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Melanie Basil
Interdisciplinary Arts and Science: Psychology
May, 2015

Faculty Adviser: Dr. Christine Stevens

Essay completed in partial fulfillment of the requirements for graduation with Global Honors,
University of Washington, Tacoma

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Introduction

Sex trafficking has become one of the world's fastest growing crimes, affecting nearly every single country on our globe. Despite increases in awareness, changes in policy, and continuous research, sex trafficking continues to occur with devastating effects (Segrave, Milivojevic & Pickering 2011). Rooted in poverty, gender inequality, and a high demand for cheap sex labor, sex trafficking exacerbates these conditions in return, creating a self-perpetuating cycle and inescapable global flow (Anderson & Davidson 2004).

This is a local issue as well as it is a global crisis; Seattle, WA is the third most active city in terms of child prostitution in the United States (Graham 2014). In addition, not only is child prostitution a form of sex trafficking, but an excessive proportion of sex trafficking victims are forced into various forms of prostitution as well (Hughes 2014). Prostitution is inevitably linked to sex trafficking—the topic of prostitution has therefore become a dominant part of the discourse and debate over the most effective ways to help combat sex trafficking (Heil & Nichols 2014). Prostitution has been criminalized in the United States for decades, so it is necessary to consider how the criminal policy model of prostitution has and continues to affect potential victims of sex trafficking in terms of providing support and necessary resources. This paper therefore examines the effectiveness of the criminalized policy model of prostitution and, if found ineffective, what else can be done to realistically approach the very multifaceted and global issue of sex trafficking.

In order to understand the role that prostitution plays in sex trafficking, it is first necessary to review 1) the definition of sex trafficking, 2) the western history and policies of prostitution and 3) the various discourses that have come to frame the current academic debates

on how prostitution should be regulated. Understanding these concepts allows for a greater understanding as to how and why the current research is being conducted.

Definitions of Sex Trafficking

Although there is no common consensus of the definition of sex trafficking among governments and organizations, we can look to both federal and international policy for the most comprehensive definitions. According to the U.S. Department of State's Trafficking Victims Protection Act of 2000—considered the foundation for Federal human trafficking legislation—the term 'sex trafficking' refers to “the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” (2000). A commercial sex act, then, is considered “any sex act on account of which anything of value is given to or received by any person” (U.S Department of State 2000). Sex trafficking that involves child prostitution and prostitution that is induced by force, fraud or coercion are both considered 'severe forms of trafficking in persons' (U.S Department of State 2000). International policies (although not necessarily recognized by the federal governments), such as the Palermo Protocol, have added to the definition, stating that prostitution induced by an abuse of power or a position of vulnerability is also considered sex trafficking (Andrees & van der Linden 2005). Peripheral countries and certain communities around the world are not even aware that sex trafficking exists. Thus, from a global perspective, there are several discrepancies in what defines 'sex trafficking.'

History of Prostitution

The term 'prostitution' is also very important to understand, yet has become equally difficult to define, mostly due to its long and complex history. Prostitution is often regarded as 'history's oldest profession', defined as the exchange of sex for something of value, and dates

back to 2400 B.C. in Mesopotamia (Carrasquillo 2014). Sumerian theology taught that women are inferior to men, regarding all prostitutes as the lowest members of society (Carrasquillo 2014). Prostitutes in ancient Greece had their own class system; while this made prostitution a much more pervasive occupation at this point in time, it continued to be condemned (Carrasquillo 2014). From these examples, it becomes clear as to where the adverse attitude towards prostitution originated, along with how deeply embedded these attitudes are into our global history.

The first shift in perspective and definition of prostitution is seen in ancient Rome. It became viewed as a trade high in demand—a way to control the sexual urges of men. Because of this, prostitutes were required to be licensed and listed (Carrasquillo 2014). Thus, at this point in time the first regulation of prostitution occurred. Evidence of recognition for regulation so early on in western history reflects the immense difficulty of defining and therefore dealing with prostitution that still exists today. With the rise of the Christian Church came more change, and even more confusion. The Bible condemned prostitution as evil, yet it was still considered a necessary outlet for men (Carrasquillo 2014). With prostitution more pervasive at this point, compassion began to arise for prostitutes. The portrayal of Mary Magdalene as a prostitute sparked a new attitude among the public that prostitutes were poor, exploited women who needed to be saved rather than condemned (Carrasquillo 2014). Thus, the ‘victim’ model of prostitution had been framed. Furthermore, understanding the various phases of prostitution in history can shed light on how different academic perspectives of prostitution have become formed.

