

**Supporting Sex Workers
& Survivors:
Lessons for
Defense Campaigns**

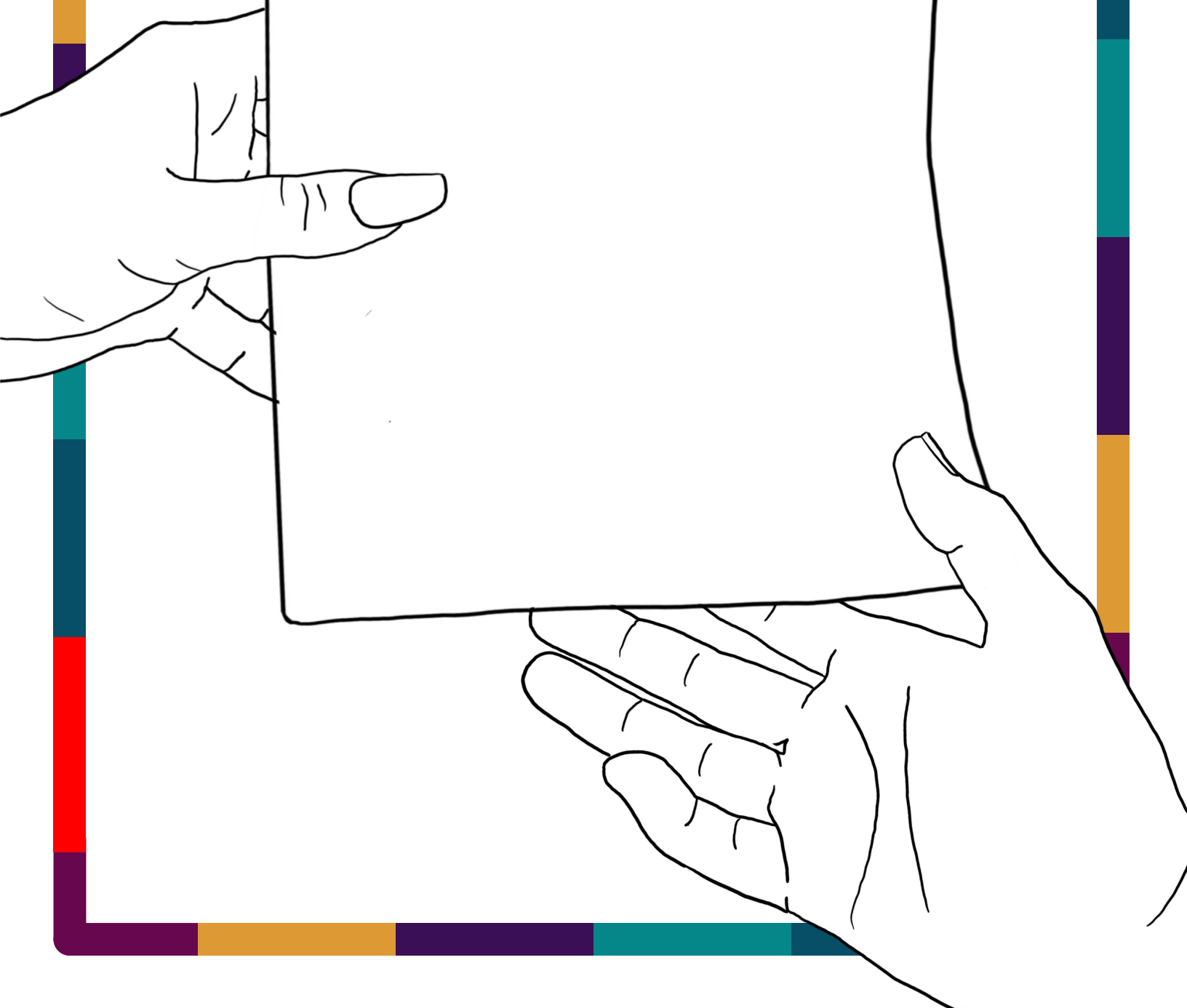


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Dedication: honoring our friend and beloved comrade Dani/Velvet

Danielle Boachie, aka Mistress Velvet, remains a cherished comrade, friend, co-struggler and fierce lover of Black people even after their sunset. Dani worked alongside us on, and was an original contributor to, this toolkit project—when we spoke, they mentioned frequently how important this shared analysis around uplifting sex working experiences for criminalized survivors was to them and to our freedom movements. They were passionate about supporting survivors of violence and everyone in the sex trades. In their labor, they complicated and expanded what anti-domestic violence work could be, they exploded and added a vibrancy to sex worker non-profits, they demanded what they saw as reparations from their white men clients. They cultivated care, community, and compassion wherever they went. This toolkit is offered to our many communities and co-strugglers in honor of Dani, in hopes that we do their memory justice by continuing this work, by loving Black people, by fighting for liberation for us all, and abolishing prisons and policing in all their forms. Please think of Dani as you read this document, say or sign their name, and hold their life, memory, and legacy close to you as we do now.

Introduction: **Actively Supporting Criminalized Survivors in the Sex Trades**

This *Supporting Sex Workers & Survivors: Lessons for Defense Campaigns* toolkit directly references one of the first, and still incredibly important, resources that Survived & Punished created as a formation, our defense campaign toolkit: *#SurvivedAndPunished: Survivor Defense as Abolitionist Praxis* (2017).¹ That original toolkit offered lessons, abolitionist analysis, resources, and practical guidance on forming and sustaining popular (that is, of the people), grassroots defense campaigns in support of criminalized survivors of gender based violence. That toolkit is an invaluable guide to this work--consider this an addendum and expansion on that guide's special considerations of some categories of criminalized survivors to organize alongside; namely: sex workers, survivors of violence and exploitation (sometimes called trafficking), people engaged in survival sex, and all those comrades in the sex trades facing violence from the carceral state.

Much of Survived & Punished's analysis and organizing-in-action has been implicitly pro-sex worker, supportive of all folks in the sex trades, and in community with those in opposition to the carceral feminist and right-wing Christian groups' so-called "solutions" to the violence and exploitation many in the trade experience. These carceral "solutions" have expanded criminalization, policing, and state violence against people engaged in the sex trades, and include calls to eradicate sex work, with the implicit impact of eradicating people in the sex trades. These efforts disproportionately impact migrants, low-income women, queer and trans people of color, and especially those who hold multiple marginalized identities.

The implicit solidarity between Survived & Punished and people who trade sex comes from aligned lived experiences and combined decades of organizing in solidarity with those who have engaged in sex work or hustled to take care of themselves, their families, and their extended communities. S&P members implicitly understand that survival takes on many forms of hustling, and trading sex is just one of the ways we keep our selves and our community safe, housed, fed, and alive. Criminalization, stigmatization, discrimination, and isolation of people who trade sex are other forms of punishing the ways we survive.

In the face of the cooptation of abolition,² we must be unapologetic, vocal, and overt in demonstrating support and solidarity, and actively organize with all those who are trading sex, selling sex, and otherwise hustling to survive.

We ought to listen to the struggles of and draw wisdom from the criminalized survivors, hustlers, and workers alongside whom we want to organize and with whom we want to show solidarity. We ought to challenge internalized whorephobia, and work to dispel misconceptions and myths about sex working/trading people and their labor. The barriers we need to dismantle in organizing alongside sex workers are external--such as criminalization and the cops--as well as internal--the attitudes and behaviors of some of our would-be comrades. These aren't just bad opinions holding our movements back; they inevitably turn into counter-organizing, gatekeeping, and harm.

1 <https://survivedandpunished.org/wp-content/uploads/2018/06/survived-and-punished-toolkit.pdf>

2 See more: <http://eminism.org/blog/entry/470>

This toolkit has multiple functions for those interested in defense campaign organizing:

It can be utilized as a resource for people who are doing the practical work of forming a defense committee or for those on an existing committee--doing support work for a loved one, or someone who they are just getting to know and building a relationship with. The toolkit should help fill extreme gaps in language, in relationships, and how we show up for criminalized survivors whose survival strategies do not conform to convenient narratives about self-defense.

It can be understood as a “call in” to the organized left more generally, particularly for those in anti-domestic violence and police/prison abolition spaces, where there is a need for nuanced conversations about the needs and experiences of people who trade sex. Generally speaking, on the left there exists unevenness in how people show up for those in the sex trades. There exists a pressing need for strategies in defense campaign building, troubleshooting current campaigns, best practices, and practical tips.

It can function as a political education tool for those wishing to engage more broadly in a survivor-based approach to sex worker solidarity and organizing. This might look like newly formed or existing grassroots organizations, collectives, or reading groups with desires to plug into the work of supporting criminalized survivors spending time reviewing this toolkit and its works cited resources intentionally amongst its members.

It can be utilized by local sex worker-led groups looking to deepen their knowledge and work with criminalized people and build solidarity with incarcerated peers. This may look like community-based groups looking to expand into bail and court support, or simply seeking to understand the diverse ways in which policing and criminalization can impact others who trade sex in more precarious circumstances.

It also must be said, no one toolkit can do all the work, or encapsulate all the action and imagining that we or you may desire. This toolkit is instead a humble attempt to create an intentional document to explore how people engaged in popular defense campaign work can be better co-conspirators with sex working people who are also criminalized survivors.

Section 1: Foundations and Intentions that Guide our Terms and Analysis

Who are the toolkit creators? We are a geographically dispersed group of sex workers, survivors, and organizers who are Black, Latinx, Asian, multiracial, white, trans*, and queer. We have all traded sex for resources like money and housing, and we have all survived violence. Several of us have been arrested for defending ourselves from violence, one having served a prison sentence for as much. We have all organized to support sex workers and survivors who face interpersonal and state violence.

