *Sociological Perspectives* written by Crystal Jackson, “The end-demand model and anti-prostitution efforts in the United States (1) prevent sex workers inclusion in antitrafficking efforts, (2) impede the ability to press political claims, and (3) limit the scope of their educational outreach” (*Sociological Perspectives*). Although there is a difference between Sex Work and Sex Trafficking, they still connect in a way. An example is laws that can support Sex Work can also, in a way, help out victims of Sex Trafficking. From a research brief,, *Is Sex Work Decriminalization The Answer?*, “General stigma and social exclusion, lack of support, and feelings of lack of agency or safety, 80 all of which may lead to poorer mental health” (ACLU, *Is Sex Work Decriminalization The Answer?*). Experiences like exclusion, stigma in society, and lack of support for health are common in a sex worker's life and contribute negatively to their mental health.

It's important to note that with the criminalization of sex work in Rhode Island, a lot of big and significant issues aren't having a light being shined on. The research article, brief *Is Sex Work Decriminalization The Answer?*, “Research on criminalized and partially-criminalized

contexts...demonstrates that criminalization can negatively impact HIV/STI prevention and increase risk of transmission by limiting sex workers' screening and negotiation abilities, such as for condom use." (ACLU, *Is Sex Work Decriminalization The Answer?*). A research was conducted on Criminalized and partially criminalized individuals on what negative outcome has been shown. A negative impact that has been noticed is HIV/STI prevention. When sex workers are limited to screening and not being able to carry around condoms, this puts their health at extremely high risk. From an article, *Sex Work is Real Work, and it's Time to Treat it That Way*, "Populations that are impacted by the criminalization of sex work: LGBTQ people, particularly transgender women, People of color, Immigrants..." (ACLU, *Sex Work is Real Work, and it's Time to Treat it That Way*). Sex workers are made up of multiple communities, specifically communities that are targeted in society. To most of these individuals, sex work is their only source of income, their escape from the unjust reality.

With the Pandemic hitting unexpectedly in 2020, many have had no other choice but to apply for economic relief due to personal reasons. From the article *I Am Scared!: Italian Sex Workers Face Poverty and Illness in the Pandemic* written by Emma Bubola "In Italy, prostitution is not illegal, nor is it regulated as an official occupation, making the country's 70,000 sex workers largely ineligible to receive economic relief. Many have been forced to take their chances by returning to work in order to avoid poverty" (Emma Bubola). Lately, there have been many countries that have decided to legalize sex work. The process is slow but it is happening, sadly though. With a pandemic happening, in Italy sex work is legal, but when it comes to applying for benefits, sex workers do not qualify. "SESTA and FOFSTA which are bills that passed in April of 2018, these bills were to "abolish sex trafficking," but there are no



distinctions between sex trafficking and consensual adult sex work” (Vox). Bills like SESTA and FOFSTA are anti-sex work bills, and they were to help stop sex trafficking but have nothing to do with sex trafficking.

### V-Conclusion

It is important to note that the steps of decriminalizing sex work are a day-by-day process. With the hard work of a community that supports sex work and sex workers’ rights to life, there will be change. One way to support change in the community at the local level is by approving the H5250 bill being passed in Rhode Island. This bill is to ensure that racial equality and health and safety laws affecting marginalized people are being studied, which would include sex workers by default. Also, it is essential to stay up to date with education and different workshops about sex work. By educating oneself on sex work, a person will understand the industry and know the reasons people go into sex work.

### Works Cited

Bubola, Emma. "I Am Scared': Italian Sex Workers Face Poverty and Illness in the Pandemic." The New York Times, The New York Times, 3 Aug. 2020

[www.nytimes.com/2020/08/03/world/europe/italy-coronavirus-prostitution-sex-work.html?searchResultPosition=4](https://www.nytimes.com/2020/08/03/world/europe/italy-coronavirus-prostitution-sex-work.html?searchResultPosition=4).

Elsbeth, Sarah, Fitzgerald, Erin and Hickey, Darby. "Meaningful Work - Transgender Experiences in the Sex Trade." Meaningful Work Full Report, Dec. 2015,

[https://transequality.org/sites/default/files/Meaningful%20Work-Full%20Report\\_FINAL\\_3.pdf](https://transequality.org/sites/default/files/Meaningful%20Work-Full%20Report_FINAL_3.pdf).

Greytak, Emily, Haynes, Mya, and Sakha, Sarah. "Is Sex Work Decriminalization The Answer?" American Civil Liberties Union, ACLU RESEARCH BRIEF, 2020,

[www.aclu.org/sites/default/files/field\\_document/aclu\\_sex\\_work\\_decrim\\_research\\_brief.pdf](https://www.aclu.org/sites/default/files/field_document/aclu_sex_work_decrim_research_brief.pdf).

"Historical Timeline - Prostitution ." ProCon, 25 May 2016,

[prostitution.procon.org/historical-timeline/](https://prostitution.procon.org/historical-timeline/).

Holston-Zannell, Lala B. "Sex Work Is Real Work, and It's Time to Treat It That Way." American Civil Liberties Union, ACLU News & Commentary, 10 June 2020,

[www.aclu.org/news/lgbt-rights/sex-work-is-real-work-and-its-time-to-treat-it-that-way/](https://www.aclu.org/news/lgbt-rights/sex-work-is-real-work-and-its-time-to-treat-it-that-way/).

Jackson, Crystal. Sociological Perspectives. Sage Publications, Inc., 2016.

Jean, Norma. "Sex Work, Sex Trafficking, Stigma, and Solutions."

[Slideshow.](#)

Robinson, Bella, and Shih, Elena. "The History of Sex Work Law in Rhode Island." Uprise RI, 20 Nov. 2019,

[upriseri.com/2019-11-20-sex-work/](http://upriseri.com/2019-11-20-sex-work/).

Romano, Aja. "A New Law Intended to Curb Sex Trafficking Threatens the Future of the Internet as We Know It." Vox, Vox, 2 July 2018,

[www.vox.com/culture/2018/4/13/17172762/fosta-sesta-backpage-230-internet-freedom](http://www.vox.com/culture/2018/4/13/17172762/fosta-sesta-backpage-230-internet-freedom).

"Sex Work Is an LGBTQ Issue." #SurvivorsAgainstSESTA, 6 May 2020,

[survivorsagainstsesta.org/lgbtq/](http://survivorsagainstsesta.org/lgbtq/).

"Support RI H5250." Coyote RI,

[Flyer.](#)

"Woman's Christian Temperance Union." Social Welfare History Project, VCU Libraries, 12 May 2020,

[socialwelfare.library.vcu.edu/religious/womens-christian-temperance-union/](http://socialwelfare.library.vcu.edu/religious/womens-christian-temperance-union/).