

COMMERCIAL SEXUAL EXPLOITATION:  
AN ANALYSIS OF PROSTITUTION IN KANSAS CITY

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By  
ALISON R. PHILLIPS  
B.A. University of Oregon, 1995

Kansas City, Missouri

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Alison R. Phillips, Candidate for the Master of Science Degree  
University of Missouri-Kansas City, 2017

ABSTRACT

Prostitution arrest records provided by 11 different law enforcement agencies in the Kansas City area during the years of 2011 through 2015 are used as a means for analysis of commercial sexual exploitation (CSE) within the Kansas City Metropolitan Statistical Area. Arrests were coded into three types of CSE involvement: victim, buyers and traffickers. Demographical information on age, sex, and race of arrestees revealed that CSE victims were younger than buyers and traffickers and were more likely to be female. Statistically significant relationships were found between race and type of CSE involvement, a finding that is consistent with literature regarding the highly racialized nature of CSE.

Capture recapture statistical methods, a technique used to estimate hard to reach populations, were used to produce a population estimate of adult CSE victims within the areas of the reporting police agencies (an area that covers 86.1% of the Kansas City MSA population). Using these methods, it is estimated that the number of adult CSE victims in this area ranges from 2,830 to 3,275 persons.

## APPROVAL PAGE

The faculty listed below, approved by the Dean of the College of Arts and Sciences, have examined a thesis titled “Commercial Sexual Exploitation: An Analysis of Prostitution in Kansas City,” presented by Alison R. Phillips, candidate for the Master of Science degree, and certify that in their opinion it is worthy of acceptance.

### Supervisory Committee

Alexander Holsinger, Ph.D., Committee Chair  
Department of Criminal Justice & Criminology

Lori Sexton, Ph.D.  
Department of Criminal Justice & Criminology

Kristi Holsinger, Ph.D.  
Department of Criminal Justice & Criminology

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CHAPTER 1  
INTRODUCTION

**Commercial Sexual Exploitation Defined**

In recent years, awareness of human trafficking has increased along with public sympathy for women and children who are being forced (or deceived) into sex trafficking. Less emphasis, however, is given to the global commercial sex industry that is the context in which sex trafficking, the commodified sale of sex acts known as commercial sexual exploitation (CSE), occurs. CSE is the sexual exploitation of an individual for commercial financial gain, or in exchange for anything of value (such as drugs, food or housing). What makes CSE different from other forms of sexual abuse or violence is that these acts are *commodified*, meaning they are for sale. Street, online and brothel-style prostitution, illicit massage businesses, the production, sale and use of pornography, and other forms of pornographic entertainment are all forms of commercialized sex that comprise the global sex industry as we know it, an industry that is associated with violence, rape, murder, and physical and psychological abuse (Boyer, Chapman & Marshall, 1993; Farley, 2004; Farley & Barkan, 1998; Farley et al, 2003; Knox, 2004; Leidholdt, 2003; Plumridge & Abel, 2001; Sullivan & Jeffries, 2001; Valera, Sawyer & Schiraldi, 2001; Vanweesbeck, 1994).

CSE is also a form of human trafficking, the second largest criminal enterprise on earth, a crime that in all its forms (such as labor, organ harvesting, child soldiers, sex trafficking) is estimated to victimize 27 million people globally (United Nations Office of

Drugs & Crime, 2009). Seventy-nine percent of trafficking victims are women and children, many of whom are trafficked for the purpose of CSE (United Nations Office of Drugs & Crime, 2009). The United Nations' *Protocol to Prevent, Suppress and Punish Trafficking in Persons* defines human trafficking as: "The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation" (p. 42). The United States Trafficking Victim's Protection Act (TVPA) of 2000, which developed out of concern for CSE, defines sex trafficking as a "severe" form of human trafficking including physical abuse, pornography, prostitution, erotic type entertainment, stripping, and the recruitment, harboring, transport, smuggling or receipt of individuals for the purpose of sexual exploitation (TVPA, 2000). Key elements of the definition of sex trafficking and CSE are the presence of one of the following: force, fraud or coercion and for some benefit, be it financial, material or other to be attained through the provision of a sex act. In the case of minors under the age of 18, force, fraud and coercion are not required for the case to be considered sex trafficking. The difference between sex trafficking and CSE however, is that sex trafficking is a term with legal implications that narrows the field of those considered "victims" in the eyes of the law to cases involving minors, or those in which elements of force, fraud or coercion are demonstrated. The concept of CSE however, is broader in its recognition that the commodification of sex is in and of itself exploitative; that on a systemic level, as an

institution, CSE propagates gender inequality and the oppression of society's most vulnerable and marginalized members, as well as empowering criminal elements and organizations. This same reasoning is behind the criminalization of dangerous drugs, not only because of the harm they cause to individuals, but also because they are harmful to our communities overall.

### **CSE and The Commercial Sex Industry**

Commercial sexual exploitation is the by-product of a \$32-billion-dollar global sex industry where basic principles of supply and demand economics apply (United Nations Office of Drugs and Crime, 2009). This industry thrives under the notion that prostitution, adult entertainment or the manufacture of pornography are acts involving consenting adults and that their business is a business like any other. Evidence shows, however, that prostitution and other forms of commodified sex are not chosen professions in the sense that the general public perceives them to be. CSE is highly correlated to violence, abuse and other crimes (Boyer, Chapman & Marshall, 1993; Farley, 2004; Farley & Barkan, 1998; Knox, 2004; Leidhold, 2003; Sullivan & Jeffries, 2001). A large body of evidence reveals that the majority of women involved in prostitution report rape, gang rape, physical assault, torture, verbal harassment, homelessness, post traumatic stress disorder (PTSD) and even experience murder at rates that do not compare to other industries or forms of work, including those of combat veterans (Albert, 2001; Estes & Weiner, 2001; Farley & Barkan, 1998; Farley et al., 2003; Farley, 2004, 2005; Greene, Ennet & Ringwalt, 1999; Holger-Ambrose, Langmade, Edinburgh & Saewyc, 2013;

Plumridge & Abel, 2001; Potterat, Woodhouse, Muth & Muth, 2004; Raphael & Shapiro, 2004; Valera et al., 2001; Vanwesenbeck, 1994).

Farley (2005) finds that the overwhelming majority of women who engage in prostitution do so because of some element of force, fraud, coercion or out of desperation because they have no other way to provide for themselves or their children. This revelation runs contrary to pervasive myths and rationalizations about prostitution being a choice made by consenting adults. Yet, the documented presence of minor children (under the age of consent) in strip clubs, pornography, prostitution and other forms of the commercial sex industry reveals that they are often not adults at all (Estes & Weiner, 2001; Federal Bureau of Investigation, 2009; Hyungjung, Webb, Katz & Nuno, 2015; Knox, 2004; Kortla, 2010; Nimmo, 2001; Wilson & Dalton, 2008). In fact, the average age of entry into the commercial sex industry in the United States is between 11 and 14 years of age, in spite of age of consent laws created to protect children from predatory adults (Curtis, Terry, Dank, Dombroski & Khan, 2008; Farley, 2004; Federal Bureau of Investigation, 2009; Greene, et al., 1999; Holger-Ambrose, et al, 2013).

### **The Relevance of CSE on Individual and Systemic Levels**

The commercial sex industry is not only harmful on an individual level for those directly involved, it is harmful on a systemic level as well (Fraser Committee, 1985). CSE is a means by which women are subjugated to men, and an arena in which disempowered and marginalized people are exploited. A profound gender and socio-economic imbalance exists within the commercial sex industry. The violence associated

with the largely unregulated commercial sex industry extends into our cities and communities at large through empowered criminal networks and the deviant and criminal behavior that buyers perpetrate in other contexts as well (Farley, et al., 2011; Knox, 2004; Nimmo, 2001). Even in places where commercialized sex is legal and supposedly regulated, violence occurs at rates that are indistinguishable from illegal settings (Albert, 2001; Farley et al., 2003; Plumridge & Abel, 2001; Valera et al., 2001; Vanwesenbeck, 1994). Legalization also contributes to the trafficking of individuals for the purpose of CSE and because of the social signals that legalization promotes, it increases demand for commercialized sex, translating into an increase in both legal and illegal *settings* (Sullivan & Jeffries, 2001). CSE promotes harmful attitudes toward women that take many forms: misogyny, sexism, rape myth acceptance and higher rates of violence toward all women (Farley, 2004; Farley et al., 2011; Sullivan & Jeffries, 2001). The enterprise likewise exploits the vulnerabilities of minorities and society's most marginalized members while contributing to the breakdown of families, burdening the criminal justice system and social services, and empowering criminal organizations (Estes & Weiner, 2001; Federal Bureau of Investigation, 2009; Knox, 2004; Nimmo, 2001). In Texas alone, it is estimated that the commercial sexual exploitation of minors costs the state \$6.6 billion dollars in lifetime victim recovery service expenditures (Busch-Armendariz, Nsonwu & Cook-Heffron, 2011).

## **Terminology**

For the purpose of this thesis, the term Commercial Sexual Exploitation (CSE) is used to describe what occurs in the commercial sex industry, be it street, indoor, online or escort prostitution, erotic entertainment, illicit massage parlors, the pornography industry, or the operation of a brothel. Commercial sex acts regardless of setting or whether or not the transaction is in-person or virtual will be described as prostitution. Prostitution can include all of the afore mentioned forms of CSE. The Bureau of Justice (2017) which collects national data on prostitution arrests defines prostitution as “the unlawful promotion of or participation in sexual activities for profit, including attempts to solicit customers or transport persons for prostitution purposes; to own, manage, or operate a dwelling or other establishment for the purpose of providing a place where prostitution is performed; or to otherwise assist or promote prostitution” (Bureau of Justice Offense Definitions, 2017, p. X). The physical setting and whether or not the activities are in-person or virtual do not determine whether or not a sex act is prostitution. Rather, it is the exchange of money or other compensation that makes it so.

In terms of basic supply and demand economic principles, the commercial sex industry is a business like any other. Where there is a demand for a product or service, supply tends to follow. Within prostitution there are three basic roles. For the purpose of this thesis and the analysis therein, these roles will be referred to as “victim,” “trafficker,” and “buyer.” The use of the term “victim” deserves further explanation as it is simply intended to describe a CSE typology, and should not be construed as disempowering or denying agency to these individuals. A victim is an individual that is exploited, sold for

sex acts by a trafficker or could be acting independently in selling themselves. Davidson (1998) however, estimates that only one percent of those in the commercial sex industry do so of their own free will, and under circumstances in which other opportunities were available. Under the definition of CSE, which recognizes the inherent power imbalance present in the transactions involving the purchase of commodified sex acts, no distinction is made here for an individual selling their own body for sex, i.e., not under the control of a trafficker. This is because even when an individual is selling sex acts independently, the buyer is always in a better, more powerful position by nature of the transaction. Buyers, commonly referred to as “john,” “date,” “client,” “punter,” or “trick,” are purchasers of sexual acts. They create demand for commercial sex acts through the financial reward they offer to the seller/agent. Buyers are usually older, physically stronger, financially better off and occupy a higher social position than the individual they are purchasing or purchasing services from (Farley et al., 2011; Monto & Milrod, 2013). The marginalized, disadvantaged position of individuals independently selling sex acts makes it common for them to fall under the control of a trafficker. The term trafficker refers to those individuals that procure, groom, abduct, sell, market, transport, traffic or pimp another individual for financial or material gain or other consideration. In some trafficking operations, one individual assumes all of those roles. Larger trafficking rings may have separate people that fulfill different roles within the operation.

Men, women, boys and girls can all be victims of CSE. However, for the purpose of this paper, and in acknowledgement of the majority, female pronouns will be used to describe CSE victims (Cheon, et al., 2015). While there are women who purchase sex

acts from both male and/or female victims, the majority of buyers of sex are male, and thus, again in acknowledgement of the majority, male pronouns will be used to describe buyers (Farley et al, 2011; Monto & Milrod, 2013). This is in no way intended to minimize or dismiss the victimization of men, boys and transgender individuals in CSE, or to ignore the fact that women also purchase commercial sex acts. It is simply intended as a practical means to simplify pronoun usage in a way that best represents the issue.

### **Primary Objectives of the Thesis**

Hidden populations, like victims of sexual exploitation, have been historically difficult for researchers to quantify. In recent years, capture/re-capture statistical methods are being used to measure hard-to-reach populations, such as wildlife, carriers of a disease, or crime victims. This thesis intends to formulate a population estimate of adult CSE victims in the areas of Kansas City for which prostitution arrest records were provided. In 2016, KCPD provided all prostitution related arrests during the five-year period of January 1, 2011 through December 31, 2015 for 11 law enforcement agencies: Kansas City Police Department (KCPD), Overland Park Police Department, North Kansas City Police Department, Wyandotte County Sheriff's Office, Mission Police Department, Riverside Police Department, Olathe Police Department, Lenexa Police Department, Shawnee Police Department, Johnson County Sheriff's Office, and Leawood Police Department. These records are anonymized with only the unique MNI (a numeric identifier) available as the means for detecting individuals arrested on more than one occasion. The records state the time, date and reason for the arrest as well as non-

identifying demographic information such as age in years (as of arrest date), race, and gender.

It is known that many CSE victims have had law enforcement contact, and that a victim throughout their life course may experience exploitation in a variety of settings (Brents & Hausbeck; 2005; Farley, 2004; Raphael & Shapiro, 2004). For example, women who work in strip clubs may also engage in the production of pornography and/or engage in online or street prostitution. Each arrest represents a moment in time where an individual member of the CSE population is observed or “captured.” This same method is used by wildlife biologists interested in formulating wildlife population estimates, but instead use photographs or tagging as a means to “capture” a sample. In the data provided, each de-identified arrestee is assigned a unique master name index (MNI) number to indicate when the same individual has been arrested on more than one occasion.

In addition to the population size estimates, the de-identified demographic information of age, sex, and race contained in the records provide the potential for additional descriptive analysis. Identifying correlates between demographics and type of arrest are all potentially meaningful findings. For example, it would be valuable to know how many arrests are of males compared to females, how sex correlates with type of arrest, if age is significantly related to arrest type or if there are any predictors/correlates for re-arrest.

## CHAPTER 2

### LITERATURE REVIEW

#### **Description of CSE**

##### **Trafficking Networks**

Trafficking operations can vary in size from large international organized criminal enterprises to a single individual. They generally operate in loosely organized networks with various roles therein (Williamson & Prior, 2009). Trafficking also occurs with no organized crime affiliation. Of 3,171 youth surveyed in multiple U.S. cities, 25 percent report CSE victimization while living at home, 59 percent report victimization by local traffickers, and 16 percent indicate national criminal entities were responsible for their victimization (Estes & Weiner, 2001). Traffickers can be men or women, or even youth. Often times, traffickers are family members of their victims. A parent who offers their child for sex or pornography manufacture in exchange for housing or drugs, is by definition, a trafficker. Trafficking rings have even been documented in which minor youth were selling their peers for sex (Lestch, 2014; Murphy, 2016; Tracy, 2017). Larger organizations have multiple traffickers involved, some with specialized roles such as “groomers” or “spotters” that work to recruit potential victims. Often times, recruiters, or “spotters” are female, which is a strategy to make the initial contact appear less threatening. When traffickers have multiple females that they sell and control, they refer to them as their “stable.” Traffickers use threat of physical harm, rape, gang rape, torture and psychological manipulation to maintain control of their stable. They offer benefits such as more desirable work to more experienced girls for the purpose of creating a

hierarchical culture of distrust and jealousy in order to maintain control and assure loyalty. Often the trafficker assumes the role of a father figure, even insisting the females in his stable call him “Daddy” (Sher, 2011; Williamson & Prior, 2009).

