

Impunity, Ignorance and Racism in the Sex Trade: A Multi-Method Study in New York State

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ABOUT THE RESEARCH TEAM & SOCIAL RESEARCH LAB

Dr. Angie Henderson is a Professor of Sociology at the University of Northern Colorado (UNCO) in Greeley, Colorado and the co-founder of The Avery Center for Research & Services. Dr. Henderson also holds the position of Executive Director of the Social Research Lab, which was founded in 2007 with two goals: (1) to provide high-quality assistance with research design & implementation for research projects and (2) to provide training for graduate and undergraduate students in research methodologies & project management. The Lab offers consulting for grant writers, original data collection, analysis, and reporting.

Dr. Henderson has expertise in both qualitative research design, she has published over 25 peer-reviewed journal articles, 4 book chapters, and two co-authored textbooks. Her research on bottoms – the second-in-command in a sex trafficking operation – was published in January 2022 in *The Journal of Human Trafficking*. Her most recent work on the overlap between substance use and trafficker control was published in *Urban Crime: An International Journal* in April 2022. She has also given over 50 professional presentations at academic conferences. She has twice presented at the United Nations' Commission on Crime Prevention & Criminal Justice in Vienna, Austria. Dr. Henderson has expertise in interviewing, focus groups, observational analysis, and content analysis and extensive expertise in studying victims and survivors of sex trafficking.

Ms. Niyah Sheffield served as a Research Assistant and Lived Experience Expert at The Avery Center for Research & Services. For this project, Niyah assisted with voicemail creation, research methods, data collection, data analysis, and conclusions. Niyah has presented on *Misogynoir in the Sex Trade*, co-presented a webinar on the dangers of sugaring for World Without Exploitation, authored an Op-Ed on the subject of survivor interactions with law enforcement, and has spearheaded outreach projects both in-person and digitally using *Freedom Signal*. Niyah is currently editing footage for a documentary project that addresses issues of the over-glamorization of the sex trade and the definition of “informed consent” when it comes to prostitution.

Ms. Holly Carlton is a psychology and sociology double major at the University of Northern Colorado. Holly completed a summer internship at The Avery Center, and assisted with project management, data collection and data analysis. Holly was awarded a Developing Scholars award for her research on the overlap between traditional Christian values and the perpetuation of rape myths in the U.S., and she has consistently made the Dean's list for her academic achievements. She hopes to become a counselor for survivors of sexual trauma.

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EXECUTIVE SUMMARY

Reliable data on the scope of commercial sex trade (CST) can be difficult to access; most reports rely on law enforcement or health care interactions with individuals who reach out for services during or post-CST involvement, or other non-governmental organization estimates. Yet, initial analyses of the sex trade reveal stark inequalities and racial injustice that is seemingly built into the natural power imbalance in the sex trade (CAP International, 2022). Essentially, these data suggest those with power in society—whether it be racial privilege, gender privilege, or economic privilege, or a combination of all—are often directly responsible for the harm experienced by individuals being sold in the sex trade. The present study offers a unique look at how these intersections play out in New York State. We provide a snapshot of the CST in New York using a prevalence estimation model to predict how many New Yorkers are engaged in the commercial sex trade as buyers, sellers and third party controllers, as well as a qualitative look at what sex buyers do and say via online (hobby boards) and in response to two decoy ads placed across New York State.

In the past few years in New York State, the “supply” of the number of individuals being advertised online for purposes of prostitution in New York more than tripled (from 68,891 in 2021 to 243,721 in 2022). Similarly, the estimated number of third-party controllers (which could include pimps, sex traffickers, brothel owners, illicit massage business managers) moving people through New York State more than tripled (from 16,814 in 2021 to 59,407 in 2022).

While the number of sex buyers has remained stable (from 445,594 in 2021 to 442,028 in 2022), the racial and ethnic breakdown found in our study indicates that White men are clearly overrepresented in the pool of sex buyers in the state (79%). Additionally, our data reveal that New York sex buyers are operating with impunity and ignorance, downright ignoring the realities of individuals being sold in the sex trade. Additionally, we found evidence that sex buyers perpetuate harmful, anti-Black racial epithets that, in any other social institution or context, would never be allowed. Results are discussed with regard to actionable paths forward to address the harms created by these findings, including policy recommendations.