What do we believe? We believe that people trade sex by choice, circumstance, and coercion, and that people may trade sex because it can be low-barrier, flexible, and high-paying work that allows them to meet their needs. People also trade sex because capitalism forces them to work to access basic needs like housing, food, and healthcare, while racism, ableism, classism, and transmisogynoir shut Black, trans, queer, disabled, and unhoused people out of the formal economies and into shadow economies where they are more vulnerable to interpersonal and state violence. We believe that prisons and policing are violent systems that must be abolished, and that sex work is a valid strategy for people to navigate survival within these oppressive systems.

So how do we best show up for working, hustling survivors who face criminalization due not only to their trade, but also by having engaged in a violent act of self-protection, preservation, or self-love and are facing carceral punishment? First things first, especially if you're newly organizing alongside sex workers: know some history and terminology regarding sex workers and their struggle. The below terms are shared with the acknowledgement that people self-identify in a myriad of ways when it comes to their formal or informal working relationships within the sex trades. The following document and its authors respect and uplift all survival hustles, labor, trade, and craft.

Terms

Abolition³: Put simply, abolition is a collective, political vision for an end to prisons, police, and all carceral/punishment systems--the creation of the material conditions that provide people with what they need to live with full dignity. It is just as much about what we wish to build together, as it is what we work to see dismantled. It is our daily work and our horizon-line.

Decriminalization: Decriminalization is the sought-after relationship between the state (i.e. law enforcement, legislators, the court system) and sex workers. Decriminalization is the repealing of laws that criminalize sex work and activities associated with performing sexual labor, including selling sex, buying sex, accessing housing as a sex worker, and occupying public spaces as a sex worker. Current proposals for the decriminalization of sex work leave intact many laws designed to combat sex trafficking.⁴ [Amnesty International](#), [UNAIDS](#), and the [ACLU](#) all endorse the decriminalization of sex work

3 "I just know that, for myself, abolition is incredibly helpful in thinking about how to move in the world and it's really important to me in my daily practice. It helps me navigate the world and it helps me to prefigure the world in which I want to live. Abolition is something that I and everyone really, practice daily." - Mariame Kaba <https://transformharm.org/towards-the-horizon-of-abolition-a-conversation-with-mariame-kaba/>

4 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

as a human rights issue.⁵ Decriminalization could/should mean a cultural shift as well as a policy shift. Demanding decriminalization and anti-carceral harm reduction tactics, broadly speaking, directly challenges the whorephobia of the state and society.

Decriminalization (contrary to End Demand supporters and carceral feminists' opinions) is grounded in naming and ending the state violence of criminalization, policing and incarceration of people who trade sex. Decriminalization is NOT about erasing the very real violence that people have experienced while working within the sex trades, but about expanding the understanding of where sex workers experience violence and removing one of the central barriers to other forms of safety and support. The violence and labor exploitation that people navigate under late-stage, racial capitalism must be named and organized against. The ends of decriminalization include greatly reducing the harm/violence of the state, and making room for survivors/sex workers to name harms, organize openly, and resist/prevent client violence.

End Demand: Models based on “End Demand” endorse criminalization of the purchase of sex and punishment of third parties (such as managers, drivers, roommates, children, partners, and landlords) while ostensibly decriminalizing those who sell sex.⁶ End Demand works under the deeply flawed premise (one needs look no further than America’s “war on drugs”) that deterrence can actually end demand for sex and sexual services.⁷ This may also be referred to as the Swedish Model, Equality Model, or partial decriminalization, the latter being an intentional co-optation of the decriminalization movement led by sex workers and allies.

This form of “partial legalization” is most often shorthanded as the “**Nordic Model**” due to its adoption in Sweden before spreading to other, predominantly European countries.⁸ This model criminalizes clients rather than sex workers, whom it regards as victims who require rehabilitation and mandatory exit from the trades. Beyond being utterly infantilizing if not wholesale dehumanizing of sex workers, which is problematic enough, it renders them vastly less safe than in the absence of such laws. When only one party in a transaction faces criminal sanction, they are vastly more likely to harm and regard sex workers as victims and less than human.⁹

In essence, legalization makes criminals of clients, which is dangerous to sex workers in its potentially altering their client base, work spaces, and professional opportunities, as well as too often acting as a self-fulfilling prophecy in committing violence against them. Advocates are most often well-meaning, shortsighted, white, cis-gendered people who rely on skewed statistics which necessarily ignore massive swaths of the sex worker population as they are, by the nature of their professions, hidden.¹⁰

Harm Reduction: The philosophy that all behaviors entail different levels of vulnerability to interpersonal and state violence, and that there are many strategies to reduce those vulnerabilities while continuing to engage in the behavior. Harm reduction is inherently abolitionist, and understands that marginalization produced by the state in the form of criminalization, policing, and lack of resources are all forms of harm that must be reduced and eliminated collectively.

5 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

6 Adapted from Smith and Mac, *Revolted Prostitutes* (2018)

7 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

8 Most recently adopted by the government of Israel/Occupied Palestine.

9 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

10 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

Legalization: Legalization is the vastly less desirable result of state paternalism, generally arising from the state's assumption of victimization inherent in sex work (see **Rescue Industry**). Legalization of sex work introduces government regulation and oversight into sex work.¹¹ Places that have adopted this model heavily regulate a legal strand of the sex industry while continuing to criminalize workers who cannot or will not comply with various bureaucratic requirements, such as mandatory health testing, employment in certain venues, having mandatory management, or registering publicly as a prostitute.¹²

Misogynoir: Misogynoir is misogyny directed towards Black women where race and gender both play roles in bias. The term was coined by queer Black feminist Moya Bailey and Trudy aka @thetrudz, who created the term in 2008 to address misogyny directed toward Black women in American visual and popular culture.¹³

Misogyny: Misogyny controls, regulates, and punishes women and people who transgress patriarchal norms and practices, and it demeans people and practices that are perceived as feminine, femme, or womanlike. Misogyny reinforces patriarchy by rewarding people and practices that uphold patriarchal dominance, and punishing people when they seek to resist. Misogyny is central to transphobia, homophobia, and other types of gender based violence.¹⁴

Rescue Industry: The interconnected matrix of NGOs, legislators at all levels of municipal, state, and federal government, city/county/state-based diversion programs, law enforcement, non profits (501c3 and otherwise), religious organizations, celebrities and corporate entities, independent vigilantes, grassroots and unaffiliated organizations¹⁵ which have as their mission some variation on or combination of stopping trafficking/slavery, saving women/girls, and/or prosecuting traffickers. These organizations are marked by their narrative of all sex working people as victims (sometimes even labeling them “self-trafficked”), and use this narrative to prioritize extracting people from the sex trades over the dignity and self-determination of the person they are acting upon. These actors profit (culturally, politically, and financially) off of the discourse around trafficking, and their motives and tactics should be considered highly suspect as sources for stories about either sex work or sex trafficking.¹⁶

(white) Saviorism: Though we often see agents of the rescue industry as “white saviors,” in reality sex workers and their extended communities know that people of all backgrounds and demographics can fall into these harmful/violent roles. Typically characterized or motivated by an overt desire to save, rescue, lift out of, aid in exiting, etc. people who have never expressed a desire for leaving their work, people with a savior complex can be operating in all manner of professional, carceral, and organizational fields. Often, these folks don't actually know they're behaving in ways that cause harm. Other times, they are aware of the harm that they cause, but feel justified in their efforts to eradicate

11 <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

12 Adapted from Smith and Mac, *Revolted Prostitutes* (2018)

13 Moya Bailey & Trudy (2018) On misogynoir: citation, erasure, and plagiarism, *Feminist Media Studies*, 18:4, 762-768, DOI: 10.1080/14680777.2018.1447395

14 Summary definition by Emily Suh.

15 It is not uncommon for local individuals and organizations who are not specifically working on human trafficking to come together for events, fundraisers, or even the public shaming and targeting of sex workers and workplaces in order to “rescue” potential victims of trafficking. These events often play into anti-sex trade frames and rhetoric, and rarely discuss other forms of violence, actual exploitation, or other forms of labor.

16 The above definition comes from the Support Ho(s)e Collective's digital publications (2020). <https://sxhxcollective.org/digital-publications/>

the potential harm they believe to be caused by the sex trades. This mentality has historical roots in the Progressive Era and early white women's "feminisms." In practice, this can look like determining who is performing womanhood "correctly," who needs paternalistic care, and who cannot act on their own behalf because of perceived incompetence or inability.

Sex Work(er): A political, unifying, umbrella term for people who sell sex, or performances, materials, or services associated with sex acts, as their work. Includes, but is not limited to, exotic dancers/strippers, internet-based cam workers, adult film actors/actresses/stars, pro-dommes, phone sex operators, GFE (Girl Friend Experience) workers, escorts, indoor, outdoor, full-service, and street-based workers.¹⁷ One of, if not the, fundamental premises of a guide such as this is that sex work is work. It's done primarily to make a living. Because this is, for various reasons, difficult for some members of the public to comprehend, it is necessary to use the word "work" in defining the industry/trade.¹⁸

Survivor-Centered: This phrase has become increasingly popular over the past several years, in lots of confusing and contradictory ways. So what do we mean when we say we're "centering" survivors? This approach puts survivors' lived experiences first, listening to, working alongside and engaging in active support work (however that's outlined by the survivor and their support networks). It means that we're considering the full humanity of the person who has experienced violence in any of the analytical, political, or organizing work in which we're engaged. It means providing support in ways that align with the survivor's healing, and not engaging in practices that might cause further harm, even if they seem to align with our larger agenda(s). This does not mean that we negate our politics or existing analysis in place of the experiences of one person, or even a group of people, who have suggested that their healing requires something in tension with our values. Survivors are not a monolith, and their needs are not always generalizable. Survivors and their pathways to healing are very specific and diverse. Survivor-centered does not mean that you/we must cross our own boundaries or principles when doing this work alongside survivors who have different beliefs/needs/expectations than we do. It does mean we hold space for the complex experiences and emotional range survivors may carry. If a survivor asks to use a narrative of their experience which says that all sex work is inherently violent, it means analyzing what you as an organizer can offer to the survivor, and what that means for your further involvement. If a survivor asks to not engage in media work, and only wants in-person court support, it means honoring those wishes regardless of our habits or considerations for larger strategies.

