

Human Trafficking Reconsidered

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Rethinking the Problem, Envisioning New Solutions

Kimberly Kay Hoang and Rhacel Salazer Parreñas, editors

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Beyond Supply & Demand: The Limitations of End-Demand Strategies

by Annie Isabel Fukushima

In 2010, throughout the state of Illinois, billboards sponsored by the Cook County sheriff announced, “Dear John, if you’re here to solicit sex it could cost you \$2,150. We’re teaming up to bust you.”¹ No people appeared in the advertisement, only the message and two vehicles—a white car with blacked-out windows and a police car. The “John”² addressed in the warning is a common slang term used to refer to a client who buys sex.³ The generic name is a play on “John Doe,”⁴ suggesting two important characterizations of those men arrested on the charge of soliciting prostitutes: they are anonymous (unless exposed by a high-profile court case such as the D.C. Madam scandal)⁵ and they are men.

The increased focus on the arrest and prosecution of Johns illustrated by the billboard is the result of the anti-trafficking strategy of curbing the demand side of commercial sex. In 2011, the U.S. State Department Office to Monitor and Combat Trafficking in Persons emphasized “the need for continued strong efforts to reduce demand for sex trafficking by enacting policies and promoting cultural attitudes that reject the idea of paying for sex.”⁶ This emphasis on demand is bolstered by a belief among anti-traffickers that “if there was no demand, there would be no prostitution.”⁷ However, activists for sex workers’ rights and researchers have critiqued strategies to end demand. Some critics argue that sexual economies should not be criminalized because it is a form of labor⁸ and that end-demand strategies ignore economic and employment issues;⁹ others argue that no factual basis exists for the assumed correlation between demand for sex and human trafficking.¹⁰

In addition to these theoretical critiques, end-demand strategies can also be questioned on a practical level for their failure to aid and protect victims. For example, law enforcement–initiated raids in 2005 (Operation Gilded Cage) extracted more than one hundred Korean migrant women from massage parlors in the San Francisco Bay area of California. Yet fewer than a dozen were certified as victims of trafficking, and more than half were immediately deported.

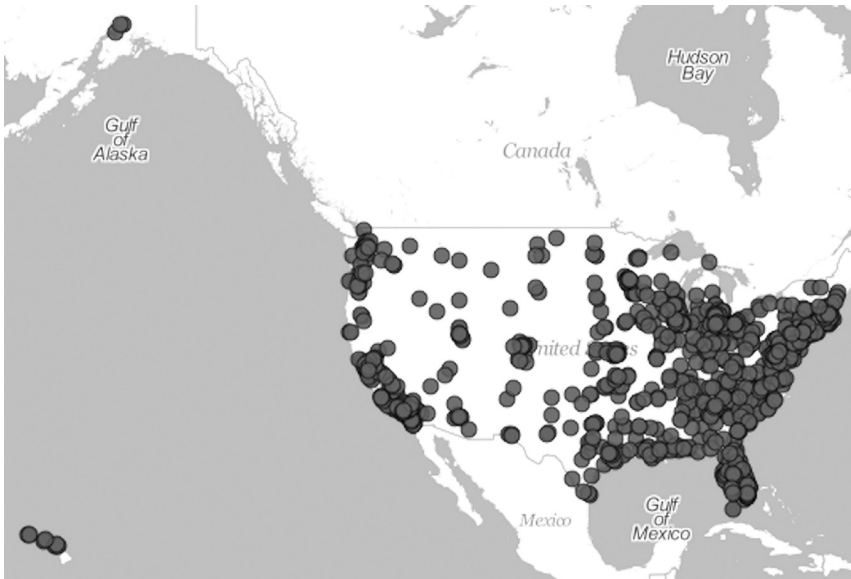
The remaining women were eventually deported after serving as material witnesses in legal proceedings against the massage parlor owners.¹¹ Operation Gilded Cage is an example of how end-demand strategies may result in dire consequences for migrants surviving in sexual economies. As others have argued, end-demand strategies are limiting as they fail to address the complexities of immigration and transnational labor.

The anti-trafficking movement's discourse about demand relies on a very specific image of the typical John: a heterosexual adult male, potentially of any race/ethnicity though also often racialized as African American, with a family. This picture obscures the multilayered realities of exploitation and human trafficking. Individuals who do not fit this description are assumed not to exist.