Traffickers have been documented as using two primary techniques to recruit potential victims: described as “gorilla pimping” and “finesse pimping” (Williamson & Prior, 2009). Gorilla pimping involves the use of physical force, assault, violence and threats to obtain and maintain control of victims. Obtaining a victim through abduction is considered a “gorilla” recruitment tactic. Finesse pimping, also referred to as “Romeo Pimping” is described as a technique in which young girls are manipulated “into situations where they seemingly make their own decisions to enter, sell sexual services, and give their money to a trafficker” (Williamson & Prior, 2009, p. 50). Finesse pimping uses psychological manipulation and “bait and switch” techniques that “involve presenting attractive opportunities as bait in order to gain the attention and build trust or hope in one’s victim, only to switch the situation for the economic gain of the trafficker” (Williamson & Prior, 2009, p. 50). Finesse pimping generally involves what is referred to as a “grooming” process, in which the exploiter takes the time to get to know their potential victim, learn about their desires, dissatisfactions, and interests. They look for vulnerabilities and offer whatever they perceive their potential victim desires or lacks; love, attention, respect, safety, excitement, gifts, glamorous and lucrative employment opportunities, and for many, even a sense of family. Their objective is to gain trust and separate the potential recruit from any caring adults who would intervene in their exploitation. Similar tactics are noted in multiple studies and by Kansas City advocate

Russ Tuttle who educates youth to recognize what he describes as “patterns” in how traffickers recruit young people (Farley, et. al., 2011; Holger-Ambrose, et al., 2013; R. Tuttle, Personal Communication, 2015). Victims are recruited at malls, coffee shops, libraries, schools, movie theaters, on the street, bus stops, and any other location where young people tend to spend time and/or congregate. Social media, chat rooms, text and other online applications are also utilized by traffickers to contact and groom young people who may perceive the virtual nature of the contact to be harmless.

Victims are often kept compliant through drug use and continued use of violence, threats and psychological manipulation. They are often tasked with nightly quotas in which they must make a set amount of money. Victims who fail to make their quota or stray from any of the rules given to them often experience beatings, torture, rape, gang rape, food deprivation, and more (Dank, 2007; Estes & Weiner, 2001; Williamson & Prior, 2009).

### **Supply and Demand Business Model**

Supply and demand economic theory states that when a financial reward exists for a product, the market will respond with a supply of that product. These principles apply to the commercial sex industry where buyers create demand through offering financial or material reward for sex acts. Traffickers respond by procuring suitable product; in this case, human product. Traffickers themselves report that the financial reward is their primary reason for engaging in this business (Kenyon & Schanz, 2014; Wheaton, Schauer & Galli, 2010). Criminal gangs and organizations of all sizes recognize that selling sex is a very lucrative and low risk business for them. Conviction rates for traffickers are very

low; 1.5 per 100,000 globally (United Nations Office of Drugs & Crime, 2007).

Increasingly, more of these organizations are turning to selling sex as their primary source of income. Victims can be recruited and transported with relatively minimal risk and expense when compared to the drug trade. The human product can be sold repeatedly, whereas a drug can only be sold and used once.

Demand increases in areas where higher numbers of unattached males exist, such as truck stops, military bases, oil fields, agricultural camps and factories, convention sites, tourist destinations, or sporting events (Estes & Weiner, 2001; Kenyon & Schanz, 2014; Williamson & Prior, 2009). Higher demand creates higher concentrations of CSE in these areas, increasing vulnerabilities for young local females in particular who represent potential “product” that traffickers can recruit and in turn offer as supply for the market. For example, in Nevada where the legal and illegal sex industry is co-located with the popular tourist destinations of Las Vegas and Reno, strip club owners have been documented recruiting in local high schools, using billboard advertisements and even participation in school sanctioned career days, offering “stripping” as a lucrative career opportunity for female high school graduates (Digital News Desk, 2015). Demand is what sets a business in motion; without it, the business ceases to exist.

### **Victimization and Prostitution**

The relationship between violence and the commercialized sex industry is clear. The homicide rate for prostituted women in the 1980’s was 204 per 100,000, making this population 18 times more likely to be murdered than other women of a similar age and race (Potterat et al, 2004). This represents the highest homicide rate for females by

profession, with the second being female liquor store workers at a homicide rate of 4 per 100,000. Homicide, however, is not the only factor contributing to a relatively short life expectancy for these women. The average age of death for a woman in prostitution is just 34 years. Leading causes of death include homicide, drug or alcohol overdose or issues related to their use, HIV, or accidents (Potterat et al, 1990). Farley (2004) found that 70 percent to 95 percent of women had been physically assaulted, and 60 percent to 75 percent said they had been raped while in prostitution. Benoit and Millar (2001) in their interviews of 201 women involved in various sectors of prostitution found that 36 percent of them had been hospitalized for injuries they sustained as a result of their “work” in the commercial sex industry.

High rates of violence occur within all sectors of the sex industry. Many studies cite that indoor prostitution (i.e., massage parlors, escort services or strip clubs) are less dangerous, yet disproportionate rates of violence still exist within these contexts; violence that one would not likely find acceptable in any other work place settings (Brents & Hausbeck; 2005; Farley, 2004; Raphael & Shapiro, 2004). Further, for the women in indoor venues, the likelihood of rape is higher than outdoor, whereas, homicide, robbery and assault are the greater risks for those in outdoor prostitution compared to working indoors (Raphael & Shapiro, 2004). Out of 854 people Farley (2004) interviewed in strip club employment, illicit massage business, and street prostitution, only 6 percent reported that they had not experienced violence, and 68 percent met the criteria for Post-Traumatic Stress Disorder (PTSD); a condition commonly found in combat war veterans or victims of torture.

Multiple surveys of women in a variety of settings have revealed that the overwhelming majority of violence they experienced was committed by buyers, followed by traffickers, with a significant amount reported to be at the hands of police officers. In fact, 24 percent of women in street prostitution in Chicago reported that they had been raped by a police officer (Raphael & Shapiro, 2004).

Women in prostitution, regardless of whether it is legalized or criminalized, experience social contempt, victim blaming, verbal abuse, harassment and threats (Brents & Hausbeck, 2005; Farley, 2004; Raphael & Shapiro, 2004). They are called derogatory and insulting names. Even after exiting the life of prostitution, the stigma follows, making integration into mainstream society difficult; a challenge that a convicted buyer does not face to the same degree (Lloyd, 2011).

### **Myths and Misconceptions**

As awareness of the issue of sex trafficking increases, one of the greatest obstacles in eradicating this crime is the lingering confusion about prostitution and whether or not it is different from sex trafficking and thus a form of CSE. Because this thesis is using prostitution arrest records as a means for sampling CSE victims, some explanation is warranted as to why this is a valid sample for this population. This is particularly important since the claim is being made that individuals who have been arrested for a crime under the law are in fact, victims. It may be a fallacy to think that women engage in only one type of prostitution, and that their participation in activities like stripping or the manufacture of pornography (activities that are perceived to be more

benign) does not have implications for involvement in other forms of prostitution.

Multiple surveys indicate that 61.2 percent to 100 percent of women report that they have worked in more than one type of prostitution (Holger et al., 2013; Raphael & Shapiro, 2004). Most individuals in prostitution have criminal records, and have been arrested for various offenses. Curtis et al. (2008) found that 60 percent of 249 prostituted youth in New York City had been arrested one or more times, with 37 percent of them experiencing arrest in the prior year.

The source of confusion about prostitution and sex trafficking may stem from myths about prostitution being a victimless crime which in turn conflicts with the growing recognition and awareness of the elements of force, fraud and coercion involved in the commercial sex trade. Recognition of the mythologizing around prostitution led to the creation of the TVPA in 2000, and the conceptualization of “sex trafficking.” Where these two concepts differ is that prostitution is understood to be an exchange between consenting adults, while sex trafficking is understood to be forced or coerced. Evidence shows however, that prostitution is not a chosen profession, at least not in the sense that the general population may perceive it to be. Prostitution researcher, Liedholdt (2003) makes this point succinctly with the following statement: “Prostitution and sex trafficking are the same human rights catastrophe” (p. 180).

If the difference between prostitution and sex trafficking hinges on choice, and that singular issue is what creates a distinction between the two, an evidence based consideration of how choice is defined is critical. How these two constructs (sex trafficking and prostitution) are defined impacts whether those involved receive victim

oriented responses or criminal oriented responses. The true definition of choice implies that a set of options or alternatives are present, and that the individual has capacity to weigh the alternatives and potential consequences of each. Free will, rational thought and opportunity are implied components of choice. For example, it may be erroneous to assume that someone who jumps to their death from a burning building *chose* to commit suicide. Consideration of the situation, the alternatives, and stress under which the decision was made are appropriate. For a woman whose trafficker is threatening to murder her child unless she makes her “quota” for the night, or a single mother who trades sex in order to make her rent and avoid becoming homeless are just two examples that convolute the issue of “choice” as it relates to the pathways that lead to engagement in prostitution.

### **Individual Level Perspectives**

For those involved in the commercial sex industry on an individual level, either as victims, traffickers or as buyers, the difference between prostitution and sex trafficking has very little to do with the reality of their lived experiences, and everything to do with how the public perceives these experiences. Cotton, Farley and Baron (2002) found that 59 percent of general population survey respondents showed some level of disagreement with the statement “prostitutes are victims of pimps” and 45 percent agreed or strongly agreed that “women are prostitutes because they want to be; it’s their choice.” Yet, 89 percent of 854 women interviewed by Farley (2005) stated that they wanted to escape prostitution, but could not due to physical restraint, force, threat of violence or lack of other means to provide for the basic needs for them or their children.

## **Victim Perspective**

The day-to-day lived experiences for legally recognized sex trafficking victims do not differ markedly if at all from those involved in prostitution. Generally, both want to escape the life and both say what they experience is rape. Approximately 90 percent of prostitution occurs under the control of a pimp (making it by definition sex trafficking) who uses violence, manipulation and threats to establish and maintain control (Farley, 2004; Giobbe, 1987). People in prostitution are shamed, stigmatized, abused, assaulted, raped, gang-raped, harassed, tortured, isolated, under-served, imprisoned and even heinously murdered at rates that are highly disproportionate to the general population (Farley & Barkan, 1998). This violence is perpetrated at the hands of buyers, the pimps and traffickers that control them or others seeking to take advantage of their disempowered status. As such, regardless of the term used, both prostitution (and any other sector of the commercial sex industry) and sex trafficking are exploitation -- commercial sexual exploitation.

From the perspective of victims, framing the experience of what occurs in prostitution as different from sex trafficking is illogical and arbitrary. Examination of literature detailing the circumstances, characteristics and demographics of an individual's entry into the life of prostitution quickly blurs the dividing line between the two, dispelling the possibility that somewhere in the process of entering into a life of prostitution, a choice was made by an individual with full and free agency. The entrance into prostitution is not necessarily quick and dramatic (as sex trafficking victimization is understood to occur); it is a slow and systematic process in which a girl (most often) is

slowly stripped of her dignity, and sense of self-worth. There is a common expression that “prostitution is not something a woman chooses; it is something that chooses her.”

Between 65 and 95 percent of prostituted persons have experienced early childhood sexual abuse (Farley & Barkan, 1998). As one young woman in prostitution explained to a researcher about herself and her peers; “We’ve all been molested. Over and over, and raped. We were all molested and sexually-abused as children, don’t you know that?” (Boyer, Chapman & Marshall, 1993). The trauma and impact of childhood sexual abuse is life-shattering, destroying innocence, sense of self-worth, and dreams for the future. The trauma also impacts normal cognitive development. If the abuse continues without any positive intervention, hopelessness and despair ensue. Farley (2005) describes the rationalization process: “That’s what I am, so why not get paid for it? I might as well get paid for what is going to happen to me anyway.” Another girl who entered prostitution at the age of 14, described it this way: “You don’t even like the sex. It has never been anything to me, because I got raped [at age 12]. I got it taken away from me and I tried to turn it around and change it into something that benefitted me, to make money.” (Sher, 2011, p. 30) For sexually abused children who have never had any control over what happens to their body, prostitution can appear to be an improvement because sexual abuse with payment is better than sexual abuse for nothing.

The most clear and compelling evidence against the argument that prostitution is a choice made between consenting adults is the fact that prostitution, most of the time, does not involve adults at all. Most victims are minors or adults who entered into the trade as minors. The average age of entry into the commercial sex industry in the United States

falls between 11 and 14 years (Hyunjung, Webb, Katz, & Nuno, 2015; Estes & Weiner, 2001; Kortla, 2010). Many victims of childhood sexual abuse turn to drugs or alcohol as a coping mechanism, further negating the possibility of consent. Drug addictions then become a bond keeping them in prostitution as they turn to selling sex in order to attain more drugs. Drugs are also used by traffickers to keep their victims compliant.

The demographic make-up of those in prostitution reveal high rates of homelessness, lack of functional and supportive families, prevalence of mental illness, poverty and the over representation of racial and sexual minorities (Estes & Weiner, 2001; Farley & Barkan, 1998; Farley, 2005; Kenyon & Schanz, 2014; Martin, 2013; Mitchell, Finkelhor & Wolak, 2010). Seventy-seven percent of women in prostitution interviewed by Williamson and Prior (2009) had either been in foster care or had some level of contact with child protective services. A 2008 study in New York City found that African American females are disproportionately represented (Curtis, et al., 2008). Farley and Barkan (1998) found that of 130 individuals working in street prostitution, 61 percent were racial minorities with a disproportionate representation of sexual minorities.

Of CSE victims, 84 percent had at some point experienced homelessness. This additional vulnerability exists within a framework of other risk factors; the need for food, clothing, shelter, etc. and often leads to CSE in order to meet those needs (Farley & Barkan, 1998; Greene et al., 1999; Holger-Ambrose et al., 2013). Many homeless youth ran away from their homes due to prior physical and sexual abuse. Transgendered or homosexual youth are disproportionately victimized because many have run away from home due to parents who reject or abuse them because of their sexual orientation. Their

marginalized status is a vulnerability that often becomes further exploited (Greene et al., 1999; Holger-Ambrose, et al., 2013).