Trafficking in Persons: The exploitation of one person by another through force, fraud, or coercion. Trafficking can be present in any form of industry, and most impacts people who experience barriers to resources, including undocumented migrants, youth, and people with disabilities. When drafting the federal criminal provision regarding trafficking, anti-sex work advocates sought to classify all sex work as a form of trafficking, rather than legitimate work, in opposition to the migrants and labor rights advocates who fought against this biased designation. The compromise which came from this fight was to create a criminal statute for "sex trafficking" which only covers criminalized forms of sex work, and "labor trafficking", which includes force, fraud or coercion within all other forms of labor (including non-criminalized sex work). Appropriate terminology is either industry-neutral (eg. "trafficking in persons," "human trafficking") or aligns with other industry descriptions (eg. "trafficking in the sex trades").

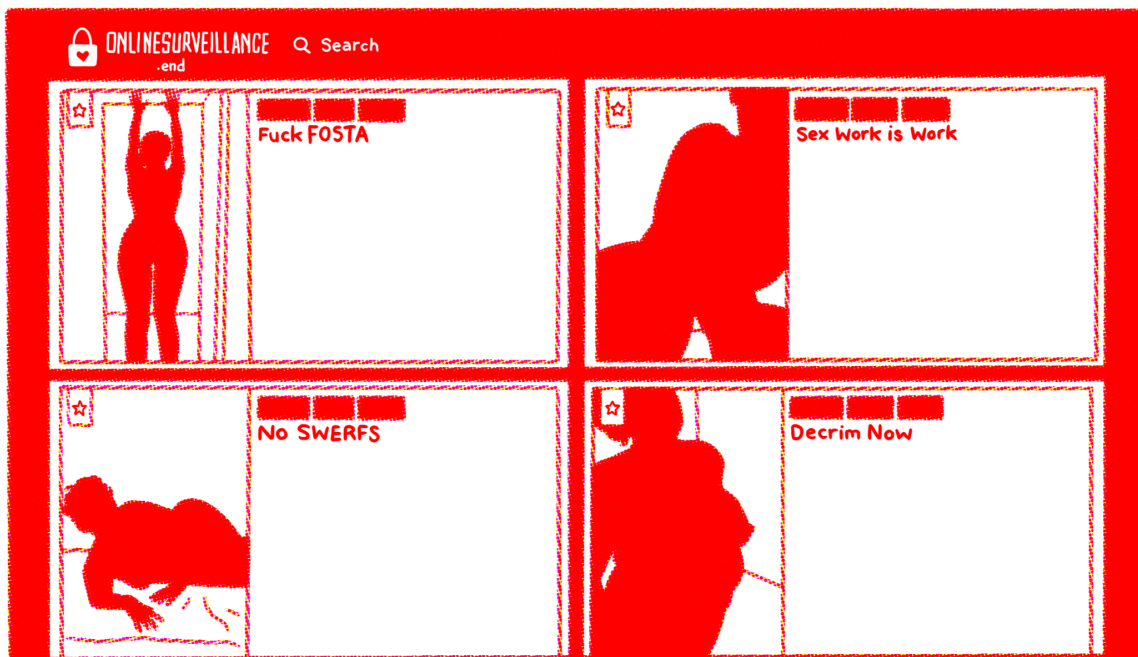
17 Adapted from: <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

18 Adapted from: <https://sxhxcollective.org/wp-content/uploads/2021/03/SxHx-media-guide-final.pdf>

Whore stigma: Whore stigma is a specific stigma with which sex working people and those perceived to be sex working people are confronted. Though also rooted in a hatred/fear of sex working people, it is the actionable way that whorephobia manifests, and visits itself upon those who are or are perceived to be sex working people. Whore stigma operates through a series of assumptions regarding sex working people, their work places, and the work itself.¹⁹ This stigma also impacts comrades, friends, and families of sex workers. Frequently, supporters of sex worker rights are called p*mps,²⁰ johns, or other disparaging terms which malign their support, and code them as people attempting to exploit sex workers instead of working alongside sex workers toward liberation.

Whorearchy: The manifestation of internalized stigma about working in the sex trades, the whorearchy is a hierarchy internal to the sex trades where one person who is trading sex in a certain way actively shames and stigmatizes other sex workers who trade sex in different ways, or have different experiences. This internalized stigma tends to be rooted in classism and racism. For example, this could be someone who is an exotic dancer in a club thinking they are “better” than those who work in a criminalized facet of the trades, or someone who trades sex for cash shaming someone who trades sex for substances. Even sex workers need political education.

Whorephobia: Though the term itself is fairly self-explanatory, the levels and effects of whorephobia are complex and varied. Whorephobia is the fear of or hatred toward sex workers, or those presumed to be sex working people. Sex workers would argue that it the result of paternalistic attitudes that deem us a public nuisance, spreaders of disease, offenders against decency, race-traitors, or simple-minded victims who don’t know what is good for them and need rescuing. (Definition paraphrased from Thierry Schaffauser).²¹



19 The above definition comes from the Support Ho(s)e Collective’s digital publications (2020).

<https://sxhxcollective.org/digital-publications/>. As a note, this term is first mentioned in publication, in 1993: “The Whore Stigma: Female Dishonor and Male Unworthiness,” by author: Gail Pheterson.

20 Though not everyone in the trade uses this term, let alone negatively, there are undeniable racist undertones when using this word and the people perceived to be involved in this aspect of the sex trade.

21 The above definition comes from the Support Ho(s)e Collective’s digital publications (2020). <https://sxhxcollective.org/digital-publications/>

How is support for sex workers criminalized?

People who trade sex are impacted by the stigmatization and criminalization of third parties who can play multiple roles in a worker's life. It is important to remember that intimate partnerships, working relationships, and the power dynamics in these relationships can shift over time and impact people in multiple ways.

Third-party laws can target a wide variety of actors in sex workers' lives. For example, sex workers might turn to their peers, who may or may not also be sex workers, for a ride to a session, a bodyguard, or sharing a work room. When peers and people who support sex workers in their work are criminalized under such laws,²² workers become increasingly isolated because they don't want to put their loved ones at risk.

There are degrees of experience within all aspects of the sex trades-- people have positive, neutral, or overtly adversarial working relationships with managers.²³ The power dynamics and relationships between two people who engage in the sex trade are multifaceted, and more likely than not, the manager and worker are two people from the same community and backgrounds. Stigma and criminalization often default to assumptions about relationships based on gender and stereotypes, and erase the complexity and nuance of these relationships.

In addition to being a highly racialized term, rife with stereotyping, the "p*mp's" role in the sex trades is often very different from a "manager" or "madam/brothel keeper," in more substantive sociocultural ways. This can result in some young people of color becoming or self-identifying as p*mps, for some of the same underlying reasons that lead others to do sex work; some p*mps consider themselves performing emotional, client-facing, safety-focused labor not dissimilar to some sex work itself. The identity of p*mp is celebrated by many who self-identify as such, and criticized by others both inside and outside of the sex trades.

Some comrades who've worked closely on this document also want to highlight the ways in which this particular facet of management within the sex trades can often overlap with marriage/dating/more casual sexual relationships and how this role, because it is based in performed or perceived and/or experienced unequal power dynamics, can become abusive in ways that reflect intimate partner violence but also have their own specific socio-cultural and economic realities.

How do people in the sex trades experience interpersonal violence?

Many of our lived experiences bring us into sharper contact with the carceral state because of racism, xenophobia, white supremacy, anti-Blackness, poverty, and patriarchy. For survivors of violence who are also in the sex trades, non-consensual contact with the state is often especially pronounced. Law enforcement agents assault, extort sexual acts, rape, raid homes and workplaces; Child Protective Services steal vulnerable family members; prisons, jails and programs which use shame, fear, and

22 Third-party laws or organizing laws refer to criminalization of the activities which "enable trading sex," such as promoting (placing an ad), pandering (helping someone find a client), or facilitating (helping to screen clients). Each state criminalizes these activities using overlapping but different language, and these charges almost always carry higher criminal penalties. Because these laws do not require force, victimization, or violence, they are distinct from offenses such as severe forms of trafficking of adults.

23 The question remains: how can we hold all of the experiences and very real self-identifying terms, while still dismantling stereotypes and pushing back against racism/anti-Blackness?

threats of incarceration to attempt to force people to stop trading sex, all while the Rescue Industry's budget grows and grows---these non-profit, religious and state organizations alike are fueled by a deep hatred of the sex trades and, by extension, working people.

Due to the ways in which people who trade sex are criminalized, stigmatized, and isolated from support, sex workers are especially vulnerable to interpersonal violence, and less able to access redress and security from this violence.