Despite the research done on men who buy sex,¹² few studies examine how race, gender, class, and national origin shape their motivations and experiences. However, substantial research on racial and socioeconomic discrimination in arrest and incarceration for other types of crimes¹³ suggests that strategies to end demand do not affect all Johns equally. A study from the Chicago Alliance Against Sexual Exploitation concluded that racial profiling of men occurs in arrests for soliciting sex. The study quotes one John who posted the following comment online: "I just was on the Chicago Police department website [Clearpath] which shows the pictures of all the johns arrested in Chicago . . . I set it for the last 30 days . . . There is One white guy . . . What are the odds?"¹⁴

I argue that research on human trafficking must expand public and academic understanding of "demand" by moving beyond representations of Johns as heterosexual men, who, when visible in public campaigns and media representation, are racialized as men of color. Deconstructing race, gender, and sexuality in the representation of demand directs us toward a multifaceted approach to the elimination of human trafficking. A multifaceted approach would address the intersecting inequalities of socioeconomic status, gender, race, and citizenship, enabling a nuanced understanding of those who participate in economies where workers are vulnerable to trafficking.

Figure 1: Locations: Anti-Demand Initiatives Across the United States (2012)



Note: Anti-Demand Initiatives mapped by Demand Forum.net include: auto seizure, cameras, community service, john schools, letters, neighborhood education, public action, reverse stings, shaming, and SOAP (Stay Out of Areas with Prostitution) orders.

Source: Demand Forum.net: Resources for the Prevention of Prostitution and Sex Trafficking. Abt Associates and National Institute for Justice. February 27, 2012. <http://www.demandforum.net/locations/>.

A Brief History

As Figure 1 illustrates, end-demand campaigns are endemic throughout the United States. According to a 2012 report of the National Institute of Justice (NIJ), 900 communities across every U.S. state have implemented initiatives “aimed at deterring or apprehending men who buy sex.”¹⁵ NIJ funded a nationwide assessment of U.S. end-demand initiatives (2008–2013) that led to the establishment of an online database available to the public, Demand Forum.net.¹⁶ This database and ongoing research on demand were and are inspired by the evaluation of data collected from San Francisco (1995–2008) by Michael Shively and his team. Through Abt Associates,¹⁷ they were granted a NIJ award to evaluate the San Francisco First Offender Prostitution Program (also known as the “John School”).¹⁸ These initiatives are rooted in a prosecution-based

approach to ending prostitution. Their origins can be traced directly to street-based reverse-sting operations that began as early as 1964 in Nashville, Tennessee.¹⁹

In the 1990s, the abolitionist movement began to employ these law-enforcement strategies with the goal of ending all forms of men's violence against women, including sexual exploitation.²⁰ These end-demand strategies operate under two basic premises: first, that legal prostitution will result in increased demand and increased trafficking.²¹ Second, that the demand for sex leads to sexual exploitation and violence against women and that prosecuting the demand would be a form of gender justice.

Although numerous strategies attempt to curb the demand for sex, most end-demand tactics are initiated and enforced by law enforcement. Law enforcement approaches take many forms: street-level sting operations involving a female officer decoy dressed as a sex worker, brothel-based decoys,²² web-based reverse-sting operations, shaming tactics that publicize identities or send letters to the arrestees' homes ("Dear John" letters), auto seizures, license suspension, restrictions from zones where the individual was arrested, educational programs, and John Schools. Local community members are often involved in the operation; 72 percent of reverse stings in the 904 cities and counties studied by Abt Associates were in response to community complaints.²³


Although the strategies have changed little since the 1960s, their use has proliferated because of growing concern about human trafficking and the formal organization of end-demand campaigns.

"Dear John" Letters

In 1982, the city of Aberdeen, Maryland, deployed the first "Dear John" letters as part of a strategy to end the demand for sex. Since then, communities in every U.S. state have adopted the strategy. Although the content and targets of the letters vary across programs, they use a similar strategy of sending letters or postcards to the homes of men whose cars have been spotted "cruising" an area known by law enforcement as a location for prostitution or after men are arrested on soliciting charges. The letters are designed both to warn partners of Johns about the risk of being infected with a sexually transmitted disease and to encourage family members to bring pressure on the

Figure 2: Escambia County, CA, Sherriff's Office "Dear John" Letter.

Figure 1: Sample "Dear John" Letter, Escambia County Sheriff's Office



Sheriff

DAVID MORGAN

John Doe
276 Main Street
Pensacola, FL 32509

Vehicle: 1990 Toyota
Location of arrest: Arlington Ave & W Street
Date and Time of arrest: 2:15 am 7/1/09

Dear John ,

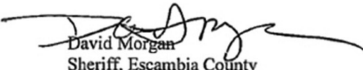
The vehicle registered in your name was involved in an arrest for violation(s) of Florida's laws prohibiting prostitution. Attached is a copy of the Florida Statute for your review. The individual arrested from your vehicle is _____. As vehicle owner, you should be aware of the Florida Contraband Forfeiture Act wherein motor vehicles can be seized if they are used in violation of this act. The Escambia County Sheriff's Office is notifying you so that you can consider these factors in deciding whether to allow others to drive your automobiles.