Current Frameworks of Prostitution

Feminist Frameworks

Out of this history, and with the rise of the western feminist movements, came various discourses that all frame prostitution differently. The first-wave of feminism in the U.S continued the strong opposition towards prostitution, maintaining the position that all forms of prostitution ought to be abolished (Outshoorn 2015). Second-wave feminism brought to light two new discourses. The first, referred to as radical feminism, mirrors the traditional abolitionist viewpoint in that all prostitution ought to be abolished because all prostitutes are inherently victims of human rights abuse (Outshoorn 2015). The second, however, is an entirely new perspective of prostitution that acknowledges prostitution as a legitimate form of work (Anderson and Davidson 2004).

Paradigmatic Framework

Weitzer (2010) has also developed a framework for prostitution using three distinct paradigms. The first, the empowerment paradigm, embraces the claim that prostitution has the potential to empower sex workers; the fact that the term 'sex worker' is used here rather than the term 'prostitute' reflects this paradigm's recognition that there is a difference between forced and voluntary prostitution. This mirrors the sex workers' rights discourse discussed above. Then there is the oppression paradigm. This paradigm is opposite the first, recognizing absolutely no difference between forced and voluntary prostitution. Weitzer (2010) claims that prostitution is viewed as oppressive in this paradigm; 'sex workers' never willingly entered the industry, but were instead forced into the industry due to some sort of economic or social disadvantage or inequality. Weitzer states that the argument made by this particular paradigm closely resembles

that of the radical feminists approach, both viewing prostitution as a human rights violation no matter what the circumstance. Both of these frameworks therefore view prostitution as something that needs to be absolutely abolished, making that the ultimate goal for society.

Weitzer (2010) identifies his third paradigm as polymorphous. The polymorphous paradigm recognizes that prostitution is complex, and cannot be broadly categorized, judged, or managed. This paradigm recognizes both the strength and weaknesses in the empowerment and oppression paradigm, but at the same time understands that different social and cultural factors play a major role in how prostitution should be understood and valued (if at all) in society.

Weitzer points out that this paradigm is more empirically based, while the other opposing two paradigms are based more on morality and judgment. These various frameworks are not only important in understanding the complexity in the term 'prostitution', but serve as the foundation for different policy models of prostitution, the basis for the following review of current literature.

Literature Review

These frameworks were used as a guide for a literature review on sex trafficking. There are four major policy models of prostitution. The four main policy models are complete criminalization, complete decriminalization, partial decriminalization, and legalization (Kotiswaran 2014). Before delving into the various aspects of the criminal model, which will be more deeply discussed due to its prominent implication to the current research, the other three models will be discussed first.

Policy Model of Complete Decriminalization

With complete decriminalization, there are no regulations or standards put in place; the act of buying or selling sex would not be a crime, allowing prostitutes to control their business without government assistance or help (Carrasquillo 2014). Any special anti-sex work criminal

law is thus removed. Decriminalization recognizes that prostitution is a type of service that should allow sex workers to operate under the same employment and legal rights that any other occupational group has (Kotiswaran 2014). This policy model is often seen as the only way to protect the human rights of sex workers and at the same time address their working conditions (Abel 2014). Therefore, this particular policy is in agreement with the ‘sex workers’ rights’ approach by feminists, and aligns with the empowerment paradigm developed by Weitzer.

New Zealand was the first country, in 2003, to implement the decriminalization policy model of prostitution, or rather ‘sex work’ as it is termed in the type of framework (Abel 2014). Decriminalization in New Zealand has improved safety conditions, promoted better health, and created easier access to justice for sex workers, providing them with their deserved rights and necessary protection. Despite the success seen in this country, there has been little movement towards decriminalization in other countries (Abel 2014), including the United States.

