

Societal Negligence Towards Sex Workers

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In the United States, sex workers and the job of sex work is illegal and highly stigmatized. This paper will refer to the women and men who partake in the career path of sex work as “sex workers” - this is because of the stigma and hate that is tied to the word prostitute. This will not denounce the job that these women and men partake in, and the goal is to spread awareness instead of the hate and ignorance. The stigma towards sex workers has gone so far as to deliberately derail a serial killer investigation on many accounts (i.e. Peter Sutcliff and Robert “Willy” Pickton) and in some cases the police and media cannot look past the victims’ occupations, and they refuse to investigate at all (West Mesa Bone Collector). More specific serial killers that targeted sex workers will be discussed later in this paper. Why has the United States never legalized sex work – despite the outstanding data showing drastic drops in violent crime rates? The purpose of this research paper is to spread awareness of the dangers sex workers face because of prostitution being illegal.

Sex workers are a part of the group of citizens called the “less dead.” These are people who have high risk lifestyles, meaning that their life is risky, so they are less important than a normal person with a normal life. The less dead group includes drug addicts, homeless people, sex workers, foster children, homosexuals in the 70s and 80s, and all people who are less of a person because of their job or current situation. The police do not see them as important, and there is often a shroud of stigmatism towards them because of their life choices. This is why many serial killers, like Robert Hansen and Gary Ridgeway, targeted sex workers. The list of serial killers that targets sex work goes on and on. These killers target these women because they know that the police would not care and unfortunately, they were right.

In the United States, prostitution is illegal on the federal level and in every state and county aside from Nevada and Las Vegas. According to 18 U.S. Code § 2421A (A), “whoever... conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another person shall be fined under this title, imprisoned for not more than 10 years, or both,” (Cornell, 2018). This means that under federal law prostitution is illegal, along with solicitation. This is a key point as to why sex workers who are sexual assaulted do not go to the police (Koster, 2015). The fear of being incarcerated for their career overshadows the assault and abuse sustained. Over all, 37% of prostitution diversion program participants report being raped by a client and yet on top of that, some states do not allow sex work as a rape shield, (Koster, 2015). Meaning that they do not get immunity from prostitution charges if they were going to report the rape to the police.

Gary Ridgeway, a long-haul truck driver nicknamed the “Green River Killer” by news media said: “...[T]hey were easy to pick up without being noticed. I knew they would not be reported missing right away and might never be reported missing. I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught,” (Lee & Reid, 2018). Gary Ridgeway confessed to killing over 80 women, most of whom were sex workers. The police that worked on his case said that “...[T]he murder of a prostitute can be very challenging for law enforcement investigators to solve. The covert nature of the sexual activities, coupled with the number of interactions with strangers makes identification of any customers who may be critical witnesses extremely difficult.” (Lee & Reid, 2018). A woman is not considered vulnerable just because she moves around a lot or sees a lot of customers. The real issue is the reluctance to report attacks or violence because their job is illegal in the first place. Sex workers have a 45%

to 75% chance of experiencing sexual violence on the job,” (Sex Workers Project, Nd). This often goes unreported because they are afraid of getting in trouble for solicitation and prostitution if they were to go to the police to report the violence.

Sex work is legal in most European countries to some degree. The country that has the most laws in effect to protect sex workers is the Netherlands. Bass (2017), a known author and journalist specializing in sex work, was nominated for a Pulitzer Prize for her work in public service. Bass (2017) said that when major cities in the Netherlands opened Toppelzones, or areas where sex work was legal, reports of rape and sexual assault dropped by as much as 40% (Bass, 2017). She included a fact that, “95 percent of the interviewed prostitutes report feeling safer within the Toppelzone,” (Bass, 2017). This is a significant step for protecting a dangerous job. Compared to the United States where prostitution is illegal, between 2000-2009 69% of serial murder cases targeted sex workers, (Quinet, 2011).