It is important for you to realize that the above named person and his/her significant other may have been exposed to a Sexually Transmitted Disease (STD). Certain STDs, like HIV, are incurable and may not be noticeable for a long time. It is possible to be exposed to an STD even if your partner was with a prostitute only once. Getting tested is important to your health and may impact your future ability to have children. Confidential STD testing is available through your private doctor or the Escambia County Health Department (850-595-6532). Fees may be involved.

It is a common myth that prostitution is a "victimless crime" or that it is "an act between two consenting adults." Prostitution is a crime which is linked to drugs (use and sale), acts of violence toward prostitutes and their customers and in the worst cases, human trafficking in juveniles for the sex trade. In addition to STD's, other viruses can spread through intimate contact with random individuals whom you may not know. Hepatitis, HIC and HPV can all be unknowingly transmitted and can lead to serious, and fatal, illness.

Prostitution, soliciting for prostitution and the other activities described in the attached statute (F.S.S. 796.07) will not be tolerated in Escambia County. If you think you may have been exposed to any communicable diseases after reading the contents of this letter, please contact your health care provider or the Escambia County Health Department for evaluation before having intimate contact with other people to help prevent the spreading of serious conditions.

Sincerely,



David Morgan
Sheriff, Escambia County

ESCAMBIA COUNTY SHERIFF'S OFFICE
Telephone (850) 436-9512 • www.escambiaso.com • P.O. Box 18770 • Pensacola, Florida 32523

Source: Michael Shively, Kristina Kliorys, Kristin Wheeler, and Dana Hunt, "An Overview of Sending Letters to Homes of Sex Buyers in the United States," Jan. 7, 2012, Abt Associates, <http://www.demandforum.net/wp-content/uploads/2012/01/Dear-John-Letter-Overview-from-National-Assessment.pdf>.

men to end their participation in sexual commerce.²⁴ In cities such as Minneapolis, Des Moines, and Oakland, community members participate by recording license plate numbers and submitting them to law enforcement. Letters are then sent to the car's owner. The programs do not require evidence that the car owner engaged in a sexual transaction; association with a place determines guilt. The letters and postcards are designed to make Johns visible to their community and family members so that these men find it more difficult to participate in sex industries anonymously.

The “Dear John” letter from Escambia County, Florida, shown in Figure 2 presents an image of the demand for prostitution as a crime that is intertwined with other crimes and as a potential source of infection for communities. The letter warns of the danger of sexually transmitted infection (STI), “even if your partner was with a prostitute only once.”²⁵ The letter goes on to link the man to drug crimes, violence toward prostitutes, child abuse, and human trafficking, regardless of whether the individual receiving the letter purchased sex from a minor, used drugs, or trafficked another human being.

The letter illustrates an underlying assumption that Johns are adult heterosexual men with a family. The name “John” reinforces the notion that only men purchase sex; the heterosexual bias of the letters is apparent from the warning that participation in sexual economies can damage the John's—and his partner's—ability to have children. The sex industry acts as a scapegoat for the invisible core problems causing family instability, including economic stress, social pressure, and institutional challenges. The sex industry worker is altogether absent, unless “she” is seen as a victim of abuse and human trafficking.

In contrast to the standardized letters sent in Escambia County, Florida, postcards sent by Arlington, Texas, give a face to the name John. After being arrested for solicitation, Johns in Arlington receive a postcard with their mug shot and the message: “You were recently arrested by Arlington Police for Solicitation of Prostitution. Please visit the public information sites below for URGENT prostitution-related health information.”²⁶ Although the recipient could theoretically come from any racial background, on the Demand Forum website, the sample image of a Texas postcard shows an African American man wearing a black T-shirt. This sample image adds a racialized dimension to the assumed image of the typical John, suggesting that

men of color are more likely to commit crimes. These postcards and images on an anti-trafficking website send the not-so-subtle message that women and children must be rescued from diseased, criminal men of color.

“Dear John” letters and postcards send an un-problematized message of public health concern and exploitation. They are premised on the idea that the demand for sex is heterosexual and, therefore, necessitates a response that focuses on men. Letters and postcards are personalized media, placing the responsibility for sexual economies on the actions of individual Johns. These letters and postcards miss the structural realities that create both demand and supply in sexual economies and create both victims and traffickers.

John Schools

John Schools are in place throughout the United States, as “an education or treatment program for men arrested for soliciting illegal commercial sex.”²⁷ More than fifty John Schools are currently operating and can vary in form: some require men to participate as part of their sentencing, others are designed as optional diversion programs, and some fund services for formerly prostituted people and provide outreach to sex industry workers. Despite these variations, all John Schools are required to “cover a range of topics designed to persuade or deter men from buying sex.”²⁸ The programs are designed to change men’s behaviors, and they use a language of “treatment”—suggesting that men who buy sex have a disease that must be cured. Unlike “Dear John” letters and postcards, participation in a John School is meant to be anonymous.