QUANTITATIVE DATA: PREVALENCE ESTIMATION

Researchers have often relied on a variety of statistical estimation models to predict the prevalence of sex buying, prostitution and/or sex trafficking victimization (Bouche, et al., 2018; Curtis et al., 2008; Roe-Sepowitz, et al., 2016; Roe-Sepowitz, et al., 2019). None of these efforts have relied on web-scraping software that captures the total number of online advertisements for commercial sex as a starting point. Admittedly, using online commercial ads for sex only captures one aspect of the entire sex trade, and overlooks familial sex trafficking and advertisements on social media platforms that are not also posted on a traditional “escorting” site. Below, we describe how we utilize prior research to establish the assumptions we used in building our predictive model.

Predictive Modeling: Individuals Being Sold for Sex in New York: 243,721

To estimate the number of individuals being sold in the sex trade in New York, we utilized a web-scraping software that provides the total number of online advertisements for commercial sex as well as the total number of profiles that exist for commercial sex websites. According to experts at Spotlight, the software most commonly used by law enforcement to scrape online commercial sex advertisements, roughly 15-20% of all ads on these websites are spam. Spam advertisements include “fake” escort ads that are used to entice/lure potential victims into communication with the intent to defraud them for financial monetary gain. We adjusted our estimates to account for these fake ads.

Sex Traffickers/Third-Party Controllers Operating in New York: 59,407

Calculating the number of traffickers operating in a given area is fairly straightforward, as research suggests that the average trafficker has between 4-8 victims (Kara, 2009; Nichols, 2016). We use the low end of this range for this calculation (4) to predict the total number of individuals exploiting victims in New York each year presented in Table 1. It is important to note when considering this range that traffickers move victims through New York and may not necessarily based there year-round.

Sex Buyers in New York: 442,028

To predict the number of sex buyers in New York State, we use the total adult male population in as a starting point (N= 7,426,566). Research shows that on average, 6% of all men purchase sex in a 12-month period (Demand Abolition, 2018). See Table 1 for a breakdown of online commercial sex activity based on the above assumptions.

Table 1. Total Number of Advertisements, Profiles, Individuals Being Sold for Sex, Third-Party Controllers, New York State, 2021-2022

	2021	2022
Advertisements	744,524	1,553,473
Individuals being sold for sex	68,891	243,721
3 rd Party Controllers	16,814	59,407
Sex Buyers	445,594	442,028

From 2021 to 2022, the total number of online commercial sex ads posted in the state of New York more than doubled (from 744,524 to 1,553,473). The web-scraping software also revealed that those ads are tied to 68,891 profiles in 2021, and 243,721 profiles in 2022, which we use here to represent an individual being sold online for sex. Therefore, the number of individuals being advertised online for purposes of prostitution in New York more than tripled in the same time period (from 68,891 in 2021 to 243,721 in 2022). Similarly, the estimated number of third-party controllers (which could include pimps, sex traffickers, brothel owners, illicit massage business managers) moving people through New York State more than tripled (from 16,814 in 2021 to 59,407 in 2022) and the number of sex buyers stayed stable (from 445,594 in 2021 to 442,028 in 2022).

SEX BUYERS IN NEW YORK STATE

Racial/Ethnic Breakdown of Sex Buyers

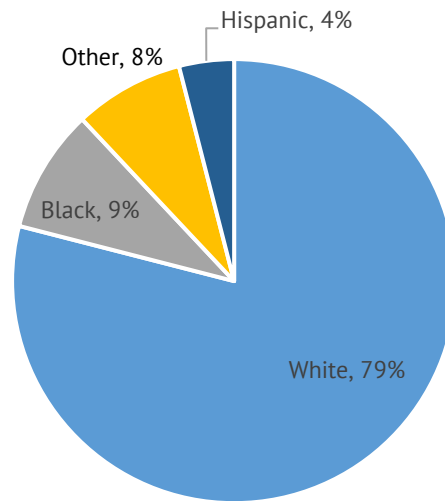
Research on the racial/ethnic breakdown of sex buyers is sparse. To gather a sample to provide reliable estimates in the state of New York, we posted two decoy advertisements for commercial sex on skipthegames.eu, a popular website used for advertising the sale of sexual acts. The advertisements consisted of two adult women: Jaci, who was white, and Chyna, who was Black. Ads were posted between March and June 2023 in 32 cities/areas across New York State¹. The areas chosen as our sample cities ensured that we covered enough geographic diversity in New York without saturating the Manhattan area with our decoy advertisements.