When sex workers are viewed as criminals, they are not seen as victims of violence and are less able to access support and resources due to fear of arrest and detention, because they are not taken seriously, and because they are seen as deserving of their own victimization. Because these vulnerabilities are well known, criminalized populations are turned into target populations for victimization and violence.

Policing of the transaction of commercial sex also means that negotiations for things like price, boundaries, and/or condoms are all evidence for arrest or in court. This means that people are often afraid to talk about these important needs and boundaries for fear of arrest, and wait until they are in a private, isolated space with a client. This also means that in public spaces, fear of policing may cause sex workers to shorten their negotiating times, meaning it is harder to vet someone for intoxication, weapons, or bad vibes.

When clients are also criminalized, they are less likely to offer information that sex workers can use to "screen", or verify that they feel safe taking the person on as a client, and can be more demanding about protecting their own safety for fear that the interaction is part of a police sting. This can mean that clients can easily refuse to give their legal name, or demand to have an appointment in their homes, protecting their own safety and creating a dynamic where the client has more control in the situation than the worker.

Criminalizing clients also changes the profile of clients as a group, pushes down prices, and reduces workers' bargaining power.²⁴

Peers can also be targeted by third party laws.²⁵ For example, sex workers might turn to their peers for a ride to a session, to assist as a bodyguard, or even to share housing or a work room. When peers and people who support sex workers in working are criminalized under third party laws,²⁶ these supporters can face harsh criminal penalties, and not wanting to put friends at risk means isolation.

24 <http://eminism.org/blog/entry/340>

25 We also see "organizing" laws being used to target third parties; however, we think the use of those is more popular in Europe.

26 Third-party laws refer to criminalization of the activities which enable trading sex, such as promoting (placing an ad), pandering (helping someone find a client), or facilitating (helping to screen clients). Each state criminalizes these activities using overlapping but different language, and these charges almost always carry higher criminal penalties.

Solidarity and support from comrades who understand both the vulnerability to and impact of institutional and individual violence resultant from stigma and criminalization can be an essential tool of both supporting survivors and preventing further violence fostered by isolation and stigma.

What follows are potential sources of violence, beyond the police, and how to account for and understand them in advancing popular, grassroots defense campaigns for sex working people.

Clients. A commonly recognized source of violence against sex workers is at the hands of clients, or those who pose as potential clients in order to enact violence.²⁷ Meeting a client for an appointment can put someone in a vulnerable position in myriad ways, due to the intimate²⁸ nature of the interaction. If a worker is in a car or home that they are unfamiliar with, sources of client violence can emerge from something as straightforward as not knowing routes of egress in a moment of crisis.

Intimate partners. Sex workers may experience unique forms of violence in intimate partner relationships, with abusers weaponizing a person's experience trading sex as justification for harm. Sex workers may face threats of outing or calling police if they leave, economic exploitation because of the off-the-books nature of sex work, or sexual coercion based on someone's work.

Managers. Many sex workers may choose to work for someone else, just as in many other industries. While there is nothing inherently exploitative or violent about working for someone else, any level of control over someone's access to resources is a power dynamic that can be weaponized. Management can become exploitative in terms of economic abuse (not paying someone, threatening them if they don't bring in a certain amount, or creating escalating debt through deductions), in addition to other more direct forms of physical or emotional violence.

Strangers and the public. Because of the nature of the industry, sex workers often have to advertise in public spaces (both physical and online), and are often subject to harassment. Whether it's physical violence when working a stroll, or doxxing when advertising online, members of the public can feel at liberty to stalk, harass, and victimize people who trade sex. Sources of harassment can also include proprietors of commercial spaces where sex workers hustle, see clients or even relax, such as hotel staff, bar or casino staff, or service staff at cafes and restaurants.

Who is most at risk of exploitation and violence in any trade or industry?

Exploitation and violence disproportionately target and impact marginalized people. *Survived & Punished* has most often worked alongside Black people, people of color, queer and trans people, im/migrant people, undocumented people, caregivers, disabled people, cash poor, and people who use drugs. These criminalized survivors are far more likely to experience interlocking forms of violence, as well as face more barriers to justice and healing. Fewer opportunities to access basic resources means greater vulnerability to exploitation.

When considering labor and survival, we must consider the function of ***racial capitalism*** or "the process of extracting social and economic value from a person of a different racial identity, referring,

27 But as Elene Lam of Butterfly reminds us, "Clients can be the source of violence, however, clients are often important resources for sex workers, e.g. economic/financial, social network, transportation, access [to] information etc..."

28 This level of vulnerability is arguably similar to those in other forms of labor that are disproportionately performed by women of color, immigrant women, and poor women—domestic workers, hotel cleaning staff, homecare workers/nurses, etc.

predominantly, to the extraction of value from those of a nonwhite (person of color) identity.”²⁹

Who gets to choose the kind of labor they perform in this world?

Sex workers regularly have to deal with all sorts of people demanding answers to this whorephobic question, “Why sex work?!” So let’s talk more about labor. Living wage jobs that can meet peoples’ needs or the promise of a robust social safety net are inaccessible for many people. Discrimination based upon race, class, gender, perceived or actual dis/ability, caretaking needs, substance use, histories of arrest or incarceration, immigration or undocumented status, and/or immediate survival needs could all be contributing factors for people laboring in a variety of ways in the sex trade. Trans* people, especially trans people of color, in particular face high rates of employment discrimination and homelessness that lead these communities to participate in the street economies at higher rates. As someone organizing alongside people making the best decisions for themselves given their unique circumstances, don’t get hung up on the “sex” in sex work/trade, instead focus on what you and your fellow defense campaign/support team members can do to materially and politically support your comrade now that they’re facing/navigating punishment for surviving.

If we’re for self-determination and body autonomy, we necessarily have to respect people’s survival and labor strategies.

How and why are sex workers more likely to face eviction?

Survivor justice includes housing justice. Many people come into contact with the carceral state because they have had to defend themselves where they live/work/perform care. Drug-using parents who are sex working, trans elders who are caring for trans youth who may be or be suspected of engaging in the sex trades, sex workers and massage workers who cohabit and/or work where they live---all can face intense scrutiny from neighbors, law enforcement, social/case workers and family.

The collateral consequences of policing and arrest for sex work can directly compromise the ability of people to stay housed. In some places, prostitution charges are part of the city’s “nuisance laws” and landlords can be required to evict people after an arrest (Oakland, for example). Charges related to inhabiting one’s work space can also include things like brothel-keeping for sex workers or peers who are letting someone work out of their place. Sex workers who live with roommates also have their housing put at risk because their home can be defined by law as a brothel, “bawdy house” (DC), or “house for lewd persons” (NY). Prostitution charges can also lead to a loss of public housing benefits, or being kicked out of state-run housing and shelters. Many sex workers trade sex because of their housing precarity, and end up in long-term motel housing as a place to live and hustle out of. Policing, surveillance, and growing legal liability³⁰ for motel owners who look the other way can put those who are motel-housed and facing high levels of instability out on the streets.³¹

29 “Racial Capitalism” was coined by Cedric J. Robinson in his book “Black Marxism: The Making of the Black Radical Tradition”

30 The expansion of third-party laws, increased pressure from the Department of Homeland Security to screen for “trafficking,” and increasing numbers of private attorneys suing motel and hotel owners can also incentivize the profiling of trans women, women of color, women experiencing poverty and those who fall into all of those categories to have the police called on them, or to be denied service. This compounds housing insecurity through stratified racial and gender violence.

31 As an aside, this pressure often leads to racial and gender profiling. For example: https://www.huffpost.com/entry/trans-woman-iowa_n_56436f92e4b045bf3ded3b50

Why are sex workers racially gendered in public, and how?

Because of discrimination, stigma, and systemic barriers to capital and resources, trans and gender nonconforming people are more likely to rely on informal and street economies for survival. Trans and GNC folks are also more likely to receive the unwanted attention of law enforcement. Trading sex, especially in public spaces such as streets or bars, means making yourself visible enough to attract potential clients. This means that queer, trans, Black, other people of color, and Indigenous folks are at the nexus of visibility and policing - and the numbers reflect this.

Queer youth are more likely to have prostitution-related charges compared to their cis and straight peers, and trans women of color are disproportionately represented in those charged with loitering for the purposes of prostitution. In addition, because of transmisogynoir and profiling-based laws such as loitering for the purposes of prostitution, trans women of color are assumed to be engaging in sex work when simply existing in public space and can face arrest and be charged, regardless of whether they are actually engaged in sex work.

Many Black trans sex workers have even shared that they have been arrested and charged for “crimes against nature”³² as a way to criminalize their gender identity and sexual orientation.³³

Furthermore, the profiling and fetishization of AAPI women is historically linked to sexual submission and availability. Relying on this foundation, many anti-trafficking campaigns have targeted AAPI women who work in massage, bodywork, and the sex trades for profiling, specifically as victims of trafficking into the sex trade who require surveillance and forcible extraction through raid and arrest. In some cities, these arrests and raids have become a dominant form of sex trade policing.

How does transphobia intersect with whorephobia?

Because of societal stigma against sex workers which is coded in law and actively enforced AND because of the perceived criminality and social deviance of queer and trans people and people of color, there is an overwhelming assumption that each of these categorical experiences necessarily signals wanton sexuality and whorishness. As a result, each of these subject positions are presumed to be sex workers when they're seen in public space. What's interesting about this assumption is that depending on where you are, these categories of people do find themselves in the sex trades in large numbers because of discrimination, systemic oppression, capitalistic violence, etc! This is where we see “Walking While Trans” bans also translating into “Walking While Sex Worker” because of how race, gender, and work can be publically perceived and criminalized.