Policy Model of Partial Decriminalization

The second model is partial decriminalization where the solicitation and buying of sex is illegal and criminalized, however, the sex workers themselves are not penalized (Kotiswaran 2014). This policy is considered a more viable way to end prostitution; when buying sex becomes illegal, it makes sense that the demand for prostitution would go down, and prostitutes would not be left with the stain of a criminal record (Abel 2014). Thus, the male patrons would be less likely to buy, and the prostitutes more likely to seek alternative methods of income, decreasing the presence of prostitution overall (Carrasquillo 2014). Because prostitution is still considered something negative that needs to be stopped in this context, both the ‘radical feminist’ and oppression paradigm are reflected in this particular policy, yet there is recognition

that criminalizing the prostitutes is not working, indicating that the criminalized policy model of prostitution may not be ideal.

Policy Model of Legalized Prostitution

Thirdly there is legalization. Legalization of prostitution removes all criminal penalties from the selling and buying of sex, and adds regulations and standards in order to control the industry (Carrasquillo 2014). The content of regulation varies, but rules specifically dealing with sex work replace any anti-sex work criminal law (Kotiswaran 2014). This policy model aligns with feminists' sex workers' rights approach and empowerment paradigm, recognizing sex work as an occupation where those involved are allotted the same rights as everyone else. The various regulations that are set up are seen to be able to improve the conditions of sex workers and keep them safe (Carrasquillo 2014). We can see an example of this in Nevada, the only state in the United States where prostitution is not criminalized. The many harms of prostitution are either nonexistent or minimal in Nevada due to the regulations put in place in the various counties—one example of regulation in Nevada is making it illegal for individuals to procure a person for the purpose of prostitution, meaning that pimping is illegal (Carrasquillo 2014). The Netherlands is another place that has experienced legalization, and is known to have the least oppressive prostitution laws. Thus, this alternative to criminalization can result in favorable outcomes, but is definitely not considered a 'perfect' model by any means.

Policy Model of Criminalized Prostitution

Finally there is the policy model of criminalization, the most common policy model of prostitution, globally speaking, and is the entry point to the current research at hand.

Criminalization is the policy model that has been adopted in the United States—except for certain counties in Nevada—but laws are determined on the state level. Both buying and selling

sex is considered illegal in this policy model, whereby those engaging in the act can be arrested and prosecuted in accordance with a state's particular law (Davis 2006). Those who offer sex for money, along with those who purchase any sexual service are punishable. Criminalized prostitution also penalizes third parties who arrange or benefit financially from prostitution arrangements, such as panderers and pimps (Johnson 2014). Becoming caught in prostitution often results in a misdemeanor, but punishments vary state to state. The acts that promote prostitution, however, more often than not receive felonies, and when underage prostitution is involved, the penalties are most harsh (Davis 2014).

Johnson (2104) explored how this model of illegal prostitution aims to benefit the overall fight against sex trafficking along with its potential and current victims. One argument is that labeling an industry as 'illegal' will inevitably steer people away from wanting to sell or buy sex due to the fear of both punishment and stigmatization on both ends. When traffickers and pimps become involved in the industry anyways (which has become an inevitable fact), at least laws and regulations are in set in place to appropriately assess and confront the committed crime (Davis 2006). Another more historical reason behind criminalized prostitution is the fact that paying someone for sex, or vice versa, is morally wrong (Cho 2013). Although criminalization seeks to protect society from the proactive and 'morally wrong' nature of prostitution, it exists nonetheless, as does the trafficking in persons for sexual exploitation. This policy model, even more so than partial decriminalization, reflects the 'radical feminist' framework and oppression paradigm. If illegal prostitution isn't actually prohibiting people from participating in it, however, it is important to further look at how this particular policy model of prostitution isn't working.