¹ A total of 32 areas in the state of New York were used to collect data: Albany, Bath, Binghamton, Brooklyn, Buffalo, Bronx, Catskills, Corning, Chautauqua, Cornwall, Finger Lakes, Hudson Valley, Ithaca, Jamestown, Long Island, Manhattan, Mt Vernon, Nanuet, Newburgh, New York City, Oneonta, Poughkeepsie, Schenectady, Staten Island, Syracuse, Troy, Twin Tiers, Upstate NY, Utica, Watertown, Westchester, and Yonkers.

Between the 2 advertisements, our decoy ads received a total of 733 data points, which includes 375 calls, 61 voicemails, and 297 text messages. The ads were posted for 2 days in each location².

To establish the race/ethnicity and age of the sex buyers for our sample, the advertisements asked for the buyer's age and ethnicity as part of a typical screening process. If the buyer did not offer this information immediately via text or voicemail, our research assistant asked for the information via text.

Chart 1. Racial Breakdown of Sex Buyers in New York State (N=733)



These data are consistent with other reports that indicate that sex buyers in the U.S. are mostly white (Demand Abolition, 2019; Martin, et al., 2017; Moran & Farley, 2019). The non-white categories included roughly 1-2% among Asian, Indian, Native American, Mixed Race, or other International (e.g., Brazilian and Persian) populations. One unique difference sets New York apart: its racial diversity. Only 62%³ of New York's population is estimated to be white, which means compared to the overall population, sex buyers in NY are disproportionately white.

It is also important to note here that we only received one text from a sex buyer who identified as a Mixed Latina-Black woman. In her texts, she offered to pick up Chyna in her "Benz." It's possible this individual is a "bottom" for a trafficker (i.e., a sex trafficked person charged with recruiting new victims) (Henderson & Rhodes, 2022).

Decoy Ads

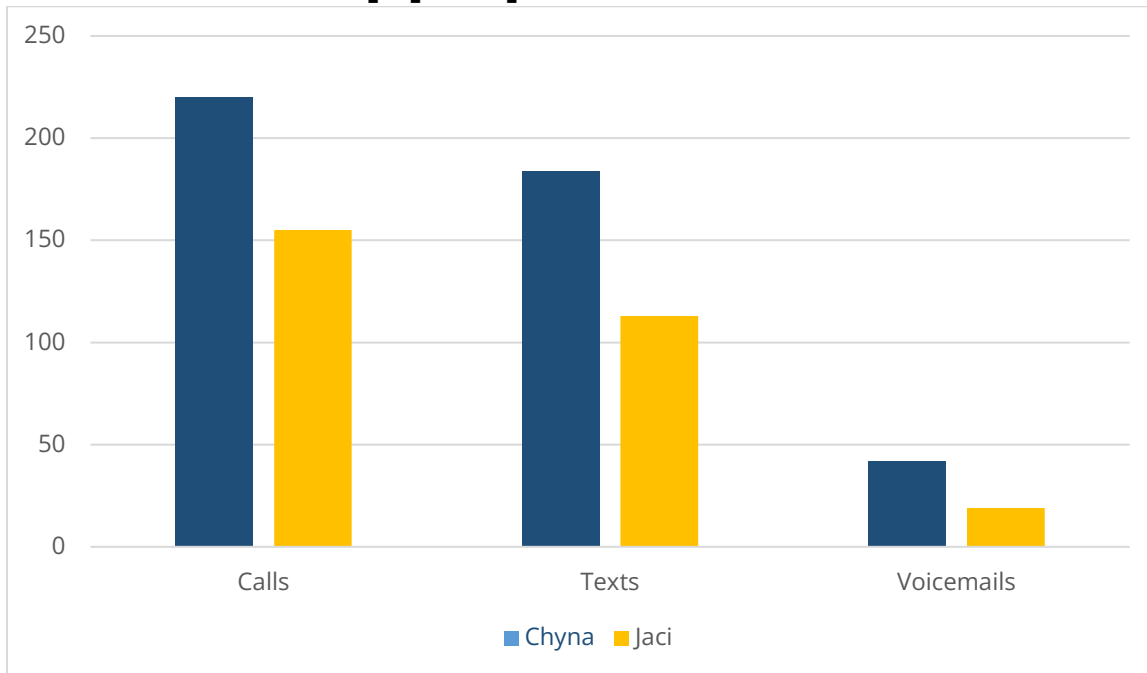
Jaci (white woman decoy) received 155 calls, 113 texts and 19 voicemails (total data points=287). Chyna (Black woman decoy) received 220 calls, 184 texts and 42 voicemails

² The ads were never posted in the same location at the same time.