Our response? Organize Unapologetically.

Those of us (defense campaign organizers, survivors, advocates, etc) organizing alongside criminalized survivors of gender based violence who are also sex working or trading people, must endeavor to define a clear link between our radical defense language/rhetoric, the public-facing narratives of a case (if someone is out as a sex working person), and decriminalization of sex work and all survival as a demand. This call is especially crucial regarding the particular elements of decriminalization that are abolitionist feminist, which is to say: anti-imperialist, anti-racist, trans inclusive, and anti-capitalist.

32 Eight states currently have ‘crimes against nature’ on their books, not always referring to prostitution but often being used to criminalize people who are Black and trans.

33 <https://www.collectiveactiondc.org/2018/09/25/without-cass-i-dont-know-where-id-be/>

fig 1.



fig 2.



Section 2: **The Legacies of Colonialism**

Decriminalize all (im)migration, now. Abolish borders! Land back now!

As all borders are artificial constructions of empire-building, all deportations are acts of colonial violence. The criminal approach to migration means that migrants, especially those undocumented, are always under threat of state violence and are more vulnerable to interpersonal victimization as a result.

The parameters placed on visas put even those who are documented in the United States in precarious financial positions. For people on temporary workplace visas, such as agricultural workers on H2A visas, non-transferability between employers means that reporting an act of violence or exploitation will mean having to leave the country. For people on fiancé visas, such as a K-1, not having work authorization means complete financial dependency on your partner. Even for those individuals on “victim of crime” visas, including trafficking visas, the process can be arduous and the benefits attached to receiving this visa remain paltry.

For sex workers who are also migrants, both documented and undocumented, the consequences of a prostitution-related arrest can be dire, due to living at the intersection of both the criminal legal system and the immigration system. An arrest can put someone in deportation proceedings and detention.

US Imperialism, Global Capitalism, Colonialism

The story of the United States has always been one of colonization and globalization, a process of racialized and gendered violence that remains baked into the foundation of our institutions and culture. Historically, this has also involved the use of sexual violence, including sexual exploitation, as well as the use of the sex trade more broadly as mechanisms of survival under enforced poverty and resource deprivation. We cannot divorce or hide these intertwined legacies, which have enacted lasting barriers to solidarity between marginalized subjects and groups, and obstacles to ending of white supremacy.

Imperialism and Migrancy

For many countries and communities victimized by war and militarized imperialism, the stratification enacted by similar forms of colonization meant that the sex trade was the only viable option for women to contribute to collective economic security, a pattern which is notable in countries such as Korea, Japan, and the Philippines. This dynamic has been compounded by marriage to US service members as the only viable avenue of physical and economic migration for many.

This form of coercion can be contrasted with the sex trade which formed over the first century of US expansion, in which migrant white women (predominately from Europe) seeking economic liberation were able to operate brothels and work under better conditions, experience less violence, and economically thrive in newly colonized land. Holding a nuanced and expansive understanding of peoples’ experiences in the sex trades also includes holding the historical trauma which compelled entire communities into racialized and commercialized sexual violence.

North American Genocide of Indigenous Peoples

For Indigenous communities in what is now known as the United States, tactics of genocide routinely

included sexual violence and service similar to those under chattel slavery.

We also recognize the seldom publicly-shared written work or organizational models that exist regarding Missing, Murdered and Indigenous Women, Girls, and Two-Spirit People (MMIWG2S) from an expressly PIC abolitionist, and anti-criminalization framework. Community rage is beyond valid, and also we've continued to see "justice" being demanded while invoking criminalization efforts that endanger other people involved in the sex trades.

As Indigenous feminist organizer and lawyer, Naomi Sayers has written,³⁴

Canada continues to disregard other facts that contribute to violence in Indigenous women's lives, especially those who sell and trade sex.

Such other facts include:

1. Indigenous women and girls fear police (just look at Val D'or, where police officers "abused and intimidated" Indigenous women, and Thunder Bay, where police officers blatantly lie about their investigations involving the deaths of young Indigenous women and girls).
2. Indigenous sex workers will disproportionately be impacted by the continued criminalization of prostitution.
3. As recognized by the Supreme Court of Canada, sex workers (and specifically, Indigenous sex workers) experience many kinds of violence, including violence from civilians (or individuals who are not sex workers) in the form of harassment, loss of privacy, and subsequently, loss of safety.

We honor and uplift calls from Indigenous community for self-determination, food justice, police/prison abolition, climate justice, tribal sovereignty, and LANDBACK³⁵ now. We know, through their organizing and teachings, that such efforts would actually greatly reduce the violent realities Indigenous peoples of Turtle Island face everyday that directly contribute to their oppression and exploitation.

"We need to not be afraid to shy away from the topic, and that decriminalization of sex work is key." - Morning Star Gali

We look to the work of Indigenous abolitionist thinker-organizers and Indigenous sex worker community advocates such as 7 Pillars Collaborative,³⁶ the Vancouver Sex Workers Rights Collective,³⁷ Red de Resistencia y Disidencia Sexual y de Género,³⁸ and the work of Morning Star Gali,³⁹ Kelly Hayes⁴⁰ and

34 <https://www.awid.org/news-and-analysis/canada-150-and-decriminalization-indigenous-sex-workers>

35 LANDBACK is a movement that has existed for generations with a long legacy of organizing and sacrifice to get Indigenous Lands back into Indigenous hands. LANDBACK - Building lasting Indigenous sovereignty. <https://landback.org>

36 "We have assigned Courage to Harm Reduction & Sex Workers Rights because it is courageous to demand body autonomy. Courage is a daily practice for this community." <http://7pillarscollab.org/courage/>

37 <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Van-Sex-Worker-Rights-Collective-Final-written-submission.pdf>

38 "It's extremely disappointing that @The_Red_Nation refuses to listen to sex workers and queer feminists from the global south. Carceral feminism disguising itself as decolonial and communist is very concerning and should not go unchallenged. #NothingAboutUsWithoutUs" and "There are people in and from the global south that are complicit with imperialism. We think that description suits you." https://twitter.com/redlgbtcig/status/1364010329265479682?s=20&t=JV6DSV0HvTsXDGDFK_E5Wg

39 <https://truthout.org/audio/indigenous-abolitionists-are-organizing-for-healing-and-survival/>

40 <https://truthout.org/audio/indigenous-abolitionists-are-organizing-for-healing-and-survival/>

Naomi Sayers⁴¹ for paths toward healing, justice, decriminalization and abolition.

“A lot of the controversy around sex work in Native communities comes from concerns around the well-being of Native girls. But carceral violence against sex workers does not offer protection for Native youth.” -Kelly Hayes

Migration, Sex Work and “the system”

While sex work is criminalized on the state level, engaging in prostitution is also a violation of immigration status, and a charge for this is considered a crime involving moral turpitude (CIMT). CIMTs are an area of law steeped in stigma, and “refers generally to conduct that shocks the public conscience as being inherently base, vile, or depraved, contrary to the rules of morality and the duties owed between man and man, either one’s fellow man or society in general.” These kinds of charges, or even testifying that you were engaged in sex work while not being charged, may impact someone’s status or put them into deportation proceedings.

For survivors who are undocumented and are outside the time period to apply for something like asylum, there may be victim of crime visas which could create an opportunity for legal documentation status. If seeking to become a legal permanent resident, a survivor should be screened to see if they may qualify for a U visa (for some victims of crime, especially a crime which was reported to law enforcement), T visa (for victims of human trafficking) or VAWA visa (for immigrant survivors of domestic violence). There is no statute of limitations on a U or T visa.⁴²

In Butterfly’s 2021 participatory-action based community research report, “Caught in the Carceral Web: Anti-Trafficking Laws and Policies and Their Impact on Migrant Sex Workers,” comrades assert, “As migrant sex workers and their advocates recommend, decriminalizing sex work and repealing the immigration prohibitions on sex work would enable migrant sex workers to have the same access to employment, labour and occupational health and safety protections as other workers. Such an approach would therefore reduce the vulnerability of these workers to conditions of exploitation, violence, and abuse.”⁴³

Don’t stop at language.

As this toolkit has discussed previously, there exist myriad organizations, agencies, non-profits, and even grassroots formations that have appropriated the language of abolition, the language of anti-racism, and even in some cases the language of anti-imperialism in service of their existing agendas.

Whether we’re advocates, survivors, organizers, and/or loved ones of someone experiencing violence and subsequent punishment from the criminal legal system we need to be able to identify who our comrades with shared analysis and praxis are.

41 https://www.huffpost.com/archive/ca/entry/mmiw-sex-work-justice-minister_a_23370676 and <https://kwetoday.com/2014/09/06/why-i-wont-be-participating-in-the-mmiw-social-media-campaign-am-i-next/>

42 “In Canada for example, even those who have temporary status (eg. refugee claimant, students, and those under sponsorship) are also prohibited from working in the sex industry (i.e., in a business that provides sexual or erotic services, or doing sexual or erotic work independently). Even those have permanent resident status may lose their immigration status if they are convicted of a sex work-related offence. Migrant and immigrant women are often being targeted by raids.” - Elene Lam, Butterfly

43 https://www.butterflysw.org/_files/ugd/5bd754_71be1154f6ff4bbb94a03ed7931a32df.pdf

In some cases, organizations with an anti-imperialist lens support the criminalization of sex work with the recognition that Indigenous land, culture, and people have been stolen and exploited in places like Hawai'i, Canada, and across Turtle Island. With calls for "land back and bodies back," these groups appear to be calling for the reversal of colonization. However, the approach for "decolonization" adopted by many of these organizations, such as AF3IRM, calls for increased policing and criminalization of people in the sex trades, and this demand demonstrates a lack of solidarity with Black liberation movements calling for an end to prisons and policing.