### **Buyer's Perspective**

From the perspective of sex buyers, who offer financial reward or something else of value in exchange for sex acts, no intellectual distinction is made between prostitution and sex trafficking. Farley et al. (2011) and Monto and Milrod (2013) highlight a number of ways in which male buyers of sex are different from men who do not engage in this behavior. Overall, men who purchase sex are more criminally involved, more likely to commit rape, and have lower levels of empathy. Farley et al (2011) explains that buying sex and rape are highly correlated behaviors with 15 percent of buyers saying that they would rape a woman if it could be kept a secret, compared to two percent of men who do not buy sex. Buyers also have higher arrest rates in general, and more felony and misdemeanor convictions than non-buyers (Farley et al., 2011).

For buyers, the circumstances or well-being of the person they are purchasing sex from is not a relevant consideration. Sixty-two percent of buyers believed that the sex they had purchased was consensual, a statement that stands in stark contrast to the many women in prostitution who describe the experience as rape in exchange for money (Farley, 2005; Farley et al, 2011). Evidence that the individual they are purchasing sex from is a minor, that she is under the control of a trafficker, or the observation of pain or physical discomfort are not deterrents to the buyer's behavior (Farley et al, 2011). The following quote from a buyer arrested as part of Kansas City's first ever sting operation

targeting buyers, Operation Guardian Angel, illustrates this point in his inquiries about what he believed to be a 15-year old girl: “Is she willing or do you have to hold her down?” (Patrick, 2009). Among the attributes buyers list as important for a female they are interested in purchasing for sex are age, physical appearance, and a “good attitude” (Farley et al. 2011).

When the phenomena of sex trafficking and prostitution are de-coupled, the fantasies that buyers have about females in prostitution are validated (Erbe, 1984; Farley, et al., 2011). Buyers are able to delude themselves with the notion that the women they buy sex from are perhaps somehow different from other women, that they chose this lifestyle, and thus the activity is harmless. This rationalization process is facilitated by language that de-humanizes a person through calling her names such as “prostitute,” a “whore,” or a “hooker.”

A pervasive misconception exists about buying sex; that it is primarily attributable to a person’s innate desire and need for sex. Prostitution, therefore can serve as a pragmatic solution to this or as an acceptable outlet for unattached males (Hakim, 2015). The first fallacy in this theory, is that the majority of buyers report that they actually are in committed relationships with a wife or girlfriend (Farley et al, 2011; Monto & Milrod, 2013). The second is that the need (for sex) itself, is not the rationale. Just as a thief may steal to obtain money, an honest person works to obtain money. The buyer’s behavior is instead about a specific variety of sexual experience without obligations or responsibilities and in which they can fulfill fantasies that often includes domination, control and the commission of violence (Farley, 2005; Farley & Barkan,

1998; Farley et al, 2011; Luty & Lanier, 2012). Child molesters and rapists cite these same desires for power and domination as motivations primary to that of sexual satisfaction. Luty and Lanier (2012) explain that in the context of buying sex, “men are known to use violence against women as a strategy to reassert authority weakened by their daily experiences” (p. 558).

Children who experience chronic abuse become marginalized and conditioned to accept the behavior and not fight back. Because of the cognitive reaction to the trauma of sexual abuse and a child’s lack of agency, most children respond to sexual abuse with silent compliance (Lang & Frenzel, 1998). This response, and the lack of intellectual curiosity that abusers have about their victims, leads them to believe that their victims enjoy the experience and that what they are doing is consensual.

### **Trafficker's Perspective**

For traffickers, the distinction the public perceives to exist between prostitution and sex trafficking is a tremendous asset. The disjuncture creates a separate and protected area in which they can operate, conceal the criminal nature of their business and even receive mainstream validation. Traffickers recognize that prostituted women have low credibility and are usually the ones who face law enforcement contact. The women they control are reluctant to betray their trafficker's identity to law enforcement because they lack trust and faith in the criminal justice system and also because of the threats and manipulation tactics that traffickers use against them.

Traffickers are also protected through the front that the legal sex industry provides. The poorly regulated legal sex industry serves as a context in which sex trafficking is facilitated. Illicit massage parlors, strip clubs, and certain types of bars are fronts for prostitution, where a thin facade permits buyers to delude themselves with the notion that they are participating in an activity with a consenting individual, while in reality the facilities may be brothels with a legal store front (Federal Bureau of Investigation, 2009; Holsopple, 1998; Knox, 2004; Wade, 2007). When commercialized sex acts are legal, easily accessed (such as with online pornography) and validated through popular media and culture, it sends social signals that normalize behaviors that are actually criminal and deviant. In spite of what is known about their nature and even in the face of citizen complaint, these establishments operate with little regulation or scrutiny (Farley, 2004).

Traffickers go to great lengths to maintain a separation between prostitution and sex trafficking, even going so far as donating money to anti-trafficking organizations and manufacturing publicity to maintain the lie that prostitution is somehow different (Farley, 2004). Club Owners Against Sex Trafficking (COAST), formed by a strip club owner, is an example of such organizations. The group's website lists "defense of women's rights, combatting human trafficking and charitable events" as part of their mission statement (Club Owners Against Sex Trafficking, 2017). Such organizations work to create a public image that legal commercial sex industry businesses, namely strip clubs, support personal liberty and act in good faith on behalf of the women working in their industry. Yet, the high rates of violence documented within strip clubs speaks to the contrary.

Many so called “sex workers’ rights” organizations are actually founded and funded by traffickers (Marr, 2012). Call Off Your Old Tired Ethics (COYOTE) is one such group founded by a woman convicted of running a brothel. These organizations amount to a cleverly crafted public relations campaign designed to convince the public that really all the commercial sex industry needs is more social validation and less stigma. They cast their critics as outdated, prudish “moral crusaders,” as if the only moral argument against prostitution was that it involves casual sex. They claim that an individual should have the right to sell their body for sex, but deny the fact that the vast majority of those who do so have been compelled by force, fraud or coercion and that legalization does little to protect so called “sex workers.” The term “sex work” itself, is an attempt to legitimize and validate CSE. Through labelling it “work,” it can appear that commercialized sex is a profession, like any other, and with proper regulation, this sector of the economy can be like any other.

Ultimately, the realization must be made that prostitution is the prior purpose for commercial sex trafficking. Traffickers procure victims through force, fraud or coercion for the purpose of prostitution, and that de-linking the two is illogical.

### **Systemic-Level Perspective**

On a systemic level, prostitution is a force for social oppression and violence in our communities; it is a means by which women are subjugated to men, and marginalized people are exploited. The gender imbalance in prostitution (power and otherwise) is profound and unjust. The commercial sex industry promotes the objectification of

women, misogyny, and gender-based violence. Communities with larger and more active commercial sex industries tend to have higher rates of violence against women in general. Nevada, which has a very large legal sex industry with many adult entertainment businesses, as well as being the only U.S. state where brothel prostitution is legal in 13 counties, has the largest presence of illegal prostitution and the highest rate of violence against women in general of the 50 U.S. states (Albert, 2001). Legal sex industry businesses such as strip clubs, pornography manufacturers or illicit massage parlors are fronts for illegal activities that occur therein as well as promote those activities in other settings as well. In Victoria, Australia, where brothels are legalized, the net effect was a 300 percent increase in illegal forms of prostitution and an explosion of human trafficking into Australia for the purpose of prostitution (Sullivan & Jeffries, 2001). Victims of CSE experience violence, but the impact of violence associated with the commercial sex industry extends into the community at large through empowered traffickers and the deviant and criminal behavior of buyers perpetuated in other contexts as well (Albert, 2001; Farley, 2004; Farley, et al. 2011; Sullivan & Jeffries, 2001). The trafficking of drugs and the trafficking of sex are two activities that often act interdependently rather than as separate activities. Many gangs and organized criminal enterprises are highly involved in sex trafficking due to the high profit potential and low risk which increases their wealth and power (Holger & Ambrose, et al., 2013; Knox, 2004; Nimmo, 2001). CSE contributes to familial breakdown and strains criminal justice and social service resources. In the same way, that the criminal justice system recognizes

the dangerous nature of drugs and criminalizes their use not only because of the physical harm to individual users, but also because they are harmful to our communities overall.

### **When Victims are Treated as Criminals**

#### **Stigma**

Prostitution is a highly stigmatized activity, primarily for those who are victims. Buyers are also concerned with the stigma of prostitution, citing that one of the greatest potential deterrents to the behavior of purchasing sex would be for their activity to be made public (Matthews, 1993). Traffickers arguably enjoy the greatest level of protection from stigma through the cultural glamorization of “pimping.” Contrary to logic, the shame, stigma and degradation is attached to victims not to those perpetrating the acts. Victims are given names that dehumanize them, and that invoke stigma while implying blame and shame for their status. When victims are objectified and stripped of their humanity in this way, the perception is created that prostitutes are a special breed of woman that exist solely to provide sexual satisfaction for as many men as possible and that they (the women) enjoy it. Miller and Schwartz (1995) cite the common acceptance of the following statements: “a) prostituted women are ‘unrapable,’ b) no harm is done to prostituted women when they are assaulted or harassed, c) prostituted women deserve to be raped, and d) all prostituted women are the same.” An example of how these women are dehumanized came to the public’s attention in 1993, when it was discovered that law enforcement officials placed documents related to uninvestigated homicide cases in which the victims were prostituted women in files labeled “no humans involved” (Boyer,

Chapman & Marshall, 1993).

### **Subjectivity and Discriminatory Responses**

Pervasive myths and stereotypes about prostitution and “loose women” rather than evidence-based research have historically played a large part in shaping policy and criminal justice responses. These misconceptions translate into harmful and dismissive public perceptions about the commercial sex industry and the exploitation therein further resulting in misguided policy and inappropriate criminal justice and social service responses. The defining element of choice (or consent) becomes especially problematic in practice because some individuals receive criminal-oriented responses and others receive victim-oriented responses; a difference that hinges on the recognition of force, fraud or coercion. Many victims, simply because they appear unsympathetic, are treated as criminals and/or they go un-detected or unrecognized. A 2015 survey of 72 police agencies around the U.S. and their responses to sex trafficking in their jurisdictions revealed a high level of subjectivity was used in their reporting of sex trafficking rather than official reports and that many cases go unrecognized or under-reported (Hyunjung, et al., 2015; Mitchell et al., 2009). The subtle delineating element of whether or not choice is present, is often determined subjectively resulting in discriminatory responses. Multiple analyses show that prostitution laws on the state level are most often enforced against females, and less commonly against the male sex buyer (Farley et al., 2011; Mitchell et al., 2009; Monto, 2004).

Even in the case of minors, Mitchell et al. (2009) found that in only 53 percent of the cases did law enforcement treat the child as a victim; in 31 percent of the cases the child was seen as a delinquent and in 16 percent the child was seen as both victim and delinquent. When someone pays money to sexually abuse a child we should not call the child a “prostitute.” Age of consent laws align with the framing of sex trafficking laws concerning minors, predicating that a child cannot willfully make the choice to have sex with an adult regardless of whether there is an exchange of money. Sher (2011) describes the illogical contradiction in this way: “A man who had sex with a minor would be jailed for statutory rape, and she would be treated as the victim she was. But if he left a pile of cash by the bed, she could be locked up as a prostitute, and he might get away with a small fine as a john” (Sher, 2011, p.10). One of the key defining elements of sex trafficking incorporates the concept that minors cannot consent to prostitution, and thus evidence of force, fraud or coercion are not required. Yet the criminalized status of prostitution (for the prostituted) contradicts these policies. When we fail to critically examine the circumstances that lead an individual into prostitution, it can and often does result in victims being treated as criminals. The issue of perception is central to seeing prostitution as CSE. It should also be considered that a child who is the victim of paid sexual abuse does not become a consenting adult (i.e., a prostitute) on her 18<sup>th</sup> birthday.

Prostitution arrests are also costly to taxpayers in terms of police hours invested in arrests, judicial costs, correctional costs, expenditures in social services, and displacement costs for hours lost in protection against other crimes (Busch-Armendariz, et al., 2011; Pearl, 1987). Arresting individuals in prostitution rather than treating them

as sex trafficking victims is harmful and unproductive for a number of reasons. Victims generally have a much higher commitment to that activity in comparison to buyers, since they generally lack other means of generating income or are unable to escape a trafficker. As a result, the deterrent effects of arrest, fine and incarceration are generally not effective. Buyers are typically much less committed to prostitution and have more to lose in terms of reputation and other socio-economic considerations. In addition, buyers are more easily deterred by an arrest and the subsequent penalty of a fine, and potential jail time resulting in public recognition for their offense (Matthews, 1993; Persons, 1996; Weitzer, R. 1999). For juveniles, the fallacy of arresting victims should be particularly clear. Williamson and Prior (2009) make this logical point: “In our view, it is difficult for youth to successfully prostitute themselves with an adult trafficker or adult purchasers involved, and thus they should be viewed and treated as victims in need of care” (p. 59).

### **Hypothetical and Real Life Examples**

Consider this hypothetical yet realistic scenario of a single mother who trades sex so that she can pay rent and keep her children in a good school district. For such a woman, a prostitution arrest has a number of deleterious consequences, foremost of which is the impact on her children who subsequently are placed in care of the state where they, like many children in the foster care system, are themselves extremely vulnerable to sexual exploitation (recall that this is a precursor to sex trafficking victimization). The already impoverished mother arrested for prostitution is then given a fine and a prostitution conviction placed on her criminal record which further inhibits her

ability to find good employment to provide for her children. In order to pay the fine, many women in this situation resort to more prostitution putting them at risk for more arrests. The cost of this to the single mother and her children is devastating and life altering. The unproductive nature of this cycle, and what law enforcement is tasked with through the repeated arrest of these individuals, contributes to mutual cynicism and distrust. For society at large, there is also a financial and social price paid for her repeated and unproductive law enforcement contact, arrests, incarceration and drain on social services through her children. Meanwhile, the more privileged individual with greater financial resources, who made the less essential choice to buy sex with this theoretical single mother, most often faces no consequence for his actions whatsoever. He may even believe that his money has helped her.

Consider how the following examples of de-linking prostitution from CSE translate into the real world.

- Many females trafficked by gangs are recruited through force, fraud and coercion (Estes & Weiner, 2001; Federal Bureau of Investigation, 2009; Nimmo, 2001). Gangs know that they can easily murder and dispose of sex trafficked females who betray gang interests or are no longer useful by intentionally giving them an overdose of drugs. They understand that law enforcement will perceive the situation simply as another “junkie” who made a bad choice. (Knox, 2004)
- An Oklahoma City police officer who was charged in 2015 with the sexual assault of twelve African American women and one minor, ran background checks of women he encountered looking for outstanding warrants and prostitution charges,

and then specifically targeted these less credible women for assault knowing they were not “believable” victims (Fillipovic, 2014).