Johnson (2014) found that rather than affecting the demand side of commercial sex, criminalization only ever really affects the sellers of sex. He claims that because of the anonymous nature of the ‘john’ who buys sex, these men are able to slide right through the system, able to continue their business as they please. Johnson concludes that enforcement of prostitution laws are discriminatory against the sellers of sex and is therefore harmful to women overall (2014). It has also been found that victims of sex trafficking are not likely to come forward when they know they may be penalized for their actions (Huisman & Kleemans 2014). Anderson and Davidson (2004) add that within criminalized environments, exposure to several other forms of illegal activity and violence is inevitably inherent when engaged in an illegal industry. Therefore, when drug abuse, battery or rape occurs, victims are not in any way inclined to report to law enforcement for fear of becoming arrested.

The most popular and current criticism of criminalization is that women who choose to prostitute themselves ought to be considered acting agents in their own bodies, fully capable of deciding how they wish to make a living (Outshoorn 2015). In a criminalized environment, prostitutes who view themselves as sex workers become subject to the conditions illegal settings foster, such as poor health care and unregulated and unprotected sex (Bates & Berg 2014).

With prostitution being one of history’s oldest professions, it makes sense that it has taken such a long time for the realities behind criminalized prostitution to be exposed, and that debates over which model works best are still being discussed.

Current Debate in the US

It is important to understand the current debate about prostitution in the United States. The literature review has already noted that the U.S. currently criminalizes prostitution, but it is also important to consider if there have been any recent initiatives or efforts to try and start

reframing the way this country views prostitution. Because of the criminal status of prostitution, the oppression paradigm dominates the debate over prostitution in the U.S (Weitzer 2010). This dominant view has created a very negative discourse, which not only affects how society views and interprets prostitution, but can actually affect policy as well. Weitzer explains that although the U.S., over the past 25 years or so, has become more and more tolerant of certain vices, prostitution policy remains tabooed (2012). In fact, the most popular trend has been in the direction of greater criminalization, not less (Weitzer 2012). This push for harsher penalties in turn has kept any type of pursuit towards changes in or alternatives of prostitution policy behind locked doors; Weitzer explains that in “2007, the Justice Department required those who apply for funding to conduct research on trafficking to certify that they ‘do not promote, support or advocate the legalization or practice of prostitution’” (2012, p. 64). Funding for research is therefore limited primarily for anti-prostitution efforts, resulting in not only the negative discourse discussed above, but increases the impact of morality politics, stigmatization, and victimization. In the end, it is this framework that this research looks to challenge.

This research study sought to explore the concept of criminalized prostitution from multiple points of view. Using interviews of experts and individuals with experience in prostitution and sex trafficking, living in both Washington State and the Netherlands, adds other important voices to the discourse about prostitution in these areas.

Method

This is an exploratory descriptive study design using interviews to explore the effectiveness of criminalized prostitution in being able to provide the necessary support and resources to potential victims of sex trafficking. The overall goal is to provide policy makers and

the public with information that encourages broader thinking in the U.S. in regards to prostitution policy in order to combat sex trafficking more effectively.

Recruitment

The Human Subjects Division of the University of Washington's Institutional Review Board approved the procedures and interview questions used for the purpose of this research. (SEE APPENDIX A). After obtaining this approval, participants were recruited by email. The emails explained the current study, how the individual could contribute to the research based on their experience, and respectfully asked the individual if they would be willing to participate in an interview, either in person or via an online program. Participants resided in either United States or Netherlands. These countries were targeted due to their contrasting policy models of prostitution.

Participants

Four participants were interviewed, including a former sex worker from the Netherlands, and a former trafficking victim and two law enforcement officials from the Seattle-Tacoma area. Participants have experiences or are experts in prostitution and sex trafficking. There were two females and two males interviewed, all over the age of 25.

Procedure

Interviews used questions intended to establish positions and opinions on prostitution policy models (SEE APPENDIX B). There was always one interview session per participant. Interviews lasted no longer than an hour. Interviews were personally conducted and audio was digitally recorded for later analysis. Interviews took place both in person and online, using a program called Skype. Online interviews were used when participants were unable to meet in person due to geographical or personal reasons. Participants were provided with a written

consent form that they signed and will retain until June 15, 2015. Participants were also notified verbally that they had the right to refuse to answer any question presented in the interview and that they may request a copy of the research paper upon its completion. Responses to questions from participants were then recorded and analyzed for themes related to the argument of this paper.