³ <https://worldpopulationreview.com/states/new-york-population>

(total data points=446). In total, Chyna received 1.5 times as many hits as Jaci. This finding is related to other research that reveals that there is a significant overrepresentation of individuals from marginalized backgrounds in the sex trade (Banks & Kyckelhahn, 2011, CAP International, 2022). Similar to Richey's (2020) findings from arrest data in King County, Seattle, there are certainly indicators that the majority of buyers are white, affluent (and often married) men, and those who are exploited in the sex industry are overwhelmingly women and girls of color. Our research only measured demand, not representation of those being sold for sex in New York, but it is still telling that the majority of our buyers were white, and the decoy that received the most demand (and, as detailed below, the most harassing language) was Black.

Chart 2. Total Ad Activity by Decoy



QUALITATIVE DATA: WHAT BUYERS SAY AND DO

Sex Buyers Responding to Decoy Advertisement

Along with demographic information we gathered from sex buyers responding to our decoy ads, we also collected the voicemails and text messages patronizers sent. Both ads requested that the sex buyer call the phone number listed so that the sex buyer could hear the voicemail associated with the number. The voicemail⁴ clearly indicated that the “provider” was in fact a victim of sexual exploitation and under the control of a third party. Below is the script used for the voicemail:

“Hey you guys, it’s your girl [name]. I’m a new girl here, and I’m available for loads of fun. Anything you wish, anything you desire, I promise to do it with a smile on my face. I can’t say no...if I do...my man would definitely beat me and make me pay for it. I came here from another state to become an actress, but now all I do is sit in a room and see different men, day in and day out. Some people say this is the game, but this isn’t a game...this is my life, and I hate it here...

But anyways, give me a call. Hope to hear from you soon...bye!”

It is important to note here that the beginning of the voicemail was delivered in an upbeat, welcoming tone. When the decoy provider began stating “I can’t say no...if I do...” her tone changed and she dropped the bubbly façade. The last two statements were delivered in a fairly neutral manner.

The script we used for this aspect of our study was based on a public awareness-raising campaign in Ireland carried out in 2017 by *Ruhama*⁵, an Irish non-governmental organization that serves women impacted by prostitution, sex trafficking and other forms of sexual exploitation. The major difference between the ad used for *Ruhama* and ours is that their decoy ended the voicemail asking the sex buyer to leave her a message with their thoughts. We wanted our advertisement to appear as “normal” as possible so we could gather authentic reactions to a voicemail indicating the seller was being sexually exploited by a third party.

In total, we received 375 calls to our decoy ads and only 61 voicemails. Ninety-seven percent of the voicemails potential buyers left did not include any acknowledgement that our decoy ad⁶ admitted she was being controlled by a third party.

The two voicemails that did acknowledge the decoy ad’s admission of victimization and violence were for Chyna, our Black decoy. These two sex buyers said:

⁵ See <https://www.ruhama.ie/campaigns/a-penny-for-your-thoughts/> for the original campaign we based this research on.

⁶ Both Chyna and Jaci’s voicemails followed the same script.

"Hey, babe. Give me a call back. I'd love to meet you. I'm not wild about you sounding down but maybe we can perk you up with a smile on your face. Give me a buzz. It's [name redacted]."

"Wow, that was quite a speech. I'm Italian, I'm 72. I'd like an out call. So I'd like to know what your rates are for 1 hour. So if you could text me back, my name is [name redacted]. I'd appreciate it. Thank you."

Though two sex buyers calling for Chyna did acknowledge hearing about the exploitation, their responses remain focused on their goal of engaging in a commercial sex act with the exploited woman, one even suggesting it will "perk her up."

Another white sex buyer who contacted Chyna responded with horribly anti-Black racist language via text after our decoy stopped responding:

9:26 p.m.: 55, white boy

9:31 p.m.: Why you pick up a conversation if don't intend to answer or close with respect?

9:31 p.m.: Too white for you black bitch?

10:08 p.m.: ??

10:09 p.m.: Blacks.....you know

10:10 p.m.: Nigg... Sounds even better

10:19 p.m.: N*#gers

Both voicemails and texts for Chyna's advertisement received more graphic texts, detailing exactly what the buyer wanted to do to her when compared to Jaci's. As an example, one White buyer asked if he could do the following to Chyna: "Gagging choking anal gaping cum swallowing slapping fisting." Another white buyer told Chyna he wanted to "put her hole on the tailpipe of his car, and then rev it really hard."

