

Human rights violations: The acceptance of violence against sex workers in New York

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Prostitution in any form is illegal in New York City. Women who work on the streets have a great deal of contact with police. Police and sex workers in New York engage in a cat and mouse dynamic, in which the police seek to control the activities of sex workers, and sex workers respond by trying to avoid them. The report *Revolving Door* of the Urban Justice Center's Sex Workers Project examines the impact of current law enforcement approaches to street-based sex work in New York City.¹ The report is based on interviews conducted with thirty street-based sex workers who were arrested in 2002 or had a high number of arrests.

The researchers focused on street-based prostitution primarily because these sex workers have the greatest contact with police officers because of where they work. Respondents included 28 women, 3 of whom were transgender women, and 2 men. Out of 30, 25 were people of color and all of them were poor. They ranged in age from 19 to 53 years old. The overwhelming majority lacked stable housing and many were substance-dependent.

Current law enforcement approaches take the form of arrests, often through the use of police sweeps (the practice of arresting all women or all people in a known prostitution area.) However, this police strategy often results in harassment and false arrest of sex workers. As a result, most sex workers who have faced violence do not see the police as a resource. This problem is compounded by the fact that police do not always respond to the complaints of sex workers.

Police interactions

The respondents were asked how often they had interactions with law enforcement officers that were not initiated by themselves. Seventy percent of sex workers interviewed reported that the police contact them almost every day. Such interactions were not always related to criminal activity. Many of these respondents described being unable to accomplish non-criminal tasks like shopping for groceries and riding the subway without interactions with police. *"They said, 'I want you to tell us who [committed a specific crime]. I know you heard about that'. I said, 'I didn't hear about nothing'. They said, 'oh, you don't want to tell us', they say, 'well, we can make it so every time we see you out... we lock you up, if you don't tell us... I'm telling you, you'd better tell us, or else'."*

Respondents reported harassment including sexual situations, violence and threats of violence, intimidation and false arrests. Sexual situations include inappropriate touching, extortion of sex (sometimes in exchange for not making an arrest) and even rape.

Police violence and sexual harassment

Eight sex workers reported having experienced violence at the hands of police. Six respondents described sexual harassment, abuse or violence. One of these described extreme incidents of sexual abuse of power by an officer. Another reported having been raped by a police officer. Sexual harassment included officers intimating that they would give warnings about police sweeps on the street or cigarettes to arrested women in exchange for sex. *“There are times when someone says: ‘It’s hot tonight, it’s a sweep, you should get out of here, now what can you do for me?’”* One woman reported stalking behaviour by a police officer. Transgender women described similar issues with harassment, but also specific differences relating to officers checking their genitals and making comments about their gender. Some reported that police were frequent clients, but not always good clients: *“I had a date and got paid, and then the guy pulled out his badge.”*

Reporting violent incidents to the police

Consistent and unpleasant interactions with law enforcement lead sex workers to attempt to avoid the police as much as possible. The desire to do so is so strong that most sex workers interviewed do not report serious and violent crimes committed against them. Even when violence is reported, these crimes usually go unpunished because violence against sex workers is tacitly accepted. Street-based sex workers described enormous difficulties in their attempts to report prostitution-related violence to the police, including rape, assault and robbery.

Many respondents laughed and said ‘no’ or ‘of course not!’ when researchers asked whether they had gone to the police for help. Others who attempted to report violent crimes, including rape, were told by the police that their complaints would not be accepted, that this is what they should expect, and that they deserve all that they get. One person said: *“I went to the cops who told me we didn’t have a right being in that area because we know it’s a prostitution area, and whatever came our way, we deserved it.”* Another added: *“I went to the police one time when I got raped and they said ‘you shouldn’t have been out there in the first place’.”*

When these women experienced further violence, they did not turn to the police: *“If I call them, they don’t come. If I have a situation in the street, forget it – [they would say] ‘Nobody told you to be in the street’. After a girl was gang-raped, they said ‘Forget it, she works in the street’.”*

Tacit acceptance of such violence is not only deplorable in itself but actually encourages such violence. Sixty percent of respondents had experiences with male clients who became violent or tried to force them to do things they did not want to do. Such a percentage among any other population group would prompt strong public response.

Not all sex worker-police interactions are negative. Seven subjects reported that they had positive experiences with police, mostly related to domestic violence. The Sex Workers Project received

one report of a good experience with the police following violence at the hands of a client. The woman's statement was taken seriously and was investigated. She was able to recruit three sex workers who had been attacked by the same person to testify against him, resulting in the conviction of this man who had preyed upon indoor sex workers for more than a decade.

Toward humane treatment of street-based sex workers

Experiences that respondents viewed as positive included instances that other civilians would take for granted, such as police taking reports of violent acts and following up on these reports. Complaints by sex workers should be met with the same respect and regard that would be given to any other crime victims, and complaints should be addressed and investigated without penalty to these victims of violence. It is critical that police assure sex workers that they will not be investigated or arrested for illegal behaviour if they come forward to report violence.

Special attention must be given to police officers who commit violence or other crimes against sex workers. These acts include sexual assault or abuse, sexual harassment, theft, and offering not to make an arrest in exchange for sex. Police leadership must make it known that they take such exploitation seriously. Police and the courts must aggressively investigate and punish police officers who harass or commit violence of any kind against sex workers.

It is imperative that proper police training occurs for dealing with violence against sex workers. The involvement of advocates, service providers, and community-based organizations is crucial. Beyond needs assessment and advocacy, they should act as liaisons to place sex workers' complaints. To ensure that sex workers are treated with dignity, it is critical for advocates, service providers, and community-based organizations to become productive partners with police through sensitivity training and awareness campaigns.

Note

1. J. Thukral and M. Ditmore, *Revolving Door: An analysis of street-based prostitution in New York City*. Urban Justice Center Sex Workers Project, July 2003, www.sexworkersproject.org

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Sex Workers Project

The mission of the Sex Workers Project is to advocate for (former) sex workers and those at risk of engaging in sex work, including victims of human trafficking, within the context of harm reduction, human rights, and workers' rights/economic justice. Goals include creating fair and dignified working conditions, normalizing the immigration status of undocumented trafficked sex workers, and reforming the criminal justice system's response to prostitution. Accordingly, the Project provides individual and systemic advocacy in a variety of areas that present core problems, and conducts research that informs such advocacy.

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Web: <http://www.med.vu.nl/hcc/rfsw.htm>