A relatively recent criminal case involving the victimization of sex workers that happened in 2009 was the West Mesa Bone Collector case. This case is extremely underreported and thus, many people have not heard about it. In summary, a woman and her dog found the remains of a human body in the desert outside of Albuquerque, New Mexico (Margaritoff, Marco). When police started to dig, they found the remains of 11 women, one of which was pregnant (Lee & Reid, 2018). The pattern of these bodies was that these victims were: 1. they were all women of color; and 2. they all had prior prostitution charges (Lee & Reid, 2018). They were often seen along a section of Route 66 that was known for men looking for a working girl and lots of drugs (Lee & Reid, 2018). The police then decided to close the case as a “work hazard.” Eleven women’s bodies were found and University of New Mexico professor Dirk

Gibson, who has written two books on serial killers, said “there has been little pressure on the police to investigate,” (Lee & Reid, 2018). Only six of these women were reported missing before they were found outside of Albuquerque. This is another reason why it is so hard for police to help, the high risk lifestyle means constantly moving around. A lot of the time these women do not have family support or people looking for them. In this case, the city and family of these 11 women have billboards posted along highways in New Mexico saying “Who murdered us?” and all of the names of the victims below, and “They were our mothers, daughters, sisters, friends,” and the names of the victims written on cross shaped headstones (Lee & Reid, 2018).. These women had people looking for them and they were reported missing. The families are desperate for answers on who killed these women and all the police had to say was, “Police budgets are stretched thin. There’s so little money, and there are so many crimes. Investigating a 10-year-old crime where the police think that the victim had it coming — there’s just no incentive for that,” (Margaritoff, 2021).

Another killer that targeted sex workers was Robert “Willy” Pickton. He was from a town right outside of Vancouver and he would spend his nights touring around the Lower East Side of the city looking for working girls. He was a missionary killer. His mindset was that he had last his whole life without drugs, so he would find a working girl who was trading her body for her drug of choice, and he would try to get them to break their habit (Lee & Reid, 2018). He would bring them back home to his pig farm and when the woman finally asked for her drugs/payment for her service, he would kill them and feed their bodies to his pigs. He had brought a woman home one night and he attacked her, his claim was that she was reaching for his wallet (Lee & Reid, 2018). She got away, but not without multiple stab wounds and partially disemboweled. Pickton ended up with his own stab wounds and both were treated at the same

hospital that night. The woman said that Pickton did this to her, Pickton claimed it was in self-defense (Lee & Reid, 2018). The Vancouver police department decided to close the case as self-defense once they found out the woman was a sex worker with a long history of drug abuse. (Lee & Reid, 2018) Pickton went on to kill over 20 women after this incident with the police. If the police had intervened even a little, maybe it could have saved the lives of over 20 women and save their families the trauma.

The stigma towards sex workers has always been a known issue. They are considered second class citizens who have less rights and are less deserving of justice. Society, not just police, have a view on these people that can only be described as disgust. Peter Sutcliff, or the Yorkshire Ripper, killer 13 women (Janos, 2021). Many of these women were sex workers and he deliberately targeted them because he found them repulsive. He was known to have said that his greatest mistake was killing the 15-year-old girl because she was not a prostitute (Havers, 1981). Sutcliff's prosecuting attorney is stated as saying, while some of the victims were prostitutes "perhaps the saddest part of this case is that some were not. The last six attacks were on totally respectable women," (Havers, 1981). Prosecutor Sir Michael Havers during Sutcliffe's murder trial, May 1981. This is a case from Yorkshire England, and they have the same view as the United States. The feeling of disgust and lack on empathy towards sex workers is international.

The only way to break the stigma and fight against the bias is to decriminalize sex work. These men and women who are in danger every day are just trying to make money and do their jobs but society and laws are preventing them from doing it safely. Other countries who have legalized sex work and where sex workers are protected, like New Zealand, "say 70% of sex

workers and social service providers in New Zealand say that sex workers were more likely to go to the police after sex work had been decriminalized” (Koster, 2015). Legalization would mean proper care for the workers, safer environments that are monitored, a list of the clients with background checks, STD and STI tests for the workers, and overall safer and cleaner environments for everyone. This is proven from other countries that when decriminalization happens, crime drops. “Criminalization of clients can result in displacement of street-based sex workers to more dangerous areas, make it more difficult for sex workers to access outreach services, result in sex workers working in isolation to avoid detection, and result in sex workers "rushing" conversations with clients to evade arrest, ultimately jeopardizing safety,” (Koster, 2015). By criminalizing sex work and solicitation, it forces clients and workers to sneak around, go to shady areas and agree to things without proper thinking. By decriminalizing sex work, it would allow these workers to have their own business that is run properly, a system to monitor the clients who come and go, and proper protection and security for everyone involved. It would drastically decrease violence, as demonstrated by countries in which it has already been decriminalized