Jaci was much more likely to receive texts from buyers asking "can I come see you?" versus buyers who contacted Chyna, who were more aggressive and *told* Chyna what they were going to do to her. Interestingly, however, one white buyer started using anti-Black racist language when interacting with our white decoy, but retracted it when he went back to check the advertisement and saw that she was white:

8:54 p.m.: Hi. I think, you're a scam :),

9:17 p.m.: Scam it is.

[our decoy ad replied next day, 6:21 p.m.]: can i know your age and race?

6:22 p.m.: Sure, 55 Caucasian. You?

6:32 p.m.: Wrong answer?

7:16 p.m.: I guess yes. That's ok. I don't care for dark meat anyways.

8:51 p.m.: Absolutely not waiting to spend money. Granted, double checked. No dark meat;)

The reference to “dark meat” clearly indicates the buyer referring to the decoy’s race. He returns to the conversation after double-checking to let her know he realized she’s white and ends the conversation with a winky (flirty) face. The way that this buyer engaged after he went back and realized that the decoy was actually white could very well indicate he was trying to repair his earlier derogatory comment that he “doesn’t care for dark meat anyways.” The winky face introduces a much more playful tone, as does his statement that he is “absolutely not waiting to spend money.”

To summarize, the overwhelming ignorance in response to the decoy advertisement voicemail make it clear that sex buyers in New York state do not care if the individual they are purchasing for sex is a victim of human trafficking or not. Ninety-seven percent of the sex buyers responding to our ad did not acknowledge our decoy admitted being controlled by a third party. Though this finding is disturbing, it is not altogether unsurprising given prior research that has documented the link between decreased brain function and exposure to sexual stimuli (Sinke et al., 2020).

The anti-Black racist responses to the decoy advertisements are equally disconcerting, though unsurprising to the lead research assistant on our team. Niyah, a Black woman who is also a survivor of sex trafficking, corroborated these results with her own lived experiences. During her exploitation, white buyers would often request that she act like a slave to fulfill the buyer’s slave-master fantasy. White buyers would also ask her to pretend that she was drugged her with a date rape drug, and rape her as part of the commercial sexual exchange. Racism, and hatred particularly for Black women—referred to as *misogynoir*—is still evident in the sex trade (Sheffield, 2023). Our data support this alarming trend.

Sex Buyers on “Hobbyist” Boards: The Erotic Review

To supplement our analysis of sex buyers in New York state, we also analyzed a popular “hobbyist” online forum called *The Erotic Review*, where sex buyers (self-described as hobbyists) review individuals sold in the sex trade. To capture the most current data on sex buyer attitudes in New York, we analyzed the *most commented on* sex buyer topics in the discussion forum in the “New York” discussion board between March and June 2023. We eliminated any posts that did not have information that directly related to New York specifically (e.g., posts that asked for jokes or the “dirtiest date”) or posts that flagged suspicious providers. Two clear themes emerged from this analysis: (1) preference for the “GFE” experience (and unsafe sex) and (2) acknowledgement of a third-party controller being involved in commercial sex transactions.

During the review period, one of the top-commented and viewed post asked for the best “GFE” in New York. This post was viewed 1567 times, and it caught the researchers’ attention because of the nature of the “GFE”—the Girlfriend Experience. This is a “request”

many buyers make that consists of unprotected sex, among other things. As we analyzed the quantitative data on prevalence of the *supply* of individuals being sold for sex in New York, our survivor researcher on our team who had been trafficked in New York posited that with such a huge increase in online ads for sex, that prices for services would be lowered and there would be an increase in safety risks. Indeed, basic economic theory supports this idea: a surplus of supply in any industry lowers the rates individuals can charge. In reality, this translates to individuals in the sex trade being forced to lower their standards and perform unprotected sex out of desperation to meet their quotas for their traffickers, or simply to survive. Our survivor researcher Niyah offered additional thoughts:

“When prices are so low, many tricks [buyers] are going to be more violent and force us to do more bareback sex [unprotected]. I had more people trying to rob me when prices were so low in certain markets...the tricks would rape me and then try to take their \$40 back because they were young tricks. Other times, other girls on the street would rob me because they were desperate to survive or go back to their trafficker with enough money.”

Data from the buyer review board corroborated these experiences and insights on the GFE thread. One buyer directly referenced two individuals being sold in the sex trade and had incredibly derogatory things to say. This was in response to a buyer asking about bareback oral sex providers in May 2023:

“You're a bit late but two skanks named Persia and Lily both worked Nassau county bare and together about a year and a half ago. Walking cesspools.”