Many come into organizing for sex worker liberation after firsthand experiences with the rescue industry. We want to uplift one such voice with the words of prison abolitionist writer, thinker, and trans Filipina organizer Purple Rose, writing about the above mentioned Af3irm:

Af3irm is a feminist Filipina anti-trafficking organization that believes in the abolition of prostitution. While their platform often uses popular movement language of the moment such as 'Decolonization', 'Decriminalization' and 'Defund the Police', they prioritize the abolition of prostitution above all else, even if it means collaborating with various state agencies, police, and evangelical right wing conservatives. They have fully co-opted the language of Prison Abolition: Af3irm calls themselves abolitionists (against prostitution or "Modern-Day Slavery") in a way that dismisses how the prison-industrial complex is the true after-life of slavery. And while Af3irm's public platform makes claims that they are against mass incarceration, their plans to abolish prostitution fully rely on coercive rescue programs related to sex work and the expansion for criminalization of sexual clients and third party actors.⁴⁴

In Canada, the organization Asian Women Equality has been framing sex work as racialized hate and uses the Atlanta massage parlor shooting to call for the criminalization and prohibition of all sex work. Their organizational rhetoric relies on sexist, racist stereotypes, the complete conflation of sex work with trafficking, and skewed data, to the detriment of those most impacted by the police and systemic violence. We won't reproduce their harmful rhetoric here, but it can be accessed in full on their website.⁴⁵

44 <https://medium.com/purplerose0666/the-af3irm-agenda-b5ec31216904#02d6>

45 <https://www.asianwomenequality.org/abolition-of-prostitution>

Section 3: Labor Justice

Workplace sexual violence and workplace safety

Sexual assault is the second most common form of police brutality (after excessive use of force), and this form of violence primarily targets women of color, especially Black women who are sex workers and drug users. For example, in 2013, 13 Black women testified in court that Oklahoma police officer Daniel Holtzclaw had sexually assaulted them; many of the women testified that they were afraid to come forward because many were sex workers and drug users who did not expect to be believed or supported. In another case in 2017, Yang Song – an Asian massage parlor worker based in New York – fell to her death while being chased by police. Before her death, she shared with family and friends that she had been sexually assaulted by a police officer.

An INCITE! fact sheet⁴⁶ compiled the following data on police violence against sex workers:

- A 2002 study found that 30% of exotic dancers and 24% of street-based sex workers who had been raped identified a police officer as the rapist. Approximately 20% of other acts of sexual violence reported by study participants were committed by the police.
- According to two studies by the Sex Workers' Project of the Urban Justice Center in New York City, up to 17% of sex workers interviewed reported sexual harassment and abuse, including rape, by police.
- One in five actual or perceived sex workers surveyed by Different Avenues in Washington, D.C. who had been approached by police indicated that officers asked them for sex. Most indicated that this had been a negative or humiliating experience.

Very little regarding police violence against sex workers has changed since the above statistics were published in 2002, 2005, and 2008. Police remain predominate instigators and perpetrators of violence against all peoples involved directly or indirectly in the sex trades. This violence takes myriad forms, from police sexual assault of Indigenous women and femmes, to forced and coercive sexual exploitation by police for profit, to the police assassination of women such as Donna Dalton. All it takes is a short, cursory online search for “police violence against sex workers” on international databases like NSWP’s Global Network of Sex Work Projects and year after year of documented accounts of police violence and subsequent community resistance can be found.⁴⁷

As Australian organizer and scholar Dr. Zahra Stardust and her fellow researchers commented in a 2021 report titled *‘I Wouldn’t Call the Cops if I was Being Bashed to Death’: Sex Work, Whore Stigma and the Criminal Legal System*, “...sex workers are simultaneously seen as expendable, disposable, corruptible and untrustworthy—worthy of blame but unworthy of protection. These experiences contribute to an embodied whore knowledge, through which sex workers understand police, the law and the state. [...] we argue that these factors create conditions in which sex workers must constantly assess and mitigate risks to access safety and legal redress while structural sex work stigma persists

⁴⁶ <https://incite-national.org/policing-sex-work/>

⁴⁷ https://www.nswp.org/search?site_search=police%20violence&page=0

unabated.”⁴⁸

Criminalization deters workers from accessing even non-police support in part because hospitals and service providers often collaborate with the state, which can expose workers to state violence in the form of arrest, incarceration, deportation, or child abduction by the family policing system.

Abolish work yes, but decriminalize survival and organize (sex) workers now.

We can fight to end capitalism without putting marginalized people’s survival at further risk.

Decriminalization of the sex trade is a matter of labor and workplace justice. Criminalization of the sex trade not only includes sanctions against workers directly, but extended communities as well. The criminalization of accessing resources like housing and peer support puts workers at greater risk of violence and cuts off the basic harm reduction techniques that keep people safe.

All workers deserve the right to organize freely without harassment or violence. As long as we live under a system that requires us to labor for a wage, workers deserve the opportunity to pursue safe and equitable work environments. As survivors, radicals, and/or criminalized people, we must proceed from this position of building collective power amongst workers and the un/der employed. Beyond decriminalization of the sex trades, sex workers also need improved labor conditions that do not rely on state intervention and enforcement. This includes:

- Access to basic resources like housing and healthcare;
- Community-based paths to justice when facing economic, labor, and sexual exploitation;
- Community-based opportunities to report violence and discrimination perpetrated by state actors, including service providers;
- Improving safety tools and resources for sex working/trading people and survivors;
- Safety planning for defense campaign members recognizing that the person centered in the campaign *and other people involved* might currently be sex working/trading;
- Peer outreach efforts in the streets, at motels, massage parlors, and strip clubs to ensure that workers can access the existing resources as well as information about their rights;
- Pathways toward family reunification, when this is desired, or alternative housing and supports when family reunification is not safe or suitable;
- Ability to associate, unionize, and/or collectivize labor;
- Improve justice and lift the floor of labor rights for ALL workers.

No one should be criminalized for what they do to survive and criminal law should not compromise peoples’ survival. Sex work is only one of many criminalized economies, parallel to street-based economies involving drugs, moving migrants over colonizers’ borders, or selling SNAP benefits.

Decriminalization as a goal and practical organizing position necessarily requires harm reduction strategies that inform what tactics we may engage in when defending and supporting worker and hustler-led struggles. Decriminalization efforts led by sex working/trading people could look like:

48 Sex Work, Whore Stigma and the Criminal Legal System <https://www.crimejusticejournal.com/article/download/1894/1088/7991>

- Immediate moratorium on arrests/raids/prosecutions of sex workers, clients and communities
- Revocation of all punitive laws surrounding the consensual exchange of sex and expungement of all past convictions for violating such laws
- Immediate channeling of all county, state, and municipal police funding allocated for prostitution and vice arrests into resources that have sex worker input and oversight. Yes, this would be a deliberate move toward defunding, divesting, and disarming the police with an eye toward abolition.
- Immediate release of all sex workers who are incarcerated for prostitution charges, as well as any related charges, including conspiracy, trafficking, possession, material witness holds, or charges relating to their self-defense while working.
- Expansion of cash assistance, housing assistance, visa/asylum assistance to all those who are survivors of trafficking violence without forced victimizing language that's currently required to access some of these emergency services.
- Inclusion of 'sex worker' as a potential protected category to combat the discrimination workers experience when being barred from public services (accessing health care, recourse to challenge police violence, affordable housing programs etc).
- Repeal municipal laws and stop law enforcement that targets and represses sex work or the adult entertainment industry, e.g., body rub parlors, strip clubs and holistic centers. Repeal zoning laws which relegate sexually-oriented businesses to isolated and industrial areas of the city.

Criminalized survivors and sex workers are not monoliths. If we want to be in right relationship with each other and ourselves in this work we actually have to believe this.

We need to be able to name and be in solidarity with individuals *put at risk* by systems that construct barriers and gaps in support, that manufacture vulnerability. Nothing inherent in the act of exchanging sex for resources should make someone vulnerable to interpersonal violence or STI/HIV transmission. It is instead the way society treats people who trade sex through isolation, criminalization, and stigmatization that puts people who trade sex at risk for interpersonal violence and targeting.

Section 4: Courts and the Criminal Legal System, or the many different heads of the same Hydra

People who trade sex are often criminalized directly through criminal courts, but there can be ramifications and sanctions in multiple court systems. Understanding the ways that prostitution-related charges impact people when they are forced to or choose to engage the criminal legal system can significantly alter and guide the way campaigns play out.

Juvenile Justice. Individuals under the age of 18 who trade sex are considered under federal law, and the laws of most states, to be victims of sex trafficking, regardless of the circumstances under which they are trading sex. In many states, this designation can open options to avoid charges altogether, or at least offer opportunities to move the case into family court, or a different legal process altogether. These processes are broadly classified under the umbrella of *Safe Harbor* laws. Whether police, judges, or public defenders are trained on this aspect of state law, though, is a crapshoot, and it may be up to the individual lawyer or advocate to raise these legal issues. Being legally considered a victim of sex trafficking, even for minors, does not fundamentally change the adversarial relationship with the state or law enforcement, and does not protect minors from other charges, including being charged with trafficking if they worked with other minors.

The other side of the challenge of working with these kinds of charges against minors is that it could expose everyone who knowingly supports a young person in the sex trade—including minor peers—to felony charges of trafficking.

