

## Attacking Sex Trafficking by...Attacking Sex Workers?

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How many people do you think are sex trafficked in the U.S. every year: 200,000? 300,000?

If your blood's boiling about what sounds these days like an epidemic, here's good news: According to the U.S. Justice Department, the actual number of people trafficked into the country for all reasons (mostly for labor rather than sex) is about 17,500 people year. In a rare show of bureaucratic consensus, the U.S. State Department's estimate is between 14,000-17,000.

"But," you say, "surely that's too low? What about the numbers I hear from all these anti-trafficking organizations?"

Good question. And here's the answer: if you define trafficking broadly enough, it does look like there are a million or more victims. The numbers also sound enormous if you're vague about whether the trafficking involves the U.S. or semi-functional countries like Moldova, Haiti, and Bangladesh.

Some non-profit organizations define sex trafficking to include all prostitutes. Others include all porn actresses. Still others include anyone giving hand jobs in a massage parlor. Forced marriage of teen girls and older men is ugly—and virtually unknown in the U.S.. But some anti-sex trafficking activists count these young people as well. No wonder these activists or "researchers" get such enormous, scary, numbers.

Most manipulative of all, activists keep warning of the number of people "at risk" for being sex trafficked—millions of women and children. "At risk" because they're poor, or unloved, or drug-addicted, or have trouble with English. Using that logic, 45 million Americans are "at risk" of dying in plane crashes every month, and twenty million Californians are "at risk" of dying in car crashes every week. No one's in a panic about that, of course, because such definitions of "at risk" are meaningless.

The results of this muddled thinking are great for fund-raising but bad for public policy. Our anxiety increases at a far greater rate than the supposed problem we're being told to fear.

Which brings us to the SAVE Act, passed overwhelmingly this year by a proud Congress. It supposedly criminalizes the advertising of trafficking. But because of the way that activists define "trafficking," it actually criminalizes the advertising of all commercial sex work (neatly undermining that pesky First Amendment at the same time).

This extends to websites like BackPage.com and MyRedbook.com, which not only advertised sex

work and related services, but also served to create and focus a vibrant community. Websites like these are places for sex workers to get emotional support and medical information, and to alert each other to dangerous clients and helpful public resources.

And so the SAVE Act attempts to protect us from a very small amount of sex trafficking by undermining the health and safety of a fairly large number of sex workers. It would be hard to design a worse system if you tried.

Let's review the differences between sex work and sex trafficking.

**Sex Trafficking:** Always involves coercion. Generally involves being removed from one's home. The person is always being controlled while not working, often hidden from the public. A person can't voluntarily leave this situation.

**Sex Work:** Mostly done by choice (while many have only limited life choices, that still doesn't make it coercion). Typically stay in or near one's home, and usually still connected with loved ones such as children, parents, or spouse. The person generally has a near-normal private life when not working. Most such persons can voluntarily leave if they choose to do something else.

These are completely different phenomena—except in the minds of many anti-trafficking activists, who can't seem to imagine treating sex workers as actual human beings making adult choices about their lives.

The SAVE Act takes resources earmarked for ending trafficking—a horrendous crime of coercion by truly evil people—and instead uses them to undermine sex work—a dramatically different “crime” that primarily involves willing adults, most of whom are ordinary people. As are their customers.

It's simply immoral to take money and time that could be used to fight evil and spend it instead to fight a moral crusade that most people don't care much about—unless activists spread the myth that prostitutes and escorts are victims of sex trafficking who must be rescued.

The SAVE Act also undermines the fight against trafficking in these other ways:

\* By eliminating U.S.-based websites, it pushes sex workers to use offshore-based websites (just as Americans moved to offshore gambling websites when domestic sites were criminalized in the U.S.). Historically, these offshore sites have been much less cooperative with American law-enforcement than domestic sites in pursuing and catching real traffickers.

\* It creates a heavy incentive for content platforms and third-party hosts to obtain identifying information from every person using their internet service. Given sex workers' reasonable fears of police action, hacking, blackmail, and public exposure, compromised privacy is the last thing any sex worker wants.

\* It undermines everyone's rights of free expression, creating a new class of speech outside the

First Amendment's protection. Legal, protected expression is eliminated along with newly-criminalized expression when websites are shut down. This is never good, particularly for people whose lifestyle or political ideas attract criticism.

The people the SAVE Act is supposed to help—sex workers “at risk” for trafficking—oppose it almost unanimously. They know it will make them less safe, less able to vet customers, less able to maintain a community where they help and support each other. When a law designed to help a group is opposed by that group, you know it's a bad law—almost certainly passed by cynical (or ignorant) politicians trying to score points with a gullible public.

The SAVE Act saves no one and benefits no one—except those determined to inflate the number of those supposedly trafficked year by year until we have the (media-driven) “epidemic” they claim to be committed to preventing. As each website is shut down, expect activists to proudly note the number of “at risk” people it has “saved.”

So get ready for the alleged trafficking epidemic the SAVE Act is supposed to eliminate. In our perverse world, the larger the alleged epidemic gets, the more it will be used as “evidence” that activist efforts are somehow very necessary—and effective.

Tags: First Amendment, porn, prostitution, sex work, sex worker, trafficking

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