- Law enforcement officers interviewed by Brents and Hausbeck (2005) refer to females they observe in prostitution at truck stops as “lot lizards”- an inappropriate perspective considering the documented presence of pimp-controlled minors at truck stops (Wilson & Dalton, 2008). Their statements revealed their perception of these individuals as criminal, not as someone who may need help.
- In New York, a sex trafficking victim came forward in 2013 to describe how at the age of nine she was sold by her school's janitor to a pimp. Her story reveals some of the many challenges a child faces in trying to escape this type of scenario. When this young girl tried to escape, the first person to come to her aide was another pimp who continued her victimization. Even though she was clearly a minor under the age of consent and had been reported as a missing child by her mother, at age 13 she was arrested for prostitution (Tcholakian, 2013).

Certainly, these examples are not necessarily representative of all law enforcement responses; many law enforcement officers are deeply concerned about victims of sex trafficking. Nevertheless, bias, subjectivity and the perception that prostitution is not CSE plays a role in the disparity of law enforcement responses. Additionally, there is merit to the consideration that arresting women in prostitution is easier and safer than arresting buyers or traffickers. It also serves to boost reported incidences of crime that result in arrest. Nevertheless, as long as women (primarily) can

be considered victims for the same circumstance of sex-for-money that can make them sex trafficking victims, a disparity in law enforcement responses will persist.

### **Policing Strategies – Today and Yesterday**

The gender and socio-economic imbalance present in prostitution transactions are reflected in policy and policing strategy. The origins of this are rooted in patriarchal world views, in which men are socially rewarded for their sexuality, and women are punished for theirs. Women in prostitution were considered to be “troubled,” “loose women,” lacking credibility, that they are outcasts and a contagion to society. Buyers of sex however, were considered to be contributing members of society, with families and reputations to protect. Their sexual indiscretions were simply “boys being boys.” Historically, in the United States patronizing prostitution was not a crime at all for buyers, with the burden of the law falling upon the prostitute herself. Historical guidelines for policing prostitution are rife with egregious double standards treating patronizing prostitution as a minor offense in comparison to the sale of prostitution.

The Mann Act of 1910, also referred to as the “White-Slave Traffic Act,” was an early step in the recognition of the elements of force, fraud and coercion in prostitution. The law made it a felony to lure a female into prostitution or to transport her across state lines for “indecent” or “immoral” purposes. The Act itself states: “prohibiting the transportation therein for immoral purposes of women and girls, and for other purposes” (United States Congress, 1910). The Mann Act is widely criticized for its unidirectional concern for how this impacted White females, particularly since it was portrayed as a

crime enacted upon them by “foreigners.” Even though it was a step forward in acknowledging the exploitative nature of the sex trade, one could argue that its concerns seem to be more about maintaining racial superiority for Whites than protecting vulnerable young girls in general from CSE.

Most historical and contemporary attempts to regulate prostitution in practice primarily serve to protect the interests of buyers. For example, in Nevada where brothel prostitution is legal in designated counties, brothels have mandatory, periodical sexually transmitted disease (STD) testing for the prostitute only. Logic follows that this unidirectional precaution does nothing to prevent a buyer from entering the brothel and infecting a prostitute with an STD. Instead it serves to minimize the number of men to whom she can transmit the STD following detection. The result is that buyers perceive that indoor prostitution is safer and preferred over other venues. It creates an incentive through removing the potential deterrent of contracting an STD, and at the same time creates a façade of concern for the woman’s health.

These double standards are pervasive even today where street prostitution continues to receive a disproportionate amount of policing efforts when compared to other forms of indoor prostitution (Cheon et al., 2015). The stated reasons for this are not based out of concern for the welfare of prostituted women themselves, but rather because of the spread of STDs that occurs through prostitution and because neighborhood residents and business owners dislike the high visibility of the activity and its impact on neighborhood quality (Brents & Hausbeck, 2005; Matthews, 1993).

In the United States today, prostitution is illegal for the prostituted (victims), for the buyer and also for pimps, traffickers, or anyone else who is a party to the provision of commercial sex acts, such as maintaining a house where prostitution occurs or transporting or recruiting a person for the purpose of prostitution. Penalties vary by state and circumstances unique to each case. Buyers, when charged, typically receive a misdemeanor for “patronizing prostitution,” which means that intent has been expressed to commit the crime of purchasing a sex act. The charge is often a misdemeanor, but can be more serious depending on the criminal history of the offender and whether or not the person they are intending to purchase the sex act from is a minor, in which case the charge becomes a felony. Selling sex is also a misdemeanor offense that can involve jail time and/or fines. Procuring or pandering prostitution involves pimping and is typically charged as a more serious (felony level offense) than buying or selling sex.

In most jurisdictions minors are not prosecuted for prostitution, but because prostitution often occurs within the context of other crimes, minors are frequently charged with other crimes they commit while under the control of traffickers and/or in association with gangs and the other individuals predisposed to criminality (Finkelhor & Ormrod, 2004). In 2016, the case of Latesha Clay drew national attention and outcry from anti-trafficking non-governmental organizations (NGOs), because it demonstrated how minors in prostitution can still be criminalized in spite of laws designed to exempt from prostitution charges. Clay, a 15-year old minor, was charged for armed robbery after stealing money from two men who responded to advertisements offering sex acts with her. Even though the robbery victims in this case were adult men who expressed clear

intent to have sex with minor children, Clay, a 15-year old was charged as an adult, receiving a nine-year sentence. No charges were filed against the men (who were portrayed only as victims), nor was any consideration made in the case for where the 15-year old obtained the firearm used to commit the robbery, or others who may potentially have been involved in posting the advertisements or compelling her involvement in prostitution (Gehring, 2016; Switch Anti-Trafficking Network, 2016).

Passage of the TVPA in 2000 (and subsequent updates to this Act), represented an historic step forward in recognition of the exploitative nature of the commercial sex industry. The TVPA brought the concept of “sex trafficking,” a form of human trafficking, into the public discourse. It has become increasingly clear, particularly in the case of minors, that force, fraud and coercion are used to compel and recruit individuals into the commercial sex trade. Nevertheless, the problem of how prostitution reconciles with the understanding of sex trafficking continues. Multiple studies continue to indicate that the overwhelming majority of arrestees in prostitution are females; the only crime in which female arrests outnumber male arrests and that buyers continue to escape law enforcement attention (Farley et al., 2011; Federal Bureau of Investigation, 2016; Mitchell, Finkelhor & Wolak, 2010; Monto, 2004; Weitzer, 1999).

### **How CSE Populations Have Been Studied in the Past**

Historically, stigmatized, hidden populations such as sex crime victims have been difficult for researchers to assess. Compounding the difficulties are the many service providers who conceptualize sex-for-money situations differently. Even CSE victims

themselves generally do not self-identify as such, tending to conceptualize their situations as domestic abuse, or blaming themselves for their circumstances. Researchers must also consider that talking to outsiders about their experiences can be dangerous for victims. It is extremely difficult to find a reliable, safe and ethical way to survey or quantify this population, which itself represents an important step toward understanding and additional research.

It is important to remember that the ways in which the issue of CSE has been conceptualized affects the ways in which the population has been estimated. Observed CSE victims, such as those that have been arrested for juvenile prostitution or victims seeking services in shelters only represent a fraction of the larger population. If prostitution is considered to be a “victimless crime,” or if we arbitrarily draw the line between “victim” and “criminal” on an individual’s 18<sup>th</sup> birthday, many members of the CSE victim population will not be counted.

### **U.S. Population Estimates**

A common way CSE population estimates have been formulated is to take what is known about risk factors and the rates at which those correlate to CSE. For example, youth who are in foster care or are homeless have disproportionate CSE victimization rates (Farley & Barkan, 1998; Greene et al., 1999; Holger-Ambrose et al., 2013; Williamson & Prior, 2009). Based on the prevalence of these populations, estimates of the CSE population are then derived. Estes and Weiner (2001) estimated the number of minors to be at risk for CSE during the calendar year of 2000 at 244,000 using correlates

or “pathways” that frequently result in CSE for a minor child. They derived CSE victim population estimates by using the population of runaway, homeless, or “throwaway” youth (a term used to describe youth who have no parental care or involvement) and then using CSE victimization rates for that population. They derive that 60 percent to 77.6 percent of minor CSE victims are runaways, homeless or “throwaways.” Their estimate of minors in the U.S. who are CSE victims is between 206,700 and 374,115. Using these same principles, the Renewal Forum (2012) estimated that 2,315 minors are CSE victims in the state of Kansas annually, while 1,640 minors are CSE victims in Kansas City (including KC, MO) annually. These estimates, while useful, have limitations.

Quantifying adult victims presents additional challenges, since opportunities to “capture” or “observe” are fewer than minors who more often have contact with social services.

There is a need for scientifically credible numbers of actual CSE victims; a need that Estes and Weiner (2001) articulate in their own study:

...an enormous gap exists between the number of “officially reported” cases of youth involved in a wide array of sexual offenses and their actual numbers. This “dark figure,” known well to social scientists of the many disciplines concerned with CSE, needs to be illuminated without relent. Prudent public dialogue and informed political discourse depend crucially on having plausible estimates of this dark number. In the most crude sense, rational, strategic planning and policy require “numbers,” if only to attach dollar amounts to rival strategies for responding to the CSEC.” (p.128)

To date, capture re-capture statistical methods provide the most reliable and ethical means for quantifying this hard to reach population. The traditional method uses two samples gathered at different time frames or contexts. Potterat et al. (1990) utilized police arrest records and local health clinic records in Colorado Springs, CO during the

time period of 1970 to 1988 as a means for collecting two samples of observed prostituted women. Utilizing capture-recapture statistical formula and the assumption that their findings for Colorado Springs were generalizable to the rest of the United States, they estimated that 23 out of every 100,000 women in the United States are in prostitution (Potterat et al., 1990). Curtis et al. (2008) formulated a population estimate of CSE victims in New York City also using this two sample version of capture-recapture methods. The first sample was gathered using Respondent Driven Sampling (RDS), where over 400 interviews produced an eligible sample of N=249. This sample was then compared with arrest records to produce a population estimate of 3,946 CSEC victims in New York City. Capture-recapture methods with one sample can also be used to measure CSE and other hard to reach populations when only one data set is available for analysis (Bloor, Leyland, Barnard, McKeganey, 1991; Roberts & Brewer, 2006; Rossmo & Routledge, 1990).

### **What is Known About CSE in Kansas City**

Service providers and organizations in Kansas City that work directly with at-risk populations or with CSE victims, believe that the issue of CSE presents a significant problem. Kansas City, an average sized, mid-western city with a population of 2,340,000 (in 2016) for the counties that comprise the Kansas City Metropolitan Statistical Area is located in the geographic middle of the United States at the intersection of two major interstate highway systems; the I-70, I-35 and corridors. It is located on known prostitution “tracks”; a system along which traffickers move victims to avoid law

enforcement detection and meet known customer bases. Within trafficking networks, the Midwest is known as a recruitment area where youth are sold in their local communities and transported along known prostitution tracks to avoid detection and respond to fluctuations in demand in various cities such as Chicago, Wichita or Dallas (Davis, 2006; Ladner, 2012; Williamson & Prior, 2009).

Between 2000 and 2007 the Jackson County, MO Department of Family Services estimates their agency alone has identified approximately 84 victims of child CSE (Wade, 2007). Jackson County is 1 of 15 counties that comprises the Kansas City MSA.

Minutes of testimony given to the Kansas State Legislature in 2012 by Christine Ladner, Chair of the Attorney General Derek Schmidt Human Trafficking Advisory Board and former prosecutor, state the following:

Commercial sexual exploitation and human trafficking are occurring in Kansas at a rate in which the state is currently unprepared to address. Both Wichita and Kansas City have been recognized as major originating cities for human trafficking. Officers located in the Wichita-Sedgwick County Exploited and Missing Child Unit report that sex traffickers often pick up runaways within 48 hours of their being on the streets and transport them to either Dallas or Chicago within 72 hours. While originally noticed in Wichita and Kansas City, human trafficking reports from victim service agencies indicate it is also occurring in many mid-level communities across the state (Minutes of the house corrections and juvenile justice committee, 2012).

In a 2015 pilot interview conducted in preparation for this thesis, Russ Tuttle of the Stop Trafficking Project (a Kansas City based, non-profit organization promoting awareness and victim advocacy) stated the following about the magnitude of CSE in Kansas City:

So, with the seven victims that I've talked to, every one of them within their setting could without even thinking of it, depending on the different

victim, they could easily, off the top of their heads, identify between 30 to 75 names of others who were in the life in that moment. So doing the math on that. Um, puts the numbers really scary high and I honestly don't know how to put a quantified number to it. One of the recent gals I've worked with can immediately name off 37 names and can find more on Facebook and tell whether they are in the life or not. So, if one person can identify say conservatively 20, and each of those can identify 5 or 10 conservatively, the math starts to add up really fast. (R. Tuttle, Personal Communication, 2015)

The best indicator thus far, as to the scope and magnitude of CSE in Kansas City is the Roe-Sepowitz, Hickie, Gallagher, Smith and Hedberg (2013) study designed to estimate the buyer population through demand for paid sex acts advertised online. For this study, decoy advertisements offering sexual activities in exchange for money were posted on two separate Friday nights in 15 U.S. cities. Using capture-recapture statistical methods, it was determined that 14.5 percent of men over the age of 18 in Kansas City are respondents to internet ads of this type. This represents over 106,000 men. Kansas City had the second highest response rate of the 15 cities in the study with the highest rate of local respondents; almost 89 percent of the phone calls received came from local area codes, inferring that the respondents were local residents. This study gives greater insight to what the Federal Bureau of Investigation found in 2009 when in partnership with the Independence Police Department, they posted decoy advertisements online for sexual activities using verbiage that included words like "little girls" and "young." Seven of the men arrested were engaged in conversations inquiring about girls they believed to be as young as eleven (Federal Bureau of Investigation, 2009). The advertisements received over 500 phone calls within the first 24 hours of posting (Morris, 2013).

## **Research Questions**

In an effort to illuminate what is arguably an understudied and to some degree misunderstood social phenomena, this thesis will seek to investigate the following research questions:

1. What are the demographics (age, race and gender) of CSE victims, traffickers and buyers, and how do their demographics compare to the population in general of the Kansas City Metropolitan Statistical Area?
2. What is the population estimate of adult Commercial Sexual Exploitation (CSE) victims in the 11 law enforcement jurisdictions of Kansas City represented in the data?

## CHAPTER 3

### METHODOLOGY

#### **The Project**

Data for this project were provided by the KCPD, in response to a request made by this author and Dr. Andrew Fox of University of Missouri- Kansas City (UMKC). The data consist of five calendar years of prostitution arrests spanning from 2011 to 2015 for the following 11 law enforcement departments in the Kansas City Metropolitan Area: Kansas City Police Department (KCPD), Overland Park Police Department, North Kansas City Police Department, Wyandotte County Sheriff's Office, Mission Police Department, Riverside Police Department, Olathe Police Department, Lenexa Police Department, Shawnee Police Department, Johnson County Sheriff's Office, and Leawood Police Department. KCPD delivered the file in excel format containing an anonymous numerical identifier (MNI), date of arrest, charge code, National Crime Information Center (NCIC) code, charge description, race, sex, date of birth, time of arrest by hour and name of the arresting agency. The privacy and identity of the arrestees is protected through the use of a unique MNI, which was the only method by which analyses could indicate when the same individual is arrested on more than one occasion. The arrest data were entered in SPSS accordingly.