Immigration Court. Prostitution charges are considered crimes involving moral turpitude under federal immigration law, meaning that if someone is a migrant, prostitution charges on their record can prevent them from becoming legal permanent residents, in addition to other challenges. If someone is charged with prostitution and wants to plea down instead of fighting the charge, make sure the plea is for something which will not put their immigration status in jeopardy.

Diversion. While diversion programs fall squarely into the political camp of “reformist reform”,⁴⁹ for some folks and some jurisdictions they may be less harmful options than the alternative. In places like New York, for example, there may already be a standard practice of sending those picked up on solicitation charges to service-provider facilitated diversion programs instead of incarceration, and in many of those situations, avoiding re-arrest can mean having the charge dismissed once the program is complete. In other jurisdictions where there is no established practice, having a lawyer who can advocate for diversion may be the most viable option to avoid incarceration or a guilty verdict. Demonstrating social support and connecting with a supportive and low-barrier service provider who is willing to write a letter that they will take a person on as a client may sway a judge.

Of course, there are also downsides to participation in a diversion program. Some diversion programs are more onerous than jail time or require state surveillance for long periods, and people would rather plea to something like time served and take the charge rather than attend meetings with a counselor for months. Failure to complete diversion programs, some of which can be months and years long, can

49 An effort that purports to “do something better” but in no way challenges the carceral state.

also mean a person will face incarceration for not meeting unrealistic expectations. Some areas don't have programs which are nonreligious or competent for trans or gender nonconforming clients. Finding a low-barrier program that the court will accept can be an important element to negotiate before going to court.

Nothing in this document is meant to advocate for creating diversion programs as a standard practice, as it has not proven to be an incremental step towards decriminalization. Instead, codifying diversion programs often entrenches law enforcement as necessary barriers to services, and expands the criminal legal system's reach into people's lives. Diversion is only offered here as one possible harm reduction strategy for someone who is already facing charges and seeks to explore alternatives.

Emi Koyama on other troubling aspects of "Diversion:"

1. Diversion often requires giving up the right to trial.
2. Failure to successfully complete diversion can result in worse outcomes in criminal trials.
3. Diversion entrenches police as the primary outreach for [receiving resources] and funding is siphoned away from real services to those that play nice with the police.
4. The goal of diversion is to reduce law-breaking rather than helping individuals reach their own goals, and it's a violation of social work ethics.
5. It should be explicitly named that diversion is not an alternative to criminalization, but it is a form of criminalization.

Arrest when coming forward as a victim of violence. Many prosecutors still hold prejudices against people who trade sex, even when coming into contact with them as the victim of a crime. The idea that sex workers are transient, noncompliant, or inherently criminal can mean that sex workers are arrested and charged to keep them under the auspices of the criminal legal system. Sex workers may also be detained for long periods of time without being charged for the same purpose, as many law enforcement officers are taught that all sex workers have a p*mp or dealer who will be after them, and holding someone and confiscating their phone is a method of investigation. Lastly, sex workers can simply be held as "material witnesses" for a case in which they have been victimized. This adds another barrier for sex workers reporting violence to the system,⁵⁰ and is something to be aware of when working with folks who trade sex.

"As an aside, I was able to obtain a letter of clarification from the Washington State crime victim's advocacy that says crime victim compensation is available to sex workers who were hurt while working, because they don't consider doing sex work as 'provoking violence.' Maybe something advocates might look into in their own state." -Emi Koyama

50 Or seeking medical assistance after experiencing violence, which can also lead to arrest or detention...

fig 1.

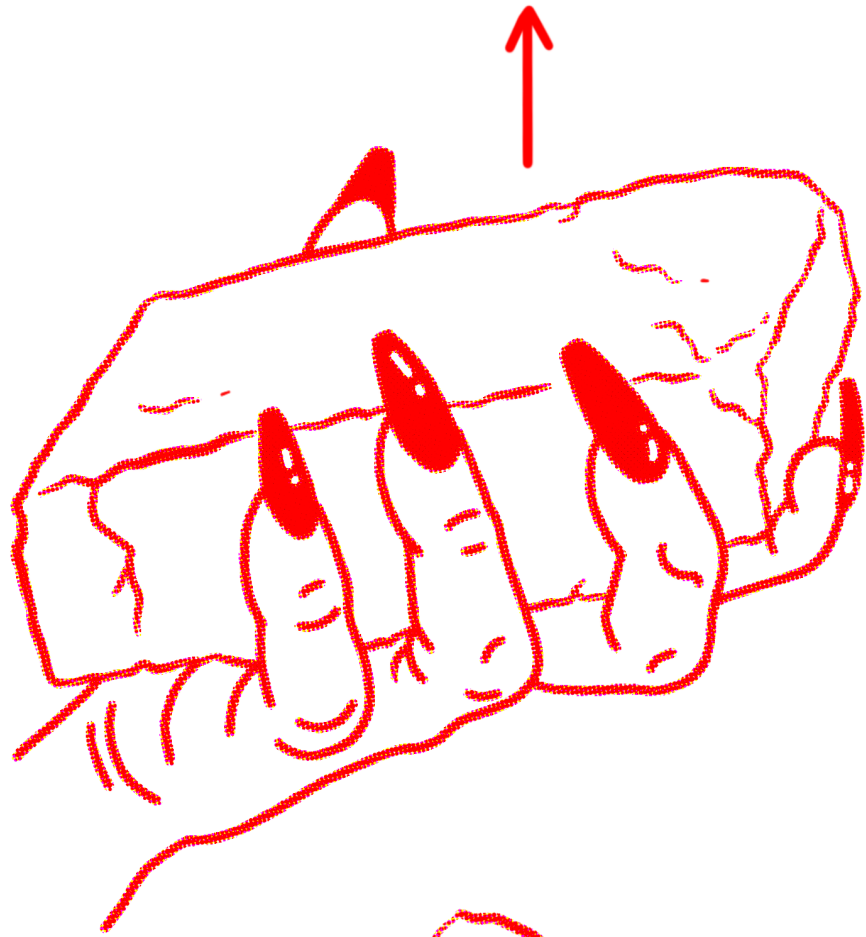
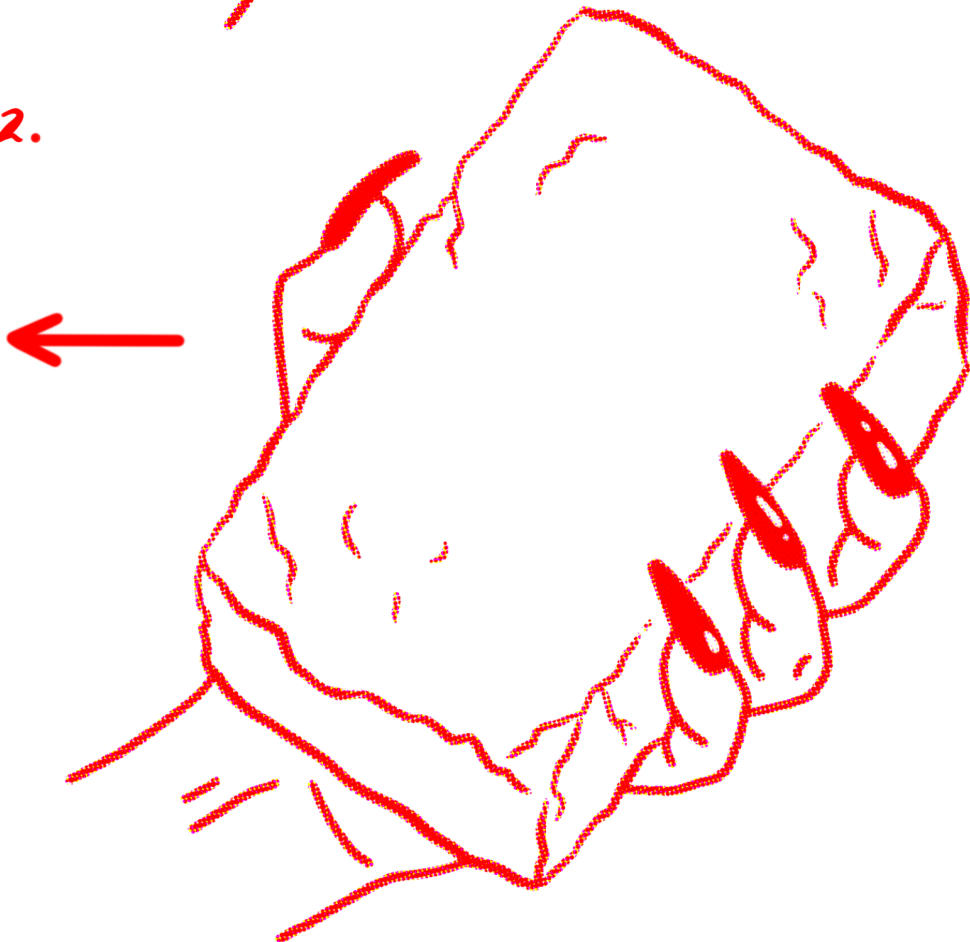


fig 2.



Section 5: Case Studies of Sex Working, Criminalized Comrades

#FreeLeLe

Alisha “LeLe” / “Lili” Walker is a 27 year-old, formerly sex working person originally from Akron, Ohio. In January 2014, Alisha was contacted by a returning client, Alan Filan, who agreed to pay her and another sex worker for sex in his Orland Park, Illinois home. When Alisha and the other sex worker arrived, Filan was very intoxicated and demanded that the sex be unprotected. Alisha and her fellow worker refused what they saw as unsafe services, asserting that Filan had to stick to their agreed-upon terms. Filan became violent, punching Alisha in the face before grabbing a knife from the kitchen. Filan threatened both women with the knife. Alisha struggled with him, and managed to wrestle the knife away, stabbing him in self-defense. Both she and the other worker fled. Filan was still alive when they left his house.