One buyer posted in March 2023 on the GFE thread about receiving uncovered oral sex and when he tried to have vaginal intercourse, the individual being sold for sex refused. He ranted on the board about wanting a refund, and several other buyers jumped in to defend him. One buyer told him to check with her “boss” – clearly indicating he was well aware that individuals he buys for sex are often under the control of a third party:

“You have every right to ask for some or all of your money back. I have a couple of reviews dealing with this issue. The elephant in the room is what do you do if she doesn't give it to you. If the provider is not "independent" then you can plead your case to her 'boss.' Most 'Bosses' want to keep the clients happy and want them to return. The thing is most times we don't know if they are independent or not... You don't want to end up in jail over a couple of dollars and pussy that can and will be easily replaced.”

These qualitative data clearly indicate that sex buyers know and talk about the third-party controller involved in the commercial sex trade. We also posit that given the dramatic increase in online advertisements for commercial sex that the commercial sex landscape in New York has become more unsafe for individuals being sold for sex in the last few years.

Buyers expect more for less, and this puts individuals being sold for sex at increased risk for developing STIs, experiencing more sexual violence and theft.

In summary, the supply of individuals being sold in the sex trade in New York to appease sex buyers has increased significantly over the past few years, and data indicate that sex buyers either do not care if the individuals they purchase are being trafficked for sex, or they know and ignore it. Sex buyers not only ignore the exploitative realities of the sex trade, but they contribute to it, openly using anti-Black racist slurs and covertly communicating much differently with our Black decoy ad compared to our white decoy. Each of these realities of the commercial sex trade begs the question: why is racism tolerated in the sex trade in New York state? Why are buyers allowed to operate with impunity when it comes to perpetuating racist tropes, increasing safety risks for marginalized individuals and more importantly, what actions can be taken to address these inequities? Data from other jurisdictions across the United States may offer some insights.

RECOMMENDATIONS FOR ADDRESSING IGNORANCE & IMPUNITY

Based on both prior research on the inequalities in the sex trade as well as data gathered for this research, it is clear that the commercial sex industry is driven by social inequalities. In New York state, law enforcement have been practicing *de facto* decriminalization of the sex trade since roughly 2019. What this means is that neither individuals being sold for sex nor sex buyers are pursued for engaging in the (illegal) sale and purchase of commercial sex. While on the surface this might seem intuitively to be good practice as it claims to reduce harm to marginalized groups, it also reduces any risk to sex buyers who are often responsible for nearly all the harms experienced in the sex trade (Henderson & Lundstrom, 2021; Henderson, 2022; Jovanovski & Tyler, 2018). Data presented in this report clearly indicate that these inequalities—including anti-Black racism—are perpetuated in the sex trade in New York. Below, we offer policy recommendations as a start for addressing such inequalities.

What Works: De Facto Partial Decriminalization

Partial decriminalization of the sex trade, also referred to as [The Equality Model \(EM\)](#), has been practiced (*de facto*) in jurisdictions around the United States with positive results for those being sold in the commercial sex trade, as well as for those involved in buying sex. The central focus of the EM is to stop arresting people engaged in prostitution, and offer services for successful exit and recovery. Tyler (2021) describes the Equality Model, sometimes referred to as the Nordic Model (which originated in Sweden in 1999), as:

asymmetric decriminalization which decriminalizes people in systems of prostitution but retains some sanctions against people who purchase sexual access to others and those who profit from the prostitution of others but who are not prostituted themselves (i.e. pimps) (p. 69).

The home county of Waco, Texas is one such jurisdiction where law enforcement have successfully reduced harm by reducing the *cost* of risk to individuals sold in the sex trade to zero. This does not suggest that racism and other social inequalities are miraculously solved in this jurisdiction; only that survivors of the sex trade have far less economic burden during and after their exploitation.

One way to think about the “cost of risk” for being involved in the sex trade is to compare it to the cost and risk associated with driving a vehicle. When you drive your vehicle, you assume a cost of risk for potentially being in an automobile accident. Thus, you need auto insurance to offset that risk and help pay for any expenses when something goes wrong.

In the sex trade, there are at least 2 individuals involved every time a commercial sex act occurs: the buyer and the individual being sold for sex. Often, there is a third-party

controller involved (e.g., a trafficker, a brothel owner, a pimp or an illicit massage business owner). Because these individuals are engaging in an illegal activity, they assume a cost of risk should they ever get caught, convicted and fined for that illegal activity.