Race, gender, and sexuality matter when considering those who are arrested as Johns. The 2008 report on San Francisco’s First Offender Prostitution Program (FOPP) finds that a majority of men who participate in John Schools are married, with a college degree, who have been arrested in the city within which they reside. The racial characteristics, however, do not reflect local demographics.²⁹ Respondents discussed in the 2008 Abt Associates report of San Francisco FOPP illustrate that Latinos/Hispanics are overwhelmingly represented in those surveyed (and arrested) for participating in the John School, while arrest rates for whites and Asians are lower than local demographics.³⁰

The first John School was established in Grand Rapids Michigan in 1982.³¹ This program was not optional; men arrested and convicted on soliciting charges were sentenced to participate in five two-hour sessions and pay a fine of \$500. Since 1982, programs have diversified such that fines can range up to \$1,500 (and may not be imposed at all) and the total hours of commitment range from 2.5 to 15. Some programs use the fines to fund support for women and children who work in and/or leave sex industries. Although early John Schools often used “shame” tactics to address men who were arrested on solicitation charges,³² today, the curriculum addresses goals related to treatment and transformation. John Schools work to enable participants to make links between antiprostitution law, health education, the effects of prostitution on prostitutes, and the effects of prostitution on the community, sexual addiction, and human trafficking.³³

Citing an evaluation of John Schools by the NIJ, abolitionists argue that the programs are cost-effective and successful at reducing recidivism. What remains unclear, however, is do John Schools ameliorate gender inequalities? Because these programs are geared toward men who buy sex, they do not address why women, lesbians, gays, and transgender individuals are more likely to work in sex industries in the United States than are heterosexual men nor do they address assumptions of male consumerism in sex industries. Even less evident is which communities are more likely to be the focus of police initiatives to control the demand—are communities of color and communities of migrants more likely to be the targets of arrest? And, regardless of race and national origins, can a commitment of 2-to-15 hours change men’s behavior and thinking about our current culture of heterosexism, sexism, racism, and socioeconomic inequality? Even less clear are the effects of John Schools on human trafficking trends, even as abolitionists describe human trafficking as an ever-growing problem.

Beyond Supply & Demand

I greatly admire the many people in the anti-trafficking movement who have worked to address violence through advocacy, education, and research. However, in mobilizing a movement to stop trafficking, current strategies must be critically evaluated and new methods must be envisioned. The goal of ending men’s violence against women

by targeting their demand for prostitution is too simplistic. We must advance new methods and practices that address human trafficking by first identifying the limitations and biases of current anti-trafficking strategies. A narrow focus on supply and demand does not create accountability for the multiple state and non-state actors that enable trafficking outside of the supply-and-demand chain through mechanisms such as immigration laws, income inequality, gender difference, and racialized labor stratification. Myths about sexual economies make it difficult to see when and how women and non-gender-conforming persons are complicit in violence as the consumers of sexual services or how race and migration status affect perceptions of criminality.

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19. Michael Shively, Kristina Kliorys, Kristina Wheeler, and Dana Hunt, *A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts, Final Report* (Cambridge, MA: Abt Associates, 2012), <https://www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf>.
20. Gretchen Soderland, “Running from the Rescuers: New U.S. Crusades Against Sex Trafficking and the Rhetoric of Abolition,” *NWSA Journal* 17, no. 3 (2005): 64–87.
21. Donna M. Hughes, “The Demand for Victims of Sex Trafficking.”
22. “Abt Associates Evaluates.”

23. Demand Forum.net, “Community Complaints Drive Police Response to Prostitution Demand.” DEMANDforum.net, <http://www.demandforum.net/community-complaints-drive-police-response-to-prostitution-demand/>.
24. Michael Shively, Kristina Kliorys, Kristin Wheeler, and Dana Hunt, “An Overview of Sending Letters to Homes of Sex Buyers in the United States,” Jan. 7, 2012, Abt Associates, <http://www.demandforum.net/wp-content/uploads/2012/01/Dear-John-Letter-Overview-from-National-Assessment.pdf>.
25. “Abt Associates Evaluates.”
26. Ibid.
27. “End Prostitution.”
28. Ibid.
29. Michael Shively, Sarah Kuck Jalbert, Ryan Kling, Wiliam Rhodes, Peter Finn, Chris Flygare, Laura Tierney, Dana Hunt, David Squires, Christina Dyous, and Kristin Wheeler, *Final Report on the Evaluation of the First Offender Prostitution Program*, (final report submitted to the National Institute of Justice, NCJ 222451, [2008]), <https://www.ncjrs.gov/pdffiles1/nij/grants/222451.pdf> .
30. Ibid., 61.
31. “End Prostitution.”
32. San Francisco has made a commitment to not use shaming tactics because of the effects it may have on those associated with individuals arrested—children, spouses, friends, and family. See: “Abt Associates Evaluates.”
33. Ibid.