Content analysis of the interviews was used to look for themes in the responses. These themes are the disadvantages of criminalized prostitution, stigmatization, and structural and policy issues. Although the intended purpose of this research is to specifically target how criminalized prostitution is failing at identifying and protecting victims of sex trafficking, participants' responses also yielded insight on alternative ways to help victims of sex trafficking.

Results

Disadvantages of Criminalized Prostitution

The most prevalent theme that arose out of the current research is the fact that there are several disadvantages in the criminal policy model of prostitution. One such disadvantage, found among the interviews, is the social stigma of being labeled a 'criminal' due to being forced to work in an illegal environment. This is reflected in a comment made by a former sex worker on this policy model, that *"in a country where prostitution is illegal it's very difficult to reach out to people because they know that what they do is illegal, so they will hide, they will work underground, they feel insecure or afraid."*

Another major disadvantage discussed by the participants was that criminalized prostitution decreased the chances of uncovering potential victims of sex trafficking. First, increased stigmatization hinders victims' ability to come forward; the more ashamed you feel—stigmatized—the harder it is to stand up for yourself and reach out for help. Victims are also less

likely to come forward when there is fear of prosecution: a former sex worker explained that *“you're not only a victim of human trafficking, you're also working in illegal circumstances. So you're not only afraid for your pimp, you're also afraid for the police.”*

There is also little compassion by police towards prostitutes in illegal settings, as you can see in this response from a former police officer who had experience with prostitution and sex trafficking; *“Because of the situation, we take it for granted as a cop...you know what they are into, you know what they do in their lives...a lot of times guys will treat these girls like they are garbage, there is no compassion shown towards them.”*

Another flaw found in this policy model is the fact that it fosters an unsafe and unhealthy environment. A former sex worker asserted that this sort of system automatically puts the industry into the hands of criminals, creating a dangerous, high-risk environment that lacks any sort of regulation that could potentially help serve the needs of victims.

Health was another disadvantage to this model that was pointed out by participants in this study. There is absolutely no way to provide the necessary healthcare and services to victims of sex trafficking when those individuals are considered criminals. Lack of regulation leaves much room for the spread of sexually transmitted diseases and other illness that may or may not require medication or some form of treatment.

An additional drawback pointed out by participants is that criminalized prostitution actually seems to increase the prevalence of prostitution and therefore the presence of potential victims. A former sex worker believed that trafficking is actually worse where prostitution is illegal, and a former trafficking victim agreed, stating, *“I think part of what drives men to purchase the women is that it is illegal and underground and it's that secretiveness, that excitement adds to it.”*

A former victim mentioned yet another disadvantage; criminalized prostitution is seen as a policy that only penalizes the pimps and the prostitutes, while “*the johns [and] the tricks [receive] nothing.*”

Stigmatization

The second theme that arose out of the current research is the fact that stigmatization occurs even if prostitution is not criminalized. Social stigma therefore exists regardless of the policy model in place, but it does manifest itself differently based upon social and cultural context. For example, in the US, where prostitution is illegal, prostitutes are most stigmatized for being worthless, dirty, desperate, and not deserving of compassion. Social stigma in this context is therefore geared towards an attack on one’s character and morality. In the Netherlands, however, sex work is legal and tolerated, yet stigmatization still exists.

According to a former sex worker, sex work is considered ‘*a low standard business.*’ Social stigma in this environment is therefore geared more towards an attempt to legitimize sex work and give sex workers a voice in the political debate, rather than a reflection of someone’s poor character. When stigmatized, regardless of the policy model, victims of sex trafficking are less likely to come forward, reach out for help, or seek available resources. The fear of being labeled and targeted as trash weakens one’s self-perception and self-esteem, and heightens the sense that one is undeserving of help. As one can see from this quote from a former trafficking victim, even once you have escaped the industry, the stain of stigma still persists:

Social stigma? Coming out? Yeah, it's an embarrassment. Still to this day, I'm still coming out with my book and people that know me that didn't know my past...so that social stigma of it yeah, definitely think that is a huge...part of asking for help, and even once you get out, you're so embarrassed that you're

like "let me just go back to that life so I can continue to use drugs and turn all those emotions off."