Economist Siddharth Kara developed a model for estimating this cost of risk for engaging in the sex trade in the United States as a way to truly make an impact on the behemoth global sex trade. Using traditional economic theories, Kara suggested that it is vital to attack the industry’s “immense profitability...by inverting its risk-reward economics; that is, by making the risk...far more costly” (p. 200). This approach is useful, though admittedly crass. Yet, Kara describes the commercial sex industry for what it is:

a mature, multinational corporation that has achieved a steady-state growth and produces immense cash flows ... [and] has four components: a product (the victim), a wholesaler (the trafficker), a retailer (the owner/exploiter), and a consumer (pgs. 17, 202).

In short, these models help us better understand who is operating with impunity in the commercial sex trade. What is the cost of being involved in the commercial sex trade for buyers? How much money do they need to set aside to account for the chance that they’ll ever get arrested, convicted, and fined? What about sex traffickers or other third-party controllers? What about individuals being sold for sex? How do economic inequalities play out during and after one’s involvement in the sex trade? Does *de facto* partial decriminalization equal the playing field and reduce harm?

To answer these questions, let’s first take a look at what is most commonly practiced in the United States, which is full criminalization of all parties involved in the CST. Full criminalization means *all* parties are criminalized for engaging in the illegal sale of commercial sex. We present data below for one such jurisdiction: Houston, Texas. See Table 2 for estimated Cost of Risk (CoR)⁷ for this jurisdiction.

Table 2. Cost of Risk for Engaging in the Commercial Sex Trade (2019): Full Criminalization*

	Max Fine	Cost of risk per commercial sex act	Cost of risk per year
Sex Buyers	\$4000	\$.04	\$.45
Sex Traffickers	\$10,000	\$.01	\$66.85
Individual being sold for sex	\$10,000	\$5.19	\$6744.83

*Data from Houston, Texas

⁷ For a more detailed description of the economic models used in these analyses, see here: <https://theaverycenter.org/if-houston-has-problem-mclennan-county-has-solution/>

It is clear from the results above that even though all parties are subject to criminal codes preventing the purchase of sex, law enforcement are disproportionately arresting individuals being sold for sex. As a result, individuals being sold in the sex trade—often victims of sex trafficking—face often insurmountable barriers to escaping exploitation. This is corroborated with other recent research that has focused on survivors needing legal assistance to address criminal convictions, not to mention the thousands of dollars in fines that often result in debt bondage to the state (Sweeney, 2021).

Compare these estimations to a jurisdiction—McLennan County, Texas—that has been practicing *de facto* partial decriminalization in Texas since 2017. In *de facto* partial decriminalization, law enforcement focus resources targeting those who hold the most power in the commercial sex trade: the buyers and traffickers.

Table 3. Cost of Risk for Engaging in the Commercial Sex Trade (2017): De Facto Partial Decriminalization

	Max Fine	Cost of risk per commercial sex act	Cost of risk per year
Sex Buyers	\$4000	\$.57	\$6.80
Sex Traffickers	\$10,000	\$.19	\$1,446.55
Individual being sold	\$10,000	\$.04	\$43.83

*Data from McLennan County, TX

It is important to note here that in the jurisdiction practicing *de facto* partial decriminalization (McLennan County, TX) stopped arresting victims in early 2017. The calculations above account for only 2 arrests of CSE victims for the entire year. 2018-2020 data from this jurisdiction show that no arrests were made for individuals involved in selling sex; only sex buyers and traffickers.