The thesis committee consists of Dr. Alex Holsinger, chair, and committee members Dr. Lori Sexton and Dr. Kristi Holsinger. Although since the initiation of the project Dr. Andrew Fox moved onto a different University, he agreed to remain on the committee as a reader for the thesis. The project was approved by the UMKC

Institutional Review Board. A scholarship grant was awarded for the project from the UMKC Women's and Gender Studies program. Findings will be presented and reviewed with KCPD prior to any public dissemination.

### **The Data**

Demographic information contained within the data is limited to date of birth, race and sex. Age at time of arrest was then calculated manually by subtracting date birth from date of arrest. Five racial categories were provided, labeled as "White," "Black," "Asian," "Indian," and "Unknown." To align with U.S. Census data information, "Indian" is included with "Asian" where noted. Sex is only provided as "male" or "female." No indication is made or given for sexual orientation or other distinctions as they may relate to gender or sexual orientation. For clarity and consistency, the same demographic terms used in the data are used to describe the results.

Charge codes, NCIC codes, and charge descriptions were used to formulate CSE typologies: "victim," "buyer," and "trafficker." State of Missouri charge code manuals and MO Revised Statutes under Chapter 567 contain definitions and applicable statutes for prostitution offenses. According to MO statute 567.020.1 (and subsequent revisions; see Appendix), individuals engaged in the activity of selling sexual activities in exchange for something of value are subject to misdemeanor charges, excepting in the case of repeat or "persistent" offenses or if the individual knowingly engages in commercial sex while HIV positive. For the purpose of the data analysis, the following charges will be coded as "victims":

Table 3.1

Victim - Charge Codes & Description

<b>74001990</b>	Prostitution
<b>21001990</b>	prostitution unk circumstance
<b>74065990</b>	prostitution, prostitution perform
<b>21002990</b>	prost- sexual intercourse
<b>21001040</b>	prost -vice not classified
<b>21004040</b>	prost -stimulate genitals
<b>74050990</b>	occupy room -indecent acts
<b>21015040</b>	prostitution persistent offender -prostitution

The activity of buying commercial sex acts is a crime, that according to MO Revised Statutes 567.030.1 (see Appendix) includes “giving,” “agreeing to give,” “offering,” “patronizing,” or “requesting” sexual activities in exchange for money or other consideration. This offense is a misdemeanor level charge with increasing penalties for repeat or “persistent” offenders or in cases involving minors. The following charge codes are coded as “buyers”:

Table 3.2

Buyer – Charge Codes & Description

<b>74002990</b>	prostitution patronize, patronizing prostitution
<b>21040990</b>	hire prost engage in sex
<b>21039990</b>	ent house prost for sex (arrestees are male)
<b>74003990</b>	prostitute sol in public
<b>74999990</b>	sex offense-not classified, solicit immoral purpose
<b>21039050</b>	enter house of prost for sex (arrestees are male)
<b>21039040</b>	ent house of prost for sex (arrestees are female)
<b>21025990</b>	persistent pros patron
<b>21040040</b>	hire prost engage in sex
<b>21023020</b>	solic patron 016 F-prost

MO Revised Statutes 567.050.1, 567.060.1 and 567.070 describe conditions and penalties for activities that promote, facilitate and assist with prostitution. Owning a house where prostitution occurs, transporting individuals for the purpose of prostitution, soliciting patrons for prostitution, supervising, managing or controlling prostitution activities, and/or recruitment, are various roles considered to be “promoting prostitution.” MO law, generally charges these offenses at the felony level. The following charges are.

Table 3.3

Trafficker – Charge Codes & Description

<b>21031060</b>	trans prost over 16 yoa
<b>21998990</b>	procure for prostitution
<b>21031990</b>	trans prost over 16 yoa
<b>21030990</b>	promot prost- 1 <sup>st</sup> degree
<b>21006990</b>	prost-maint house-priors
<b>21031020</b>	trans prost over 16 yoa
<b>74035990</b>	promoting prostitution
<b>21005990</b>	prost-maintaining a house
<b>21998990</b>	procure for prostitution
<b>21027990</b>	procur prost -patron 0-16
<b>21019990</b>	induce 0-16 become prost
<b>21031040</b>	trans prost over 16 yoa
<b>21024040</b>	sol patron 016 w-priors
<b>21999990</b>	prostitution
<b>21009990</b>	permit use- prost 0-16yr

Once the arrests were categorized according to CSE type, each unique individual with a repeat arrest was examined to detect multiple offense types. Individuals who were arrested for different CSE types were coded as “multiple CSE types.” Repeat arrestees

were filtered out to ensure that the demographic analysis was conducted on the individuals (n=725) as opposed to the arrests where applicable. Frequency distributions were created to display the sex, age and racial composition of each CSE type.

### **Demographic Comparison**

U.S. Census data as compiled by Statistical Atlas (<http://statisticalatlas.com/>) were used to compare the demographic information of each CSE type to the larger population of the Kansas City Metropolitan Statistical Area (MSA). The Kansas City MSA, a total area that covers 14 counties and 7,952 square miles, serves as the area of comparison for the demographic analysis of this project. This is a valid comparison given what is known about the mobility and significance of location in prostitution activities through literature, local police reports, online advertisements for prostitution and testimony of local advocates and victims. Using cross-tabulation, the racial composition of the Kansas City MSA is then compared to the racial composition of the different CSE types. A non-parametric chi-square test was conducted to determine if racial disparities were statistically significant. For the population estimate, the population of the cities/areas contained within the reporting agencies is noted. Comparison of age across CSE types is also made.



In the traditional two-sample capture-recapture method, observations are taken at two separate intervals. Each individual is marked in a unique way to detect instances in which the same individual is observed or “captured” twice. Consideration of overlap allows for estimation of the unobserved members of a population. This method is also referred to as “mark and recapture.” In the estimation of wildlife populations, biologists take two observations of animals. In the first observation the animals are counted, tagged and released or photographed in a way that highlights a unique trait. Then a second observation is taken and the previously observed animals are noted. The tag or photograph serves as a means to indicate when an individual animal is present in both observations. In this same manner, the arrests serve as a moment in time when a member of a CSE population is “captured,” or “observed.” The MNI number provided in the data serves as a means to detect multiple observations of the same individual. The two-sample formula for this method used by Roe-Sepowitz et al. (2013) is:

$N_1$  = # of arrestees in first sample  
 $N_2$  = # of arrestees in second sample  
 $M$  = number of arrestees recaptured

$$N = \frac{(N_1 + 1)(N_2 + 1)}{M + 1} - 1$$

The format of the arrest records allows for multiple observation analyses by comparing arrests from year to year. Multiple year-by-year comparisons were made: 2011 was compared to 2012, 2012 was compared to 2013, 2013 was compared to 2014 and 2014 was compared to 2015.

Capture-recapture formula can also be applied for situations in which only one sample exists because they also account for instances in which one individual is observed

on more than one occasion. The arrests serve as the sample, whereby CSE victims were in effect “captured,” or observed in a measurable way. The data provided indicates incidence of re-arrest, thus making it also appropriate for one sample capture-recapture use.

In this estimate, the following assumptions are made: 1) The population consists of individuals 17 years of age and older. It is assumed that minors under the age of legal majority are not arrested for prostitution (as the records provided state). It is possible that the data does in fact contain minors that were mis-classified as adults, however, there is no means by which this could be known by this researcher. Therefore, the assumption must be understood that there is no possibility of anyone under the age of 17 to be identified under this model. 2) Arrests are homogenous, in that over time, the percentages of female and male CSE victims remain consistent, and the areas in which prostitution activities occurs remain consistent 3) A closed population can be assumed, accounting for exits and entries by conceptualizing population members as “slots” rather than unique individuals. In other words, it is assumed that as one member exits the area another enters. Utilizing supply and demand principles and the consistent demand tracking information validates this assertion (confidential source). If demand is constant, it can be assumed that supply is constant.

Zelterman’s (1988) one sample capture-recapture formula is:

C = the total number of individuals encountered  
f<sub>1</sub> = the number of individuals encountered once  
f<sub>2</sub> = the number of individuals encountered twice  
exp = .8 (an estimator using conservative confidence intervals)

$$N = \frac{C}{1 - \exp\left(\frac{2f_2}{f_1}\right)}$$

Chao's (1989) one sample formula also serves as a method by which a population estimate can be calculated. Chao's formula was tested in an experiment where the population of a particular group of turtles in a pond was known. The formula was proven as a valid means for population estimates. This method utilizes applicable assumptions for the population of CSE victims.

C = total # of cases/arrests

F<sub>1</sub> = total # of individuals

F<sub>2</sub> = individuals with more than one arrest

$N = C + (f_1^2 / 2f_2)$

All of these formulas were utilized to create a range in which the adult CSE victim population for the jurisdictions of the 11 reporting law enforcement agencies exists.

## CHAPTER 4

### RESULTS

#### **Agencies Represented**

During the calendar years of 2011 through 2015, 830 arrests were made of 725 different individuals by 11 different police departments in the Kansas City MSA. U.S. Census data for 2010 (the latest year for which census data is available) estimates that the population of the Kansas City MSA was 2,009,342 persons. The population represented by the 11 reporting agencies during that same 2010 U.S. Census year was 1,729,349 persons, which comprises 86.1% of the population of the Kansas City MSA.

The arresting agencies and the number of arrests made by each are as follows:

Table 4:1

#### Arrests Per Agency

<b>Reporting Agency</b>	<b># of arrests</b>
Kansas City Police Department	244
Overland Park Police Department	307
North Kansas City Police Department	33
Wyandotte County Sheriff's Office	69
Mission Police Department	90
Riverside Police Department	7
Lenexa Police Department	51
Olathe Police Department	15
Shawnee Police Department	7
Johnson County Sheriff's Office	1
Leawood Police Department	6
<b>Total</b>	<b>830</b>

## Arrests and Re-Arrests

The majority (90.8%) of individuals arrested were only arrested on one occasion in that five-year period. The maximum number of arrests for an individual was six. Some individuals were arrested for multiple offenses that fell under different CSE types as per the coding of this project. Thus, some individuals will be described in the analysis as both a victim and a trafficker, or a buyer and a victim, for example. All of the individuals arrested on five or six occasions were female. Incidence of re-arrest are as follows:

Table 4:2

### Incidence of Re-Arrest

# of Arrests	# of People
1 arrest	658
2 arrests	55
3 arrests	5
4 arrests	2
5 arrests	2
6 arrests	3

Of the 830 arrests represented in the data received, 53.3 percent were for offenses that fell under the CSE type of victim, 36.3 percent were for buyer offenses, and 10.5 percent were for trafficker offenses. The vast majority (96.8%) of all the individuals arrested were arrested for a single CSE type, with only 23 individuals being arrested for offenses that fell under multiple CSE types. Of all the individuals arrested (n=725) 52.4 percent were female and 47.6 percent were male. The number of arrests made per year according to CSE type were as follows:

Table 4.3

Number of Arrests by CSE Type

		Arrests by CSE Type			Total
		Victim	Buyer	Trafficker	
Year of Arrest	2011	77	42	34	153
	2012	82	59	24	165
	2013	59	73	15	147
	2014	86	60	7	153
	2015	138	67	7	212
Total		442	301	87	830

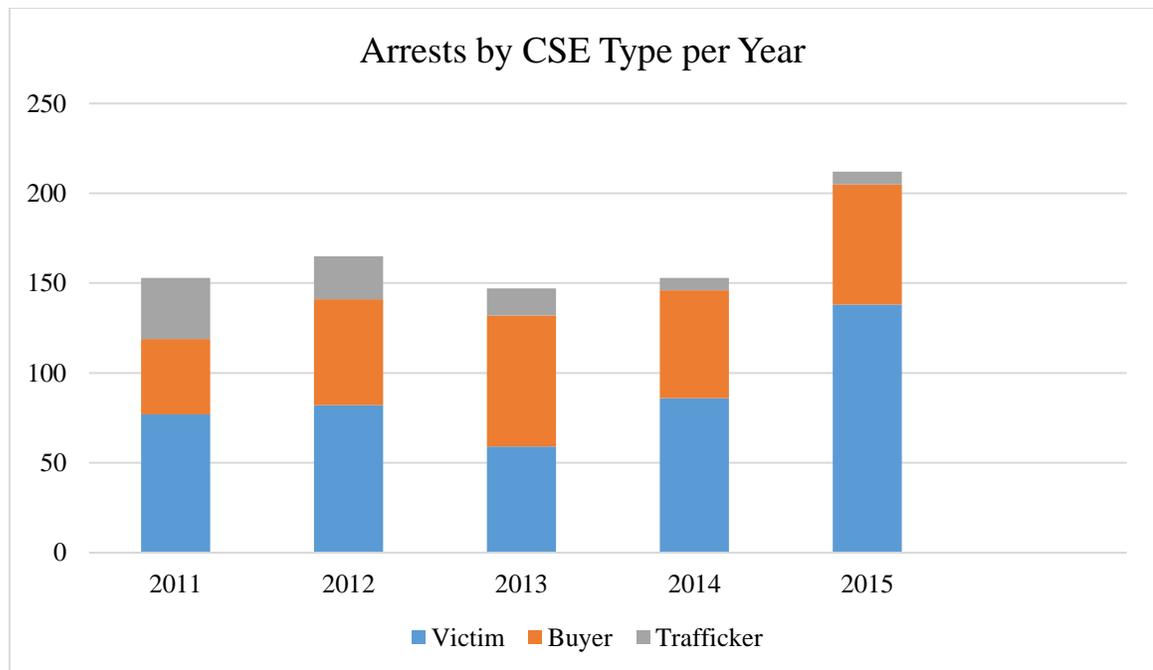


Figure 4.1 Arrests by CSE Type per Year

## Demographics of Victims, Buyers and Traffickers

### Age

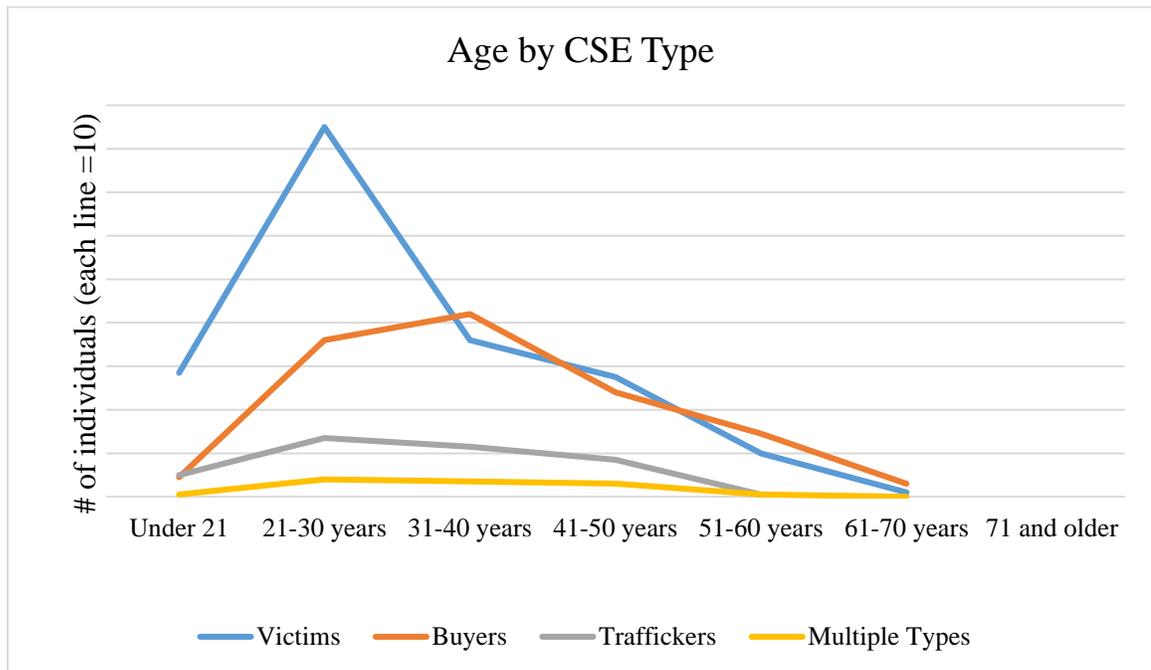
The average age of adult CSE victims is 30.65 years with the highest concentration of CSE victims falling between the age of 21 and 30. This finding should be coupled with the understanding that the data is assumed to not include minors and that these findings only apply to adult victims. Due to high demand from buyers for minor children, the overall victim age average is likely much lower in reality. In addition, high rates of murder and death from drug overdose, suicide, health complications and accidents (as described in the literature) account for the sharp decline in number of victims past the age of 30. In short, the reason that CSE victims decline by age is not attributable to a decision to move on to other careers, it is because many of them are dying.