Alisha was arrested and charged with second-degree murder despite no physical evidence ever being recovered. She was held without trial for 20 months in Cook County Jail. At her trial, the prosecutor portrayed Alisha as a manipulative criminal mastermind, called her a monster, and spoke disparagingly about her family and her profession as a sex worker. Her defense attorneys sexually harassed her and never requested bond. A jury convicted her of second-degree murder, and Alisha was sentenced to 15 years in prison, of which she served nearly 8.

As Alisha has commented,

“When Obbish sentenced me to 15 years he basically said that I should have died that night when my client attacked me. He basically said that my life didn’t matter as much as that white man’s.”

The Support Ho(s)e collective,⁵¹ has created artistic resistance through visual works, amplified Alisha’s poetry practice, fundraised, held demonstrations, made consciousness-raising zines for fellow sex workers, and demanded our comrades on the left acknowledge sex workers’ experiences when developing their analyses, particularly around labor, feminism, migrancy, and sexuality. We’ve been able to do this because of intentional relationship building and learning alongside LeLe and other incarcerated sex working comrades with whom she’s connected us, inside and outside prison walls.

After all of Alisha’s appeals had been denied, we focused more intensely on a full clemency campaign--honing in on Gov. JB Pritzker’s purported progressivism and of course maintaining material support and commissary aid for Alisha while she was inside. These gubernatorial directed efforts were ultimately unsuccessful, though we did build relationships with local politicians sympathetic to our causes in this process.

⁵¹ <https://sxhxcollective.org/category/alisha-walker/>

#FreeGiGi

We established a post-release fund that people could contribute toward, worked with Hacking//Hustling to co-create post-release, funded project work for Alisha (that she's helped design), and secured housing for her in Chicago. Alisha is thankfully now home (earlier than expected, due to pressure from her grassroots defense campaign efforts and her pro bono legal support), but remains under state surveillance as she navigates organizing, working and living after incarceration.

“GiGi Thomas, a DC-based human rights advocate and transgender woman of color, needs our support! GiGi has been sentenced to 20 years in a Maryland prison for the actions she took to survive. Together, we must get her free.”⁵²

From GiGi Thomas's defense campaign website: “Transgender women of color face a violent society every day of their lives and face injustice at the hands of the criminal justice system on a regular basis. After saving the lives of so many cis and trans women of color in street-based economies, GiGi saved her own life—and now she is incarcerated.”

Advocates in the D.C. area, where Gigi is a well-known representative of the LGBTQ community and social worker, have maintained that the charges she is facing are an injustice. One person quoted in *The Washington Blade* last year said that the case must be understood against the “backdrop of black transgender women being killed in large numbers across the country because of their gender identity. Gigi knew about that as an activist and she fought back.”



52 <https://www.freegigi.com>

SUPPORTING
SEX WORKERS & SURVIVORS
lessons for DEFENSE CAMPAIGNS

VISIONS &

PRACTICING
UNlearning &
PUTTING OUR VALUES
into PRACTICE

GETTING ourselves & our PEOPLE

ACTUAL
solidarity
IN PRACTICE

SHARED
experience does
NOT mean SH
VALUES OR
frames of

LEARNING towards &
SKILLING UP on
CONFLICT



TO BETTER
HOLD each
other up

GETTING
on the
same
PAGE

& GETTING
in
FORMATION

CONNECTION
& BUILDING

PUSHING back AGAINST ALTRUISM

WHY DO I
WANT TO
DO THIS?

HOW DO WE
BUILD ACCOUNTABLE
relationships
w/ CLEARLY defined
ROLES

REFLECT on
our actual capacities,
WHERE do we
REALLY WANT to be?

WHEN the v
does NOT
us to na

TENSION

HOW DO WE
NOT REPLICATE
the URGENCY* of
CAPITALISM, white supremacy,
& COLONIAL LOGICS while
THERE IS URGENCY
for our INCARCERATED
COMRADES?

* USING RHETORIC of URGENCY to
evade
ACCOUNTABILITY

CHECKING
our
ENFORCED
MARTYRDOM

THERE is
NO =1=
RIGHT
way,



I am allowed
to have
BOUNDARIES!

MODELING
CONSISTENT
boundaries
with KIDS



NO MAGICAL
INSTAGRAM
SQUARE

AN
p
ASKIN

LESSONS

Leila

Red

KATE

ALISHA



the IMPORTANCE of a SUSTAINED COORDINATOR to HELP SHEPARD the PROJECT

Reflections on the PROCESS

NOTICING: Somethings FELT very different from ACTUAL defense CAMPAIGN organizing

moving SLOWLY with space for REFLECTION

USED shared VALUES to COLLABORATE & explore our VIEWS & DREAMS

the VALUE of ORGANIZATIONAL resources: SURVIVED & PUNISHED & SUPPORT HO(S)E

THE IMPORTANCE of WRITING this shit down

ALLOWED for new layers of DEPTH

CAPTURING A POLITICAL LANDSCAPE

LEANING into &

embracing

MESSINESS

& NUANCE & COMPLEXITY

BROUGHT in additional PERSPECTIVES & EXPERTISE

A DESIRE for the TOOLKIT to be ADDED to & BUILT UPON

AN ENTRY-POINT

A PLACE to START

WORLD want we THEM

SETTING & MAINTAINING boundaries

FEELS easier to SUPPORT other PEOPLE'S BOUNDARIES than own



BURNOUT

due to not-well MAINTAINED boundaries

PANIC attacks, sleeplessness, disordered eating

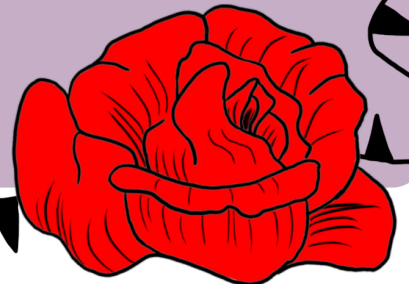
ONGOING process for help!

SOMETIMES daunting & even HEARTBREAKING

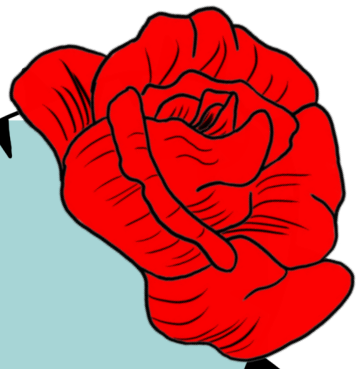
HOW MUCH IS SHOWING UP in a THOUGHTFUL & INTENTIONAL way, & HOW MUCH is it WORKING through your *OWN* trauma?

IT'S ABOUT SHARING & spreading out the WORK

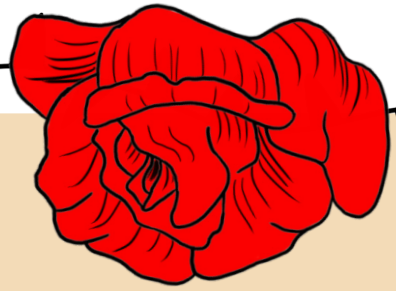
Notes



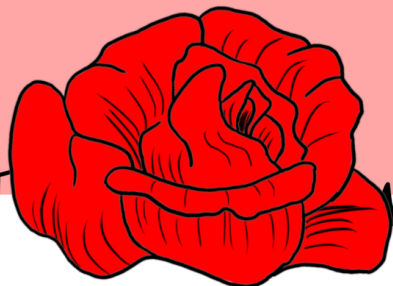
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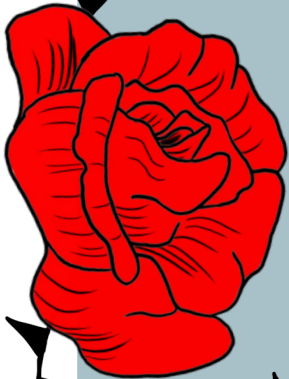
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Acknowledgements & Gratitude

We do not learn alone, in vacuums, far away from the thoughts, feelings, ideas, and actions of others.

We try and fail, succeed, or some combination of each, and find ourselves in meetings, on calls, in courtrooms, caring for children, visiting prisons, writing, screaming, protesting, and creating. All the time creating. In creating, we practice hope.

We are people who want to experiment, to try our best and explore new ways of being in right relationship with one another. How better to experiment than by sitting with all we've encountered, listening to our comrades, and expanding on what we know? To think through what could have been helpful and try again? We cannot allow the fear of "f*cking up" to keep us from working toward collective liberation, care, and everything that lies beyond what we know right now.

We want real care and compassion for our communities. We want to vision (and enact!!!) safety, justice, and boundaries in ways not informed by carceral or criminal legal systems or logics. We are a group of people who are very, very tired, but no less determined to speak to the violence, exploitation, erasure, and discrimination that people in the sex trades face even amongst those who claim they're "on our sides."

We are so grateful for all those who've taught us and continue to teach us daily.

This toolkit could not have taken shape over these many months without the insight, brilliance, labor, and struggle of many, many people. We wish to thank specifically: the Survived & Punished National Steering Committee, the Support Ho(s)e Collective--whose members inspired, advocated for, and helped organize this toolkit's formation, Reframe Health & Justice, Hacking//Hustling, INCITE!, Women With a Vision, Just Practice, DecrimNOW DC, Butterfly, Whose Corner Is It Anyway, Collective Action for Safe Spaces (CASS), Aileen's, and Urban Survivors Union.

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