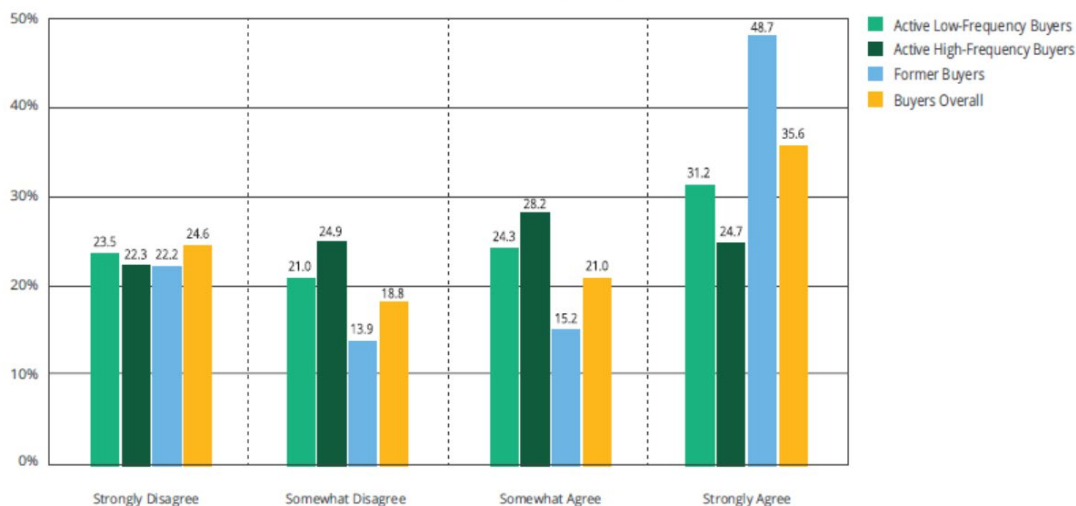
The data presented from the two Texas jurisdictions above clearly reveal that economic inequalities persist between those with the power to exploit (sex buyers, traffickers and pimps) and those without (individuals sold for sex). That is, economic inequalities *precede* a commercial sex exchange, and depending on the jurisdiction, they are *exacerbated* following the exchange. This is supported by research that investigates the criminalization of victims as offenders (Henderson & Rhodes, 2022).

To even begin to address the harsh economic inequalities inherent in the sex trade, New Yorkers should consider policy change that translates into law enforcement changing the way they do business. De facto decriminalization has been the approach in New York for the past few years, and the results are clear: sex buyers are operating with impunity. When

sex buyers aren't ignoring the fact that by individuals being sold for sex are under third-party control, they are openly acknowledging it in sex buyer forums and suggesting to one another to "speak to the manager", i.e., the third-party controller, to assist them in getting what they want in the commercial sex exchange. Sex buyers are also openly discussing how to find or coerce "providers" into having unsafe sex, a factor largely due to the flooding of individuals into the commercial sex trade since *de facto* decriminalization began. Holding sex buyers accountable is key to addressing these harms, and research has shown that perceived risk of arrest is one way to change sex buyers' behaviors (see Chart 3; Demand Abolition, 2018). Another model involves educating sex buyers post-arrest during diversion programs, or "john schools," an effort that can only work if sex buyers are first arrested and required to attend as part of their consequences. While john schools vary, successful models have based curriculum on self-examination and reflection, requiring buyers to process their own motivations for buying sex. Simultaneously, attendees gain a much stronger understanding of prostitution, commercial sexual exploitation, and the experiences of individuals being sold for sex (Kennedy, et al., 2004; Wortley, Fischer & Webster 2002). Such programs are very low-cost to offer, and provide a significant return on investment by raising awareness and promoting behavioral change among (former) sex buyers.

Chart 3. Sex Buyers' Attitudes (Demand Abolition, 2018)

"The risk of getting arrested for buying sex is so high that I am considering not buying sex again."



In summary, arrest and restorative justice or educational awareness raising programs for sex buyers hold quite a bit of promise for holding exploiters accountable. Currently in New York State, buyers are not only operating with impunity, but they are perpetuating toxic racial ideologies and ignoring the realities of exploited individuals they are attempting to

purchase for their own sexual gratification. Holding sex buyers accountable is the first step into reversing the harm the sex trade has done to individuals being sold for sex. As part of this effort to hold buyers accountable, sex buyers should receive education on ignorant beliefs and racism inherent in the sex trade, paying particular attention to their role in fostering racially-motivated violence. Models for successful, impactful john schools around the country exist and New York would benefit from tapping into these resources (Monto, 1998, [Modeling Equality, 2023](#); Shively et al., 2012).

The second step is to increase the cost of risk for sex traffickers in New York. Detective Scaramucci from the McLennan County Sheriff's Office in Texas has been conducting investigations into sex traffickers without victim testimony, and is a globally-recognized leader in training law enforcement how to do the same. As Scaramucci puts it, "I've been doing successful murder investigations for years without victim testimony; the victim is dead. It's not as hard as most people think it is, particularly when you tap into the financial streams associated with human trafficking." The data from McLennan County speaks for itself—traffickers' cost of risk is over 20 times that of a trafficker in Houston, TX. The only difference between the two jurisdictions is 200 miles, population density, and law enforcement strategies. If a rural jurisdiction in Texas can successfully raise the cost of risk for traffickers and buyers consistently for several years, New York State certainly can.

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