Table 4.4

Age of Victims

<b>Age of Victims, n=376</b>					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	17-20	57	15.2	15.2	15.2
	21-30	170	45.2	45.2	60.4
	31-40	72	19.1	19.1	79.5
	41-50	55	14.6	14.6	94.1
	51-60	20	5.3	5.3	99.5
	61-70	2	.5	.5	100.0
	Total	376	100.0	100.0	

The average age of buyers is 36.84 years with individuals more evenly distributed across age groups when compared to the victim group. The oldest buyer was 70 years of age. Traffickers are younger than buyers and older than victims with an average age of 32.03 years. With all of these CSE types, consideration should again be given to the absence of data on minors and the effect that the inclusion of that information would have on mean age.



**Figure 4.2 Age by CSE Type**

### Race

Overall, the racial composition of each CSE type was disproportionate to the racial composition of the population of the Kansas City MSA. While almost 70% of buyers were White, a disproportionate percentage of victims and traffickers were Black. Chi-square analysis was used to determine if there is a relationship between race and CSE type. The analysis produced a chi-square value of 60.678, which represents the difference

between the observed frequencies and the frequencies one would expect given sample error and chance factors. This chi-square value was associated with a significance level of  $<.05$ , indicating that a significant relationship does indeed exist between race and CSE type. Additionally, Table 4.7 presents the racial composition of CSE types by percentage. Figure 4.8 and Table 4.9 compare racial composition of CSE types to the population of the Kansas City MSA.

Table 4.5

Racial Composition by CSE Type

	<b>Victim</b>	<b>Buyer</b>	<b>Trafficker</b>	<b>Multiple Types</b>
<b>White</b>	54.0%	69.8%	41.0%	60.9%
<b>Black</b>	42.8%	26.2%	51.3%	34.8%
<b>Asian</b>	3.2%	1.6%	7.7%	0%
<b>Unknown</b>	0%	2.0%	0%	4.3%
<b>Total</b>	100%	100%	100%	100%

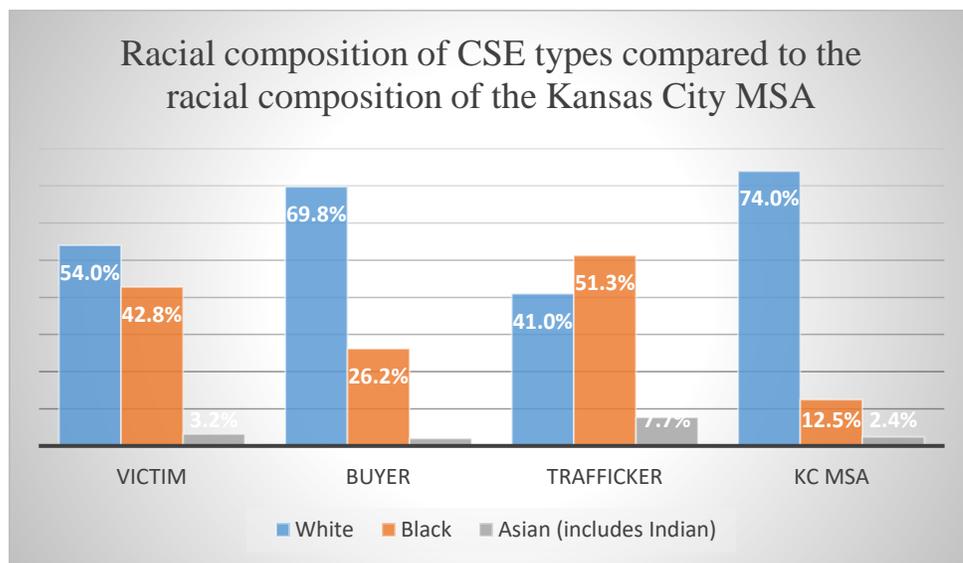


Figure 4.3 Racial Composition of CSE Types Compared to the Kansas City MSA

Table 4.6

Racial Composition of CSE Types by Percentage Compared to the Kansas City MSA

Race	Victim	Buyer	Trafficker	KC MSA
White	54.0%	69.8%	41.0%	74.0%
Black	42.8%	26.2%	51.3%	12.5%
Asian	3.2%	2.0%	7.7%	2.4%

Notable disparities were the disproportionate representation of Blacks in both the victim and trafficker group, with black females in particular, appearing at a high rate in the CSE victim group. Additionally, Asians were over-represented in the trafficker group. Of all the traffickers that were Asian, interestingly all were female. A non-parametric chi-square analysis was used to determine if the racial composition of each CSE type was significantly different from the racial composition of the Kansas City MSA. All three CSE types were found (see Tables 4.7, 4.8, 4.9) to differ significantly from the Kansas City MSA.

Table 4.7

Non-parametric Chi-Square Analysis Output for Victims

<b>Race - Victims</b>			
	Observed N	Expected N	Residual
W	236	367.9	-131.9
B	193	62.1	130.9
A	13	11.9	1.1
Total	442		

<b>Test Statistics</b>	
	race
Chi-Square	322.899 <sup>a</sup>
df	2
Asymp. Sig.	.000

Table 4.8

## Non-parametric Chi-Square Analysis Output for Buyers

<b>Race - Buyers</b>			
	Observed N	Expected N	Residual
W	201	245.6	-44.6
B	89	41.5	47.5
A	5	8.0	-3.0
Total	295		

<b>Test Statistics</b>	
	race
Chi-Square	63.630 <sup>a</sup>
df	2
Asymp. Sig.	.000

Table 4.9

## Non-parametric Chi-Square Analysis Output for Traffickers

<b>Race - Traffickers</b>			
	Observed N	Expected N	Residual
W	36	72.4	-36.4
B	43	12.2	30.8
A	8	2.3	5.7
Total	87		

<b>Test Statistics</b>	
	race
Chi-Square	109.295 <sup>a</sup>
df	2
Asymp. Sig.	.000

## Sex

Analysis of sex across CSE types reveal particularly interesting insight into the nature of CSE. The prevalence of males in CSE victimization has historically remained a hidden number in most of the literature. These data reveal that approximately one out of four CSE victims is male. The degree to which this is a true representation of the prevalence of male victimization should be considered in light of varying degrees of subjectivity in police arrest behavior. For example, it is possible that female victims are more visible and therefore more likely to be arrested than male victims, in which case the true percentage of male victims would be higher than revealed in this data.

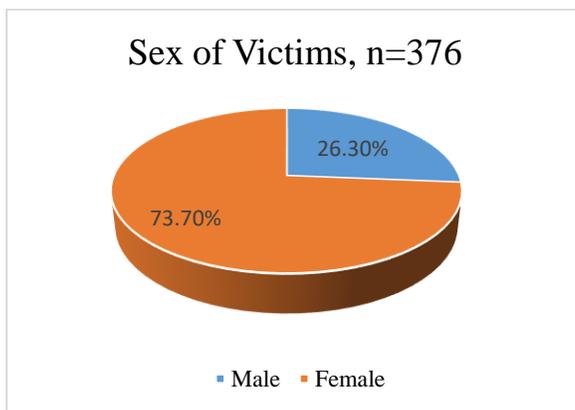


Figure 4.4 Sex of CSE Victims

The prevalence of females in the CSE type “buyer” is one of the more notable findings within the data, particularly because it contrasts with the narrative in previous literature about male buyers. Of the 248 buyers in the data, 55 (22%) were female. Two possible theories exist to explain this finding. One is that some of the arrest codes do not actually reflect the activities for which the arrests are made, and that some females

charged with “patronizing prostitution” are in fact CSE victims. A second explanation comes from anecdotal information offered by several CSE victims via a local victim advocate, explaining scenarios in which females are buyers of commercial

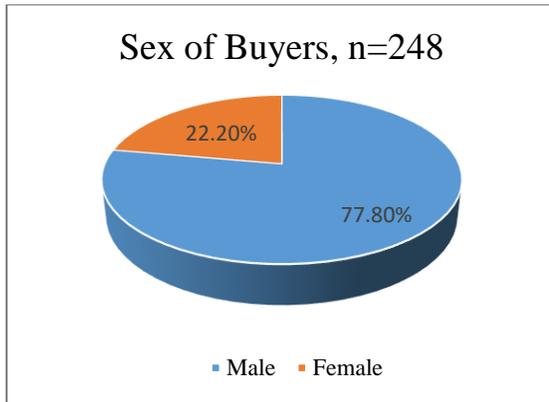


Figure 4.5 Sex of Buyers

sex acts. The descriptions provided described the activities of female buyers as follows: 1) a female who purchases with her husband or partner, where he wants to watch the two women together, 2) a female who is experimenting with her sexual orientation or gender identity, 3) casual “hook-ups” that involve the exchange of drugs, 4) female victims recruiting and providing “on the job training” to another individual they are trying to groom for their “stable” (personal communication, anonymous sources). It is possible that both of the explanations are true; that police have arrest codes that do not accurately differentiate between some buyers and sellers and that the prevalence of female buyers is higher than previously documented in literature.

Among traffickers, the disparity between sexes narrows and the involvement of females in trafficking increases. One third of this CSE type is female. Typically, these are

females who have also been victimized and have taken on the additional task of selling other females within their “stable.” These are often women referred to as “bottoms,” or “bottom bitches.” In absence of other ways to escape, taking on different roles within a trafficking network such as recruiting other victims can be a way to escape the role of CSE victimization.

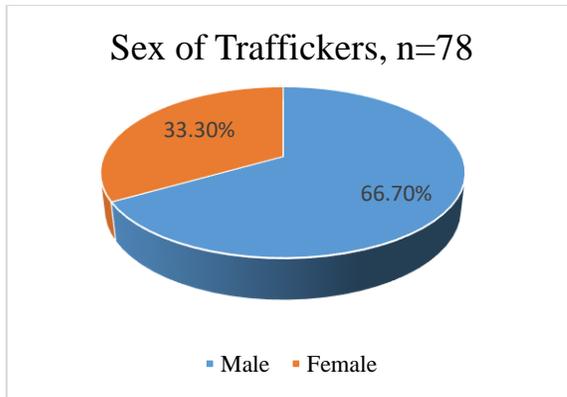


Figure 4.6 Sex of Traffickers

The starkest disparity by sex was observed for individuals arrested for more than one CSE type. These individuals were overwhelmingly female, which is consistent with what is known in literature about how victims take on additional roles such as recruiting within trafficking networks. This underscores the complexity of CSE and the need for greater understanding of the culture in which CSE exists and pathways into CSE in general.

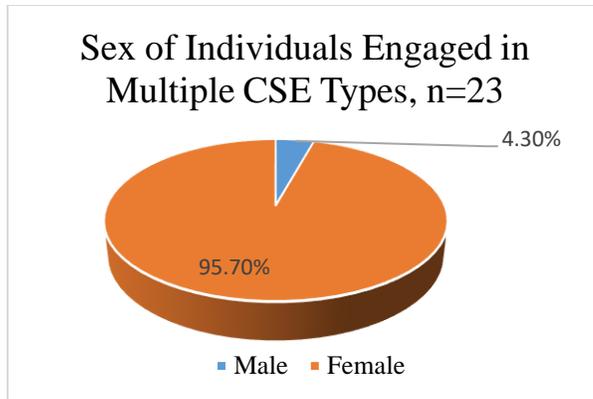


Figure 4.6 Sex of Individuals Engaged in Multiple CSE Types

### Population Estimate

For the CSE victim population estimate, a total of 442 victim arrests were observed in the five year period, which was comprised of 403 unique individuals. There were 34 individuals that were arrested on more than one occasion.

The two sample method used by Roe-Sepowitz et al (2013) when compared year to year resulted in  $N = 2,984$ . Zelterman's (1988) one sample formula produced  $N = 3,274$ . Chao's (1989) one sample capture recapture formula is used to calculate  $N = 2,830$ .

In sum, it is our conclusion that the number of adult CSE victims within the 11 police department jurisdictions of the Kansas City MSA is between 2,830 and 3,247. The percentage of persons in the Kansas City MSA that live in those 11 police jurisdictions is 86.1%. To calculate a victimization rate, an average of the three N's ( $N=3,030$ ) is used and expressed as a ratio of 86.1% of the population of the 2010 Kansas City MSA (1,729,349). Thus, out of every 100,000 people in the Kansas City MSA 175 are adult victims of CSE.

## CHAPTER 5

### DISCUSSION

#### **Limitations**

The limitations of this study should be carefully noted in order to fully grasp the meaning and gravity of its findings, along with the potential liabilities. The data provided in the arrest records provides very limited information about circumstances surrounding the arrest and the individuals involved. In order to draw meaningful qualitative conclusions, more information about the circumstances surrounding the arrests, the involvement of other individuals, particularly minors, and if other offenses were charged at the same time would be necessary. The ability to code the offenses into CSE types requires some element of faith in the record keeping, accuracy and discretion that officers use when making arrests and assigning charges accordingly. In short, the analyses and findings are based on the assumption that the charge codes assigned are true to what actually occurred. It is possible that individuals counted in this analysis are in fact innocent or that perhaps the crimes that actually occurred are different than what they are officially charged with. The potential overlap with cases charged as human trafficking is also not known.