Policy and Structural Issues

Some policy and structural issues also arose out of the interviews; alternative policy models were mentioned, and concerns over certain societal structures were discussed. A former sex worker stated that *"if you want to fight human trafficking you have to start giving sex work a legal status. I think that's number one [priority] to make."* That same participant said that legalization would also make society less afraid of prostitutes, and that it makes the industry more visible, making it easier for victims to reach out to those that can help. It was also mentioned that the transparency generated by the legal model would make it possible for social workers and health care providers to be able to reach out to potential victims, build relationships with them, and learn more about their circumstances and how they can help them. They are able to build trust so that a potential victim feels safe confiding in them. A former victim of sex trafficking, however, stated that even if prostitution were legalized, there would still be an underground market, and that prostitutes would be more willing to engage in the latter, because that is what they are most familiar with. This, along with comments made by other participants, prompted another common theme among interviews: prostitution will endure regardless of the policy model in place.

When asked for suggestions about how to locate and help victims of trafficking, other than focusing on policy change, a former sex worker explained that education of society's youth should be a key goal. They stated that young girls, and more importantly boys, need to be taught how to respect themselves and one another, and talked about how education ought to incorporate

teaching skills on how to defend oneself against abuse. One participant said that “[it] should be part of your education to treat yourself well and to never let somebody use or abuse you. I think that’s more important than warning people.” A former police officer explained how traffickers target young victims in malls, and select them based on their characteristics, looking for those who look vulnerable.

With regard to structural issues, a common thread arose from the interviews about government programs and organizations and their inability to help potential sex trafficking victims who are forced into prostitution. The organizations and programs tend to focus on awareness rather than actual, functional resources. A former sex trafficking victim explained in her interview that when trying to help a friend out of prostitution, they were told there were no resources available for her due to being underage. Because there were no programs in place for her, she resorted to looking elsewhere:

I was able to get a couple of resources but not from any of those organizations that claim to help people...I know that there's a lot of survivor-run organizations that are starting to come up...they're not like professional people that are collecting all this money. They're doing what they can...basically they're going to fail because they don't have the...ability to go out and raise the money that these other organizations do. They raise all this money but don't help anybody. Usually it's the broke people that are helping the broken I know lots of people that are trying...but the ones that are trying don't have the resources. The people that have the resources aren't trying.

Discussion

Using interviews of experts and individuals with experience in prostitution and sex trafficking, this paper argues that criminalized prostitution is ineffective in providing victims of sex trafficking with the resources they require to escape their situations; it is therefore necessary that alternative models of prostitution be further considered and researched, and that efforts be made to start changing the attitudes and social constructions that have come to shape how this issue has been dealt with for so many centuries.

It is now important to interpret the participants' responses to the questions asked in their interviews to clarify how the above conclusion was reached; the results were indeed able to help answer the current research questions, but at the same time provided interesting insight as to how else society can further work towards being able to identify and help victims of sex trafficking who are forced into prostitution. The expectation was that participants would want to focus solely on policy but they had a lot to say when it came to how society is and continues to be socially structured.

Once again, the first major question that this research aims to answer is whether criminalized prostitution is an effective policy model when it comes to helping victims of trafficking. This current research has revealed that the answer to this is no; too many of the themes that arose out of the interviews attest to significant flaws in criminalized prostitution. Such flaws are consistent with the criticisms found in current literature on criminalization.

The first common theme of this research—the various disadvantages in criminalized prostitution—is a clear representation of this policy model's inability to provide an environment for potential victims of trafficking in which they have the ability to seek help. The social stigma created is a powerful and derogatory construction that keeps victims from reaching out. When in

this type of setting, victims internalize their involvement in something criminal, making them feel shameful, insecure, and under the impression that they are in the wrong for doing something illegal. This makes victims much less likely to reach out and ask for assistance, for they feel automatically labeled as a criminal.

There is also the lack of access to necessary resources for victims seeking help, and this can be seen in both the government sector and advocacy groups. Doctors, police, social workers, and other personnel who have the potential to help, are unable to reach out to victims when they are technically engaged in illegal activity.

