



## Violence Against Sex Workers: A Human Rights Violation

### Who?

Sex workers are adults who consensually perform sexual and/or erotic services in exchange for money or goods.

All sex workers are at greater risk of violence compared to the general public, but **sex workers of color, immigrants, migrants, and LGBTQ sex workers experience heightened levels of sexual violence and assault compared to their peers.**<sup>1 2</sup>

### What?

**Violence against sex workers is a human rights violation.** The United Nations Universal Declaration of Human Rights offers a universal, globally-adopted definition of human rights, many of which are currently not afforded to sex workers. There are 30 articles within the declaration, including the right to liberty and security of person, fair working conditions, presumed innocence until proven guilty, and the right to be safe from arbitrary arrest.<sup>3</sup>

- Currently, the treatment of sex workers in the United States violates this declaration in several ways, including the degree to which sex workers' exposure to violence, arbitrary arrests, unjust working conditions, and general lack of safety in legal proceedings.

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<sup>1</sup>Stewart, 2022

<sup>2</sup>Swift, 2022

<sup>3</sup>United Nations, n.d.

- The US State Department of the UN Human Rights Council's *Recommendation No. 86* calls for public services to account for the vulnerability to violence and human rights abuse that sex workers face.<sup>4</sup>

***Sex workers experience workplace violence at a range of 45%-75% throughout their careers<sup>5</sup>.***

- This differs based on the type of sex work — 80% of street-based workers report having experienced violence, and 46% of indoor sex workers report having experienced violence.<sup>6</sup>
- Violence against sex workers is associated with higher rates of:
  - Mental health issues, loneliness,<sup>7</sup> and suicidal behavior.<sup>8</sup>
  - HIV/AIDS
  - Poorer physical health<sup>9</sup>
- Physical or sexual violence is inflicted by clients who refuse or remove condoms,<sup>10</sup> avoid payment and otherwise extort, hurt or exploit sex workers.

## How?

***Sex workers experience violence and abuse from clients, intimate partners, and law enforcement<sup>11</sup>. This happens because:***

- Sex workers lack support from law enforcement.
  - Police (and male officers in particular) are more likely to blame sex workers when they are victims of violence and less likely to take their claims of rape seriously compared to survivors of violence who are not sex workers<sup>12</sup>. This gives perpetrators more freedom to act violently and minimizes agency or safety for sex workers to report violence.<sup>13</sup>

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<sup>4</sup> Dante, n.d.,

<sup>5</sup> Carr et al (2024)

<sup>6</sup> Swift, 2022

<sup>7</sup> González (2021)

<sup>8</sup> Beattie et al (2020)

<sup>9</sup> Carr et al (2024)

<sup>10</sup> Decker et al (2020)

<sup>11</sup> Carr et al (2024)

<sup>12</sup> Zvi, 2022

<sup>13</sup> McBride et al (2020)

- Police also perpetuate violence on sex workers — 30% of street-based sex workers and 14% of indoor sex workers reported having experienced violence or threats of violence from members of law enforcement.<sup>14</sup>
- Sex workers are demeaned in societal and political discourse. This type of stigmatization has been proven to inhibit opportunities and compromise the well-being of the stigmatized groups.<sup>15</sup>
  - Sex workers have long faced unfair judgment from society. Many people wrongly believe that sex work harms communities and goes against family values.
  - This normalizes sex workers as deserving of harm caused by violence, perpetuating disregard and diminished justice by law enforcement, policymakers, and community leaders.

## Why?

### ***Ineffective policy keeps sex workers in danger and perpetuates social biases.***

Failure to legally recognize that sex work is work, just like any other form of labor, is degrading to sex workers and fosters social biases against them. This, in turn, leads to bad policies like criminalization of consensual adult sex work or policies that support end demand models.

- End Demand or criminalization policies harm sex workers
  - End Demand Models
    - have not helped sex workers get justice when they experience violence and have actually exacerbated harm in some cases.<sup>16 17</sup>
    - have largely failed actually to slow the demand for sex workers and have instead just removed tools for safety, like online vetting. For example, SESTA/FOSTA was a federal effort to end demand for sex work but led to a reduced ability to screen for safety with clients and negotiate boundaries, including condom use.<sup>18 19</sup>
  - Criminalizing sex work exacerbates violence against sex workers,<sup>20</sup>

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<sup>14</sup> Swift, 2022

<sup>15</sup> Krusi et al, 2017

<sup>16</sup> McBride et al (2020)

<sup>17</sup> Argento et al (2020)

<sup>18</sup> SAFE Sex Workers Act

<sup>19</sup> Carr et al (2024)

<sup>20</sup> Swift, 2022

- forcing them to operate in more isolated conditions due to fear of being arrested if identified as a sex worker,
  - disrupting their efforts to prioritize safety through client vetting or
  - making it risky for them to report violence to authorities, which can, in turn, give nefarious clients more leeway to act violently
- Decriminalization policies, which are policies that remove criminal penalties for sex work, would increase harm reduction and keep sex workers safer.
    - Decriminalization would give sex workers the same protections and rights to which other laborers are entitled.
    - Decriminalization has proven to provide sex workers greater access to protection, increased awareness of health risks and risky behaviors, and opportunities for greater justice without fear of prosecution.<sup>21 22</sup>
    - Decriminalization is supported by many major human and civil rights organizations, including the Woodhull Freedom Foundation, the World Health Organization, UNAIDS, Amnesty International, and the Human Rights Watch.<sup>23</sup>
  - Harm reduction and decriminalization have been successful in other countries and have provided data to support the calls for policy changes.
    - Countries and cities that have decriminalized sex work, including New Zealand and New South Wales, report more safety for workers, greater access to justice if violence occurs,<sup>24</sup> and improve sex worker-law enforcement relations.<sup>25</sup>
    - Countries that prioritize shifts at the community level, such as police training and peer mobile outreach clinics, have lowered instances of violence with police.
    - Sex trafficking rates have not increased in countries with comprehensive and sound decriminalization policies.<sup>26</sup>

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<sup>21</sup> Ramirez, 2023

<sup>22</sup> McCann et al, 2021

<sup>23</sup> Ramirez, 2023

<sup>24</sup> Carr et al (2024)

<sup>25</sup> Swift, 2022

<sup>26</sup> Swift, 2022

## How can you help?

- Advocate!
  - Federal policy: SAFE SEX Workers Study Act
    - This policy would mandate research to evaluate the impacts of SESTA/FOSTA on human trafficking investigations and the health and safety of sex workers.
    - Encourage your federal representative to pass this act!
  - Several policies could be implemented at the state level to protect sex workers. Some of these are:
    - Decriminalization policies at the state level
    - Immunity policies: protects sex workers who report a crime from being prosecuted for performing sex work
    - Anti-entrapment policies: prohibit law enforcement from arresting sex workers after soliciting their services

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