The demographic analysis and comparison requires some consideration for potential bias and subjectivity in officer arrest behavior and resource capacity. The representation of demographic groups in this analysis is only a true representation of the actual demographic make-up of these groups if there is no arrest bias. For example, it is not known if the disproportionate representation of Blacks in the trafficker group is due

to the actual existence of a disproportionate number of Black traffickers or if Black traffickers are more likely to be arrested than White traffickers. Either possibility is worthy of further consideration and study.

The population estimate of CSE victims has two primary limitations; it is an estimate of CSE victims age 17 and older only, within the areas serviced by the agencies providing the data. The capture-recapture formula is only applicable in areas where and among those who have a chance of actually *being* “captured.” Minors are not included in this data set of prostitution arrests, nor are people who are arrested in Topeka, KS or Independence, MO (for example). In order to create a population of all CSE victims in the Kansas City MSA, data from all the representative agencies would be needed, as well as data that would allow for population estimation as it relates to minors.

For the demographic analysis a comparison was made to the population of the Kansas City MSA, a larger geographical area than that of the reporting agencies providing the data for the population estimate.

### **Implications of Findings**

Several key findings in this study have implications for law enforcement, policy makers, practitioners and concerned community members seeking solutions to the crime of CSE in the area(s) under study. The population estimate, while limited, provides law enforcement, social service providers and NGO’s with valuable information into the prevalence of CSE in the Kansas City metropolitan area. A comprehensive (future) analysis that includes data from all the agencies within the Kansas City MSA is

recommended. In addition, information about other crimes involved and circumstances of arrest would provide more valuable qualitative information on CSE than that which is contained in the dataset used for these analyses. Given what is known about buyer demand for minors and the prevalence of minors who are brought into CSE, data on minor CSE victimization would be a valuable addition to what is revealed in this study. The capture-recapture method for population estimates is a valuable tool that researchers equipped with data can use to describe the prevalence of these hard to study populations.

The comparatively high presence of young females below the age of 30 in the CSE victim group points to a need for targeted outreach and programs to protect and provide other opportunities to vulnerable young women, particularly women of color. The sharp decline in CSE victim numbers past the age of 30 should be coupled with the sobering recognition that the life expectancy of a woman in prostitution is in her 30's (Potterat et al, 2004). In short: the reason fewer older women are in prostitution is that they do not live long, or as long as they might had they not been brought into prostitution and/or involved in CSE. A greater understanding of the pathways that lead these young women into CSE would guide more effective solutions to prevent involvement, and would likely aid in the exit of people already involved in prostitution. For example, repeated cycles of arrest and re-arrest are not conducive for successful transition out of prostitution. Cultural messages that normalize and excuse sexual exploitation must be countered.

The findings of this study are in agreement with other literature regarding the highly racialized nature of CSE. CSE is largely fueled by the money offered by White

males to exploit people who are younger and more socio-economically disadvantaged (in other words, people who are often members of racial minorities). The disproportionate representation of Blacks (and likely other minority groups), and the degree to which poverty impacts the decision of men and women to get involved in the role of trafficking is worthy of consideration when guiding the formation of solutions. Good employment opportunities, education and affordable housing options can remove many of the circumstances that lead to involvement in CSE. The disproportionate representation of Asian female traffickers, relative to the population of Asian females in the Kansas City MSA is another finding worthy of further study. More qualitative information would be potentially useful in guiding solutions.

The percentage of female buyers and male victims represented in the data, are likewise both topics worthy of further study. Literature and common narratives describe CSE almost exclusively as males exploiting females, and yet it is clear that many situations involve males buying sex from other males, females buying other females, females buying males, and other arrangements such as mixed-gender group sex situations. The findings within this study can potentially add additional acknowledgement regarding the prevalence of male victimization. Further study on this topic would help to enlighten practitioners seeking to reach this under-recognized and likely under-served population.

In an effort to explain the surprising percentage of female buyers in these data, this researcher utilized personal contacts with histories of CSE victimization to gather brief anecdotal information about female buyers. The six women who responded had a

very diverse set of experiences with female buyers, with answers that ranged from “not in all my years, did I have a female buyer” to “yah, all the time” (confidential, personal communication, received in March of 2017). The two CSE victims who described female buyers as a common occurrence both came from situations in which their traffickers were family members. The three most common scenarios involving female buyers were described as 1) females who were purchasing with a male spouse or boyfriend, 2) females who were experimenting with their sexual orientation or gender identity and 3) females purchasing sex in casual hook-up scenarios in which drugs are exchanged. There remains much that is unexplained in research about female buyers and their circumstances and motivations for purchasing sex acts. This data and the follow up testimonials indicate that the phenomenon does exist, and that further study on the prevalence, circumstances and motivations for female buyers would be a valuable contribution to the literature on CSE.

The proportions of males and females in all three CSE types, points to a need to re-examine the highly gendered narratives traditionally used to describe the nature of CSE. While it is undeniable that CSE largely involves men exploiting women, it is important to acknowledge that this is not always the case. Males are victimized and females are sometimes the exploiters, and these stories should be included in awareness and educational programs. CSE is a very complex and varied phenomenon. There is no single story that completely illuminates everything. If we are to strive for real solutions, we must first have aware and educated law enforcement, social service practitioners and caring community members. We must continually strive to honor the very diverse set of stories that survivors of CSE victimization often have.

## **Policy Implications**

A common expression about prostitution is that it is the “world’s oldest profession,” an expression that may convey a sense of inevitability about the ubiquitous nature of the problem. Many policy makers and practitioners resolve to merely manage the problem or strive for “harm reduction policies.” Nevertheless, working to eradicate CSE in our communities is important for many reasons. On a purely humanitarian level, the destructive and harmful effects of CSE are devastating for those victimized by it, and also for the surrounding communities. The money obtained for commercial sex acts empowers criminal organizations who perpetrate other crimes (primarily drug trafficking) within our communities. The normalization of prostitution sends social messages that violence and sexual exploitation of women are acceptable. This message may be transmitted to all women, not just women in certain circumstances or having specific experiences that are uncommon to other women (Farley, 2004; Farley et al., 2011; Sullivan & Jeffries, 2001). The financial cost to taxpayers in regulation, law enforcement resources, incarceration, and expenditures in social and community resources are significant (Busch-Armendariz, et al., 2016; Estes & Weiner, 2001; FBI, 2009; Knox, 2004; Nimmo, 2001).

## **Target Demand**

When prostitution is criminalized (as it is in the U.S., excepting 13 counties of Nevada), what repeatedly occurs is that the burden of the law is placed upon the prostitute. She is most often the most visible and “arrestable” individual in a commercial

sex transaction. Punishment often includes paying some kind of fine. The unintended consequence of this for individuals in prostitution with limited resources and/or criminal records is that they resort to more prostitution in order to pay the original fine for prostitution. This ironic cycle does nothing to address the true underlying reasons for why people are in prostitution, further exacerbating their challenges. Meanwhile, the buyers and traffickers that exploit them often continue their behavior unpunished (and indeed they may end up being rewarded for their own behavior). The return on tax payer investment toward the resource expenditure of enforcing prostitution by arresting prostitutes is poor.

Many groups argue that legalization can serve as a means to reduce the harm of CSE, suggesting that if the industry were regulated, it could be safer for all involved. Nevertheless, in countries where prostitution is legalized, the problem of CSE in fact becomes quite exacerbated. When prostitution is legalized, the traffickers that perpetrate violence and exploit marginalized people do not change their behaviors, they just become legitimate business people. Promises of “workers’ rights” are continually unmet, and human trafficking for the purpose of prostitution grows exponentially in order to meet the higher demand for commercial sex (Sullivan, 2010; Brents & Hausbeck, 2005). In the Netherlands for example, a 23 percent increase in human trafficking was observed after prostitution was legalized in that country (Raymond, 2013).

The problem of CSE is not without solutions however. Several countries in recent years have adopted policies that criminalize commercial sex for buyers and traffickers only. This policy, referred to as the Nordic Model, was developed out of the

understanding that prostitution is exploitation and that those who are selling are most often doing so because of force, fraud and coercion; the same elements that serve as the foundation of human trafficking. These exploitative conditions make exiting the life of prostitution very challenging. Traditional criminal justice policy that seeks to deter the behavior of selling sex through arrest, fine and incarceration simply has not proven effective. What helps an individual desist from prostitution is advocacy, and resources such as affordable housing, employment, trauma informed counseling, and educational assistance. Arrests, fines, and incarceration are not effective deterrents as in other crimes such as theft, where the individual had a choice to engage in that activity.

The Nordic Model was pioneered in Sweden in 1999 following the collapse of the Soviet Union and fall of the Berlin Wall. In addition, the Model was created partially in response to growing concerns over human trafficking into the region for the purpose of forced prostitution. Instead of arrest, the prostituted person is referred to social services. Early evaluations in Sweden showed a 50 percent decline in observable street prostitution within the first year of implementation (Danna, 2012). Norway, Ireland and France have since implemented the Nordic Model. In Norway's first year after implementation, a 40-65 percent decline (variations were by city) in observable street prostitution, and a 20-25 percent reduction in the amount of all types of prostitution were documented (Rasmussen, 2014).

Critics argue that the policy simply created a displacement effect, driving the commercial sex industry "underground." However, other indicators give reason to believe that the displacement effect was minimal. Evaluators also noted a reduction in the

number of internet ads offering sexual services during that time and Swedish immigration officials reported significantly fewer cases of suspected human trafficking on their borders when compared to neighboring European countries (Danna, 2012; Rasmussen, 2014).

When policing strategies are targeted at buyers, real deterrence may occur (Danna, 2012; Farley, 2011; Rasmussen, 2014). By targeting the demand side of the supply and demand business of CSE, the financial motivation for traffickers to recruit victims begins to wane. Without CSE demand reduction, even targeting traffickers for arrest will not eradicate the crime, because new traffickers will emerge to provide supply. Demand reduction is an essential strategy for CSE eradication. Examples of demand reduction programs are public service campaigns such as online and billboard ads warning potential buyers of the consequences of purchasing sex, cyber-patrol decoy advertising programs, banning adult entertainment businesses such as strip clubs, “John stings” and “John Schools.” All of these innovative programs can contribute to CSE reduction.

### **Eliminate Inconsistencies in Legal Systems**

Several inconsistencies in our legal systems continue to make real solutions to CSE problematic. Specifically, these inconsistencies include the subjective divisions between prostitution and sex trafficking, and the different treatment of minor victims when compared to adult victims. Recognition should be given to the fact that the beginning of CSE victimization occurs most often when victims are minors and that

persistence into adulthood is not likely by choice. The occasion of one's 18<sup>th</sup> birthday is an illogical means by which to determine whether someone is a sex trafficking victim or prostitution offender and the resultant allocation of resources. Defining prostitution universally in policy and practice as a form of sex trafficking would remove those differing responses and the criminalization and stigmatization of CSE victims. After all, people are trafficked for the purpose of prostitution.

### **Conclusion**

One of the guiding tenets of responsible citizenship is to care for and about those with less (e.g., fewer resources, lesser opportunity, diminished abilities, capacities, and/or agency). The horrific sexual exploitation that CSE victims endure on a daily basis in Kansas City and the United States as a whole reflects poorly on who we are as a people. These conditions should not be ignored, dismissed or tolerated. It is the hope of this researcher that, in spite of the limitations of this study, a useful and practical glimpse into the prevalence and nature of CSE has been provided. We hope that it will inspire further, and more comprehensive research, that will in turn promote collaboration and empower the many agencies working on CSE prevention and selflessly serving CSE victims.

## APPENDIX A

### MISSOURI REVISED STATUTES

#### Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.120](#)

Section 567.010.1

[567.020→](#)

August 28, 2016

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#### Chapter definitions.

567.010. As used in this chapter, the following terms mean:

- (1) "Deviate sexual intercourse", any sexual act involving the genitals of one person and the mouth, hand, tongue, or anus of another person; or any act involving the penetration, however slight, of the penis, the female genitalia, or the anus by a finger, instrument, or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;
- (2) "Persistent prostitution offender", a person who has been found guilty of two or more prostitution-related offenses;
- (3) "Prostitution-related offense", any violation of state law for prostitution, patronizing prostitution, or promoting prostitution;
- (4) "Sexual conduct", sexual intercourse, deviate sexual intercourse, or sexual contact;
- (5) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person or for the purpose of terrorizing the victim;
- (6) "Sexual intercourse", any penetration, however slight, of the female genitalia by the penis;
- (7) "Something of value", any money or property, or any token, object or article exchangeable for money or property.

(L. 1977 S.B. 60, A.L. 1986 H.B. 895, A.L. 1997 S.B. 347, A.L. 2014 S.B. 491)

Effective 1-01-17

# Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.010](#)

Section 567.020.1

[567.030→](#)

August 28, 2016

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## Prostitution--penalty.

567.020. 1. A person commits the offense of prostitution if he or she engages in or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by any person.

2. The offense of prostitution is a class B misdemeanor unless the person knew prior to performing the act of prostitution that he or she was infected with HIV in which case prostitution is a class B felony. The use of condoms is not a defense to this offense.

3. As used in this section, "HIV" means the human immunodeficiency virus that causes acquired immunodeficiency syndrome.

4. The judge may order a drug and alcohol abuse treatment program for any person found guilty of prostitution, either after trial or upon a plea of guilty, before sentencing. For the class B misdemeanor offense, upon the successful completion of such program by the defendant, the court may at its discretion allow the defendant to withdraw the plea of guilty or reverse the verdict and enter a judgment of not guilty. For the class B felony offense, the court shall not allow the defendant to withdraw the plea of guilty or reverse the verdict and enter a judgment of not guilty. The judge, however, has discretion to take into consideration successful completion of a drug or alcohol treatment program in determining the defendant's sentence.

(L. 1977 S.B. 60, A.L. 1997 S.B. 347, A.L. 2002 H.B. 1756, A.L. 2014 S.B. 491)

Effective 1-01-17

# Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.040](#)

Section 567.050.1

[567.060→](#)

August 28, 2016

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## Promoting prostitution in the first degree--penalty.

567.050. 1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly:

- (1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; or
- (2) Promotes prostitution of a person less than sixteen years of age.

2. The term "compelling" includes:

- (1) The use of forcible compulsion;
- (2) The use of a drug or intoxicating substance to render a person incapable of controlling his conduct or appreciating its nature;
- (3) Withholding or threatening to withhold dangerous drugs or a narcotic from a drug dependent person.

3. The offense of promoting prostitution in the first degree is a class B felony.

(L. 1977 S.B. 60, A.L. 2014 S.B. 491)

Effective 1-01-17

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# Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.020](#)

Section 567.030.1

[567.040→](#)

August 28, 2016

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## Patronizing prostitution--penalty.