The health concerns discussed by participants are not only indicative of need for policy change, but also must be considered in the greater context of society. Health risks in communities where prostitution rates are high can have serious impacts on the greater community and those not even involved in the industry but who just live in the area. For a nation that prioritizes public health so highly, it would seem as though efforts to help provide necessary healthcare to potential victims—as other countries have attempted to do—would be more of a priority for the U.S.

The fact that participants most often experienced only the prostitutes being reprimanded by law enforcement implies that this certain policy model could potentially perpetuate sex trafficking by increasing the demand.

What all these results regarding the disadvantages of this policy model indicate is that criminalized prostitution is unable to serve its intended purpose. Proponents of criminalized prostitution claim that such model keeps the industry from flourishing by discouraging various actors to engage in illegal activity (Johnson 2014). In reality, it is the underground nature of criminalized prostitution that makes it more desirable for both pimps and johns. It fails to stop

the industry, is known to worsen living conditions, and is believed to perpetuate trafficking. Nowhere in this type of setting is it even plausible for a potential victim of sex trafficking to be helped; the chances of a victim seeking help, or for authorities or law enforcement to be the ones who reach out, are nearly impossible when involved in something that is technically and socially labeled as illegal.

Thus, if criminalized prostitution is unable to serve its purpose, and is in fact making the issue worse, why is prostitution illegal? Participants' responses that touched on some of the benefits of legal prostitution helped answer such question, but due to the fact that social stigma still exists regardless of the policy model in place, it seems as though changing policy alone may not have a very significant effect on victims of trafficking being able to be better helped. Nonetheless, criminalized prostitution is an ineffective policy model when it comes to the focus of victims of sex trafficking. In terms of policy however, it is crucial to at least consider other possibilities.

Participants' further responses on structural issues were able to provide insight as to how else, policy changes aside, the issue of locating and helping potential victims of sex trafficking can be solved, which was the second overall aim of this current research.

Education of society's youth, mentioned by most of the participants, is not only a preventative measure, but it seems most realistic, because it influences the larger, societal and structural forces that are driving social norms, expectation, beliefs, and attitudes (Hughes 2004). It is time to strengthen society's young women and instill more compassion in young men as a preventative measure, rather than waiting till high school to talk about 'awareness' where the only thing you think of when you hear the term 'sex trafficking' is an old poster on a bathroom stall door.

With regard to other structural issues, if organizations are meant to be an outlet for victims of trafficking when prostitution is criminalized, yet access to organizations doesn't exist, it must therefore be considered that alternative outlets be provided.

In the end, the disadvantages found in criminalized prostitution constitute it as a failed system. And, because stigmatization persists regardless of the policy in place, and because social constructions of society have such great weight on prostitution and the occurrence of sex trafficking, efforts to help solve this global issue seem to have to start at a more fundamental level.

Conclusion

From these interviews and subsequent themes, this research is able to conclude that due to the several limitations rooted in criminalized prostitution, this particular policy model is clearly unable to satisfy the needs of sex trafficking victims who are forced into prostitution in the United States. In areas of the world where different models of prostitution exist, such as the Netherlands where it is legal or New Zealand where its is decriminalized, trafficking victims are able to access the necessary resources due to the decrease in stigmatization and fear that results when not trapped in an illegal environment.

Despite the success of the legal model in Amsterdam, and due to the incredibly strong impact that our social, cultural, and economic context has on our attitudes towards this issue, to simply say that the United States should legalize prostitution is moot. What can be said with confidence, however, is that the policy model we have in place right now, right here in the U.S., is failing to be effective. What we can be done, however, is to conduct research similar to this that can lead us in a direction away from the morality discussion that for so long has dominated this discourse.

The fact that there are several limitations to the current study also renders the need for further research; the small sample size and time constraints present in the current study limited a more in-depth exploration of this issue. Future research should therefore include larger sample sizes, but more importantly must move away from blanket questions that argue over right versus wrong, and towards a new direction that pushes for new perspectives that fight to open minds and change attitudes. Yes, the alternative perspective of legalizing prostitution seems unrealistic and even absurd in modern day U.S. society, but it must be considered, and further research is needed to do this, because there are always other alternatives to explore.