Breaking the stigma comes with decriminalization. Sex work advocates, Amnesty International, and the World Health Organization have long argued that violence against sex workers is linked to the criminalization of sex work (Lee & Reid, 2018). By making this career illegal, it forces an already extremely vulnerable group of people farther into the shadows of society. It puts these people in a position that increases their chances of being assaulted by a staggering amount. Former President Donald Trump recently signed into law the Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act (FOSTA-SESTA), which holds social media platforms liable for content that “...promote[s] or facilitate[s] the prostitution of another

person,” (Lee & Reid, 2018). This is very disheartening for the sex worker community because it does not differentiate between a consensual profession and forced trafficking. This is the most recent law in the United States regarding sex work.

As shown in these examples, there are many things that the United States could do to benefit the lives of these people. Just by decriminalizing it, it could drop the boundary that creates stigma because it is an illegal act. These people who are just trying to do their job would no longer be forced to keep their mouths shut about assault because they are afraid of jeopardizing their freedom. Police would be there to protect and serve, instead of treating them like criminals. Other countries have demonstrated that mindsets can change, and it completely rewrites what people can think about sex work. The topic that sex work is taboo has created a misogynistic society that believes that they are deserving of what happens to them. They got themselves into this situation because of the job. The first step of decriminalization would show the country that these are women and men who are just doing their jobs. They are just as deserving of love, respect, and justice as everyone else in this country. These people are not “less dead” because of a profession, they are mothers, daughters, aunts, friends, and they deserve to be treated as such.

References

- “18 U.S. Code § 2421a - Promotion or Facilitation of Prostitution and Reckless Disregard of Sex Trafficking.” *Legal Information Institute*, Legal Information Institute, <https://www.law.cornell.edu/uscode/text/18/2421A>.
- Bindel, Julie. “Forgotten Women: The Overlooked Victims of Serial Killers.” Women | Al Jazeera, Al Jazeera, 25 Nov. 2020, <https://www.aljazeera.com/features/2020/11/25/forgotten-women-the-overlooked-victims-of-serial-killers>.
- Janos, Adam. “Why Are Sex Workers Often a Serial Killer's Victim of Choice?” A&E, 17 Aug. 2021, <https://www.aetv.com/real-crime/why-do-serial-killers-target-sex-workers>.
- Koster, Katherine. “17 Facts about Sexual Violence and Sex Work.” HuffPost, HuffPost, 7 Dec. 2017, https://www.huffpost.com/entry/16-facts-about-sexual-ass_b_8711720/amp.
- Lee, J., & Reid, S. (2018). Serial killers & their easy prey. *Contexts*, 17(2), 46–51 . <https://doi.org/10.1177/1536504218776961>
- Margaritoff, Marco. “The Murders of the West Mesa Bone Collector and the Chilling Evidence Left behind on Google Earth.” *All That's Interesting*, All That's Interesting, 18 Aug. 2021, <https://allthatsinteresting.com/west-mesa-murders>.
- Micol Levi-Minzi, & Maria Shields. (2007). Serial sexual murderers and prostitutes as their victims: Difficulty profiling perpetrators and victim vulnerability as illustrated by the Green River Case. *Brief Treatment & Crisis Intervention*, 7(1), 77–89. <https://doi-org.ezproxy.snhu.edu/10.1093/brief-treatment/mhl021>
- Quinet, Kenna. “Prostitutes as Victims of Serial Homicide: Trends and Case ...” *Prostitutes as Victims of Serial Homicide: Trends and Case Characteristics, 1970-2009*, Indiana University-Purdue University Indianapolis, Feb. 2011, https://www.researchgate.net/publication/239772180_Prostitutes_as_Victims_of_Serial_Homicide_Trends_and_Case_Characteristics_1970-2009.