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

(1) Pursuant to a prior understanding, gives something of value to another person as compensation for having engaged in sexual conduct with any person; or

(2) Gives or agrees to give something of value to another person with the understanding that such person or another person will engage in sexual conduct with any person; or

(3) Solicits or requests another person to engage in sexual conduct with any person in return for something of value.

2. It shall not be a defense that the person believed that the individual he or she patronized for prostitution was eighteen years of age or older.

3. The offense of patronizing prostitution is a class B misdemeanor, unless the individual who the person patronizes is less than eighteen years of age but older than fourteen years of age, in which case patronizing prostitution is a class A misdemeanor.

4. The offense of patronizing prostitution is a class E felony if the individual who the person patronizes is fourteen years of age or younger. Nothing in this section shall preclude the prosecution of an individual for the offenses of:

(1) Statutory rape in the first degree pursuant to section 566.032;

(2) Statutory rape in the second degree pursuant to section 566.034;

(3) Statutory sodomy in the first degree pursuant to section 566.062; or

(4) Statutory sodomy in the second degree pursuant to section [566.064](#).

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(L. 1977 S.B. 60, A.L. 2004 H.B. 1487, A.L. 2014 S.B. 491)

## Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.040](#)

Section 567.050.1

[567.060→](#)

August 28, 2016

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### Promoting prostitution in the first degree--penalty.

567.050. 1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly:

- (1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; or
- (2) Promotes prostitution of a person less than sixteen years of age.

2. The term "compelling" includes:

- (1) The use of forcible compulsion;
- (2) The use of a drug or intoxicating substance to render a person incapable of controlling his conduct or appreciating its nature;
- (3) Withholding or threatening to withhold dangerous drugs or a narcotic from a drug dependent person.

3. The offense of promoting prostitution in the first degree is a class B felony.

(L. 1977 S.B. 60, A.L. 2014 S.B. 491)

Effective 1-01-17

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## Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.050](#)

Section 567.060.1

[567.070→](#)

August 28, 2016

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### Promoting prostitution in the second degree--penalty.

567.060. 1. A person commits the offense of promoting prostitution in the second degree if he or she knowingly promotes prostitution by managing, supervising, controlling or owning, either alone or in association with others, a house of prostitution or a prostitution business or enterprise involving prostitution activity by two or more prostitutes.

2. The offense of promoting prostitution in the second degree is a class D felony.

(L. 1977 S.B. 60, A.L. 2014 S.B. 491)

Effective 1-01-17

1991

## Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.060](#)

### Section 567.070.1

[567.080→](#)

August 28, 2016

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#### Promoting prostitution in the third degree--penalty.

567.070. 1. A person commits the offense of promoting prostitution in the third degree if he or she knowingly:

- (1) Causes or aids a person to commit or engage in prostitution;
- (2) Procures or solicits patrons for prostitution;
- (3) Provides persons or premises for prostitution purposes;
- (4) Operates or assists in the operation of a house of prostitution or a prostitution business or enterprise;
- (5) Accepts or receives or agrees to accept or receive something of value pursuant to an agreement or understanding with any person whereby he or she participates or is to participate in proceeds of prostitution activity; or
- (6) Engages in any conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

2. The offense of promoting prostitution in the third degree is a class E felony.

(L. 1977 S.B. 60, A.L. 2014 S.B. 491)

Effective 1-01-17

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## Missouri Revised Statutes

Chapter 567  
Prostitution



[←567.100](#)

### Section 567.110.1

[567.120→](#)

August 28, 2016

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#### Persistent prostitution offender--penalty.

567.110. Any person who has been found guilty of a violation of section [567.020](#) or [567.030](#) and who is alleged and proved to be a persistent prostitution offender is guilty of a class E felony.

(L. 1997 S.B. 347, A.L. 2014 S.B. 491)

Effective 1-01-17

1997

APPENDIX B

MISSOURI CHARGE CODE MANUAL

August 2012 - August 2013

<b>22 - SEX OFFENSES (cont'd)</b>											
STATUTE	TYPE/ CLASS	CHARGE CODE	NCIC CODE	F/P OCN	DESCRIPTION	DNA	SOR	CASE TYPE	ROC	EFFECTIVE DATE	
589.425	Fel	C	2237512._	3612	Yes	Fail to register as a sex offender pursuant to Sections 589.400 - 589.425 - underlying offense is unclassified Felony under Chapter 566, A or B Felony or Felony involving a child under the age of 14 - 2nd offense	C	N	F	N	06/05/2006
566.103	Fel		2237999._	3699	Yes	Permitting online sexual solicitation	A/C/S	Y	F	N	08/28/2009
589.425	Fel		2238012._	3612	Yes	Fail to register as a sex offender pursuant to Sections 589.400 - 589.425 - 3rd offense	C	N	F	N	06/05/2006
566.153	Fel	D	2240099._	3699	Yes	Age misrepresentation with intent to solicit minor (via the internet) for sexual misconduct	A/C/S	Y	F	N	08/28/2008
<b><u>36- NCIC MODIFIER CODE RANGES</u></b>											
01	Sex Offense - Against Child - Fondling			09	Homosexual Act with Woman			17	Sexually Violate Human Remains/Necrophilia		
02	Homosexual Act with Girl			10	Homosexual Act with Man			18	Molestation of a Minor		
03	Homosexual Act with Boy			11	Peeping Tom			19	Voyeurism		
04	Incest with Minor			12	Failure to Register As A Sex Offender			20	Sex Offense - Elderly		
05	Indecent Exposure			13	Sex Offender Registration Violation			21	Sex Offense - Disabled		
06	Bestiality			14	Indecent Exposure to Minor			22	Transport Interstate for Sexual Activity		
07	Incest with Adult			15	Indecent Exposure to Adult			99	Sex Offense (free text)		
08	Seduction of Adult			16	Lewd or Lascivious Acts with Minor						
.0 NOT APPLICABLE .1 ATTEMPT .2 ACCESSORY .3 CONSPIRACY											

21 - COMMERCIALIZED SEXUAL OFFENSES											
STATUTE	TYPE/ CLASS	CHARGE CODE	NCIC CODE	F/P OCN	DESCRIPTION	DNA	SOR	CASE TYPE	ROC	EFFECTIVE DATE	
567.020	Misd	B	21010__	40__	Yes	Prostitution (available NCIC modifiers - 03, 04 or 99)	N	N	M	N	01/01/1975
567.020	Fel	D	21015__	40__	Yes	Prostitution - persistent offender (available NCIC modifiers - 03, 04 or 99)	A/C	N	F	N	08/28/1997
567.030	Fel	D	2102205__	4005	Yes	Patronizing prostitution - 14 years of age or younger	A/C	N	F	N	08/28/2004
567.030	Fel	D	2102505__	4005	Yes	Patronizing prostitution - persistent offender	A/C	N	F	N	08/28/1997
567.030	Misd	A	2102705__	4005	Yes	Patronizing prostitution - under the age of 18 but older than the age of 14	N	N	M	N	08/28/2004
567.030	Misd	B	2102905__	4005	Yes	Patronizing prostitution - 18 years of age or older	N	N	M	N	08/28/2004

Major Category - Page 32 of 136

August 2012 - August 2013

21 - COMMERCIALIZED SEXUAL OFFENSES (cont'd)											
STATUTE	TYPE/ CLASS	CHARGE CODE	NCIC CODE	F/P OCN	DESCRIPTION	DNA	SOR	CASE TYPE	ROC	EFFECTIVE DATE	
567.050	Fel	B	21030__	40__	Yes	Promoting prostitution 1st degree (available NCIC modifiers - 01, 02, 07, 08 or 99)	A/C/S	Y	F	N	01/01/1975
567.060	Fel	C	21040__	40__	Yes	Promoting prostitution 2nd degree (available NCIC modifiers - 01, 02, 07, 08 or 99)	A/C/S	Y	F	N	01/01/1975
567.070	Fel	D	21050__	40__	Yes	Promoting prostitution 3rd degree (available NCIC modifiers - 01, 02, 07, 08 or 99)	A/C/S	Y	F	N	01/01/1975
567.085	Fel	C	21052__	40__	Yes	Knowingly sell or offer travel services for the purpose of engaging in prostitution as defined in Section 567.010 (available NCIC modifiers - 06, 09 or 99)	A/C	N	F	N	06/05/2006
567.020	Fel	B	2105504__	4004	Yes	Actor knowingly infected with HIV performed an act of prostitution	A/C	N	F	N	08/28/2002
<b>40- NCIC MODIFIER CODE RANGES</b>											
01 Keeping House Ill Fame			05 Frequent House Ill Fame			09 Transport Interstate for Commercialized Sex					
02 Procure for Prostitute			06 Transport Female Interstate for Immoral Purposes			99 Commercial Sex (free text)					
03 Commercial Sex - Homosexual Prostitution			07 Procure for Prostitute Who Is A Minor								
04 Prostitution			08 Procure for Prostitute Who Is An Adult								
<b>.0 NOT APPLICABLE .1 ATTEMPT .2 ACCESSORY .3 CONSPIRACY</b>											

AUGUST 2013 - AUGUST 2014

**21 - PROSTITUTION**

STATUTE	TYPE/CLASS	CHARGE CODE	NCIC CODE	ST MOD	DESCRIPTION	F/P OCN	DNA	SOR	CASE TYPE	ROC	EFFECTIVE DATE	
567.020	Misd B	21010__	40	0 1 2 3	PROSTITUTION (AVAILABLE MODIFIERS - 03, 04, 99)	Y	N	N	M	N	1979-01-01	
567.020	Fel D	21015__	40	0 1 2 3	PROSTITUTION - PERSISTENT OFFENDER (AVAILABLE MODIFIERS - 03, 04, 99)	Y	A/C	N	F	N	1997-08-28	
567.030	Fel D	21022__	40	0 1 2 3	PATRONIZING PROSTITUTION - 14 YEARS OF AGE OR YOUNGER (AVAILABLE MODIFIERS - 05, 99)	Y	A/C	N	F	N	2004-08-28	
567.030	Fel D	21025__	40	0 1 2 3	PATRONIZING PROSTITUTION - PERSISTENT OFFENDER (AVAILABLE MODIFIERS - 05, 99)	Y	A/C	N	F	N	1997-08-28	
567.030	Misd A	21027__	40	0 1 2 3	PATRONIZING PROSTITUTION - UNDER THE AGE OF 18 BUT OLDER THAN THE AGE OF 14 (AVAILABLE MODIFIERS - 05, 99)	Y	N	N	M	N	2004-08-28	
567.030	Misd B	21029__	40	0 1 2 3	PATRONIZING PROSTITUTION - 18 YEARS OF AGE OR OLDER (AVAILABLE MODIFIERS - 05, 99)	Y	N	N	M	N	2004-08-28	
567.050	Fel B	21030__	40	0 1 2 3	PROMOTING PROSTITUTION 1ST DEGREE (AVAILABLE MODIFIERS - 01, 02, 07, 08, 99)	Y	A/C/S	Y	F	N	1975-01-01	
567.060	Fel C	21040__	40	0 1 2 3	PROMOTING PROSTITUTION 2ND DEGREE (AVAILABLE MODIFIERS - 01, 02, 07, 08, 99)	Y	A/C/S	Y	F	N	1975-01-01	
567.070	Fel D	21050__	40	0 1 2 3	PROMOTING PROSTITUTION 3RD DEGREE (AVAILABLE MODIFIERS - 01, 02, 07, 08, 99)	Y	A/C/S	Y	F	N	1975-01-01	
567.085	Fel C	21052__	40	0 1 2 3	KNOWINGLY SELL OR OFFER TRAVEL SERVICES FOR THE PURPOSE OF ENGAGING IN PROSTITUTION AS DEFINED IN SECTION 567.010 (AVAILABLE MODIFIERS - 06, 09, 99)	Y	A/C	N	F	N	2006-06-05	
567.020	Fel B	21055__	40	0 1 2 3	ACTOR KNOWINGLY INFECTED WITH HIV PERFORMED AN ACT OF PROSTITUTION (AVAILABLE MODIFIERS - 04, 99)	Y	A/C	N	F	N	2002-08-28	
<b>40 -- NCIC MODIFIER RANGES</b>												
01	KEEPING HOUSE ILL FAME				02	PROCURE FOR PROSTITUTE					03	COMMERCIAL SEX - HOMOSEXUAL PROSTITUTION
04	PROSTITUTION				05	FREQUENT HOUSE ILL FAME					06	TRNSP FEMALE INTERSTATE FOR IMMORAL PURP
07	PROCURE FOR PROSTITUTE WHO IS A MINOR				08	PROCURE FOR PROSTITUTE WHO IS AN ADULT					09	TRANSPORT INTERSTATE FOR COMMERCIALIZED SEX
99	COMMERCIAL SEX - (FREE TEXT)											
.0 NOT APPLICABLE .1 ATTEMPT .2 ACCESSORY .3 CONSPIRACY												

August 2013 - August 2014

<b>NCIC 40-- COMMERCIALIZED SEXUAL OFFENSES</b>					
01	Keeping House Ill Fame	05	Frequent House Ill Fame	09	Transport Interstate for - Commercialized Sex
02	Procure for Prostitute	06	Transport Female Interstate for Immoral Purposes	99	Commercial Sex (free text)
03	Commercial Sex - Homosexual Prostitution	07	Procure for Prostitute Who Is A Minor		
04	Prostitution	08	Procure for Prostitute Who Is An Adult		

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## VITA

Alison R. Phillips was born on June 1, 1972 in Bitburg, Germany where her father was stationed in the United States Air Force. She was raised in Colorado graduating from high school in 1990 ranking in the top ten of her graduating class. Ms. Phillips attended the University of Oregon in Eugene graduating with a B.A. in 1995. At the same time, she completed a two year program at Lane Community College where she received her Commercial Instrument Pilot's License and was awarded as Outstanding 2<sup>nd</sup> Year Student in 1994. She went on to add mutli-engine and single engine sea ratings and flight instructor before moving to Alaska to pursue a career in aviation.

From 1999 to 2004, Ms. Phillips served as a First Officer at Era Aviation in Anchorage, Alaska flying DeHavilland Twin Otters and Dash 8 aircraft and obtained Airline Transport Pilot Certification. Her work consisted of diverse flying experiences and environments from regular airline service, to special contracts in the Prudhoe Bay area, to "bush flying" in rural native Alaskan villages, and served on special charters for former U.S. Presidents George H.W. Bush and Jimmy Carter.

In 2005, Ms. Phillips and her husband started a family and moved to Kansas City where she partnered with her husband in running their small businesses. In 2013, she joined the leadership team of Kansas City Street Hope, a faith-based non-profit working to eradicate sex trafficking in Kansas City. At this same time, she became a Master's Degree Candidate in Criminal Justice and Criminology at UMKC. Her work at KC Street Hope includes coordinating educational programs, promoting volunteerism,

public speaking, and networking with other local anti-human trafficking NGO's to launch strategic campaigns.