Thus, it is going to take further funding, research, educating our youth, and time to awaken our attitudes towards prostitution and the realistic role it plays in sex trafficking. Once we are able to accept the fact that sex trafficking is not something that can be stopped, we can start asking the kinds of questions that matter, the kind that can produce answers that can actually facilitate social change. Change is what truly has the potential to translate into hope, and it is hope that victims of trafficking—both in our own backyards and across the globe—have truly begun to lose.

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Appendix A

Letter of Approval



March 11, 2015

PI: Amy Blanchard
Student
Institute for Global Engagement
UW Tacoma

CC: Melanie Basil, Student
Dr. Christine Stevens, Faculty Advisor

RE: APPLICATION: Determination, Exempt Status, HSD Application #49318, "Sex Trafficking and Models for Managing Prostitution"

Dear Ms. Blanchard:

The University of Washington Human Subjects Division (HSD) has determined that your research qualifies for exempt status in accordance with the federal regulations under 45 CFR 46.101/ 21 CFR 56.104. Details of this determination are as follows:

Exempt category determination: **Category 2**

Determination period: **March 11, 2015 to March 10, 2020.**

Although research that qualifies for exempt status is not governed by federal requirements for research involving human subjects, investigators still have a responsibility to protect the rights and welfare of their subjects, and are expected to conduct their research in accordance with the ethical principles of *Justice, Beneficence* and *Respect for Persons*, as described in the Belmont Report, as well as with state and local institutional policy.

Determination Period: An exempt determination is valid for five years from the date of the determination, as long as the nature of the research activity remains the same. If there is any substantive change to the activity that has determined to be exempt, one that alters the overall design, procedures, or risk/benefit ratio to subjects, the exempt determination will no longer be valid. Exempt determinations expire automatically at the end of the five-year period. If you complete your project before the end of the determination period, it is not necessary to make a formal request that your study be closed. Should you need to continue your research activity beyond the five-year determination period, you will need to submit a new *Exempt Status Request* form for review and determination *prior to implementation*.

Revisions: Only modifications that are deemed "minor" are allowable, in other words, modifications that do not change the nature of the research and therefore do not affect the validity of the exempt determination. **Please refer to the [SOP on Exempt Determinations](#) for more information about what are considered minor changes.** If changes that are considered to be "substantive" occur to the research, that is, changes that alter the nature of the research and therefore affect the validity of the exempt determination, a new *Exempt Status Request* must be submitted to HSD for review and determination *prior to implementation*.

Problems: If issues should arise during the conduct of the research, such as unanticipated problems, adverse events or any problem that may increase the risk to the human subjects and change the category of review, notify HSD promptly. Any complaints from subjects pertaining to the risk and benefits of the research must be reported to HSD.

Please use the HSD study number listed above on any forms submitted which relate to this research, or on any correspondence with the HSD office.

Good luck in your research. If we can be of further assistance, please contact us at (206) 543-0098 or via email at hsdinfo@uw.edu. Thank you for your cooperation.

Sincerely,

Lindsey Scaggs
Human Subjects Review Coordinator
(206) 897-1748
scaggl@uw.edu

Appendix B

Interview Questions

1. How long you've been in your field of study/work?
2. How do you personally define sex trafficking?
3. What's been your experience with the sex industry?
4. Have you ever encountered a trafficking victim? From your perspective, what were some of the challenges he/she faced?
5. One of the things I've found important in my research has been the social stigma associated with prostitution. I want to share a quote with you from a person that was trafficked in the US and I'd like your response on how this may play out within a legal setting.
6. To your knowledge, what are some resources provided for potential victims of trafficking? How effective are these methods for identifying these individuals?
7. Do you think a victim would be more likely to come forward and seek help in a legal or illegal context, or do you think it would matter? Why?
8. What effects do you think legal/illegal prostitution has on society?
9. What prostitution structure do you think provides the best environment for trafficking victims to escape? Why?
10. In regards to how prostitution relates to trafficking, is there anything you would like to add that we haven't discussed?

