

## Is law enforcement unbiased in their treatment and response to sex workers?

No, sex workers encounter violence from law enforcement and face difficulty in safely reporting at a higher rate than many other populations. Nearly 90 percent of sex workers who took part in a 2022 study experienced some form of violence—the majority cited physical assault (54.6 percent) or sexual assault (45.3%).<sup>1</sup> Law enforcement’s internalized bias that sex workers are sexually immoral and discretion in policing practices are significant contributors to this violence. Stigma and biases additionally influence law enforcement response to reports of violence perpetrated on sex workers, particularly in the context of domestic and sexual violence. Inappropriate law enforcement responses discourage sex workers from reporting violent experiences, further silencing and harming sex workers. Additionally, these responses and law enforcement violence sanctions client-perpetuated violence upon sex workers without impunity.

Laws fueled by racialized and gendered stigma of sex workers have enabled law enforcement to perpetuate violence with incredible discretion, exacerbating experiences of violence for trans, Black, and brown women.<sup>2 3 4</sup> The criminalization of sex work, fueled by myths and stereotypes, has led to the perpetuation of violence from clients and law enforcement and the inability to safely access formal avenues for intervention.<sup>5</sup> Therefore, efforts to reduce and eliminate police-perpetuated harm upon sex workers need to simultaneously tackle law enforcement’s stigma and the legal ramifications caused by criminalization.

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<sup>1</sup> Saenz,, 2023

<sup>2</sup> Saenz, 2023

<sup>3</sup> Strangio, 2014

<sup>4</sup> Fischer, 2022

<sup>5</sup> Global Network of Sex Work Projects

## **Myth #1: Myth 1: Can sex workers safely report experiences of violence to law enforcement?**

No, legal and socio-cultural barriers restrict the ability of sex workers to report interpersonal and/or client-perpetrated violence without risking legal consequences, like arrests, fines, jail time, and deportation.

The criminalization of any industry presents the opportunity for perpetuated violence to bypass legal consequences because of the inability of victims to report violence safely. For sex work, criminalization has contributed to unsafe working environments and client-perpetuated violence without consequence. In order to avoid arrest or attention from law enforcement, sex workers often rush negotiations with clients or move to unsafe work environments.<sup>6 7</sup> These defensive measures limit effective screenings of clients and surroundings for potential danger, resulting in a greater likelihood of violence. Nearly 60 percent of surveyed sex workers in a Baltimore-based study experienced client-perpetuated violence—the majority experienced sexual violence (49.6%), followed by physical violence (46%). However, less than 10% sought police assistance following client-perpetrated violence, and more than half did not pursue any legal, medical, or psychological support.<sup>8</sup>

Violent experiences are not uncommon among sex workers, but formal avenues for support and reporting remain unsafe. A qualitative study in England demonstrated that street-based sex workers disproportionately distrusted police. A majority of participants said they would not at all seek the police's help if they were the victim of a crime. At the same time, some specified that they would only reach out to the police if a social worker or another trusted person supported them.<sup>9</sup> Sex workers' understanding that reporting violence might result in verbal or physical violence from law enforcement agents, as well as potential jail time for themselves, eliminates trust between sex workers and law enforcement and makes it significantly more challenging to seek out support.<sup>10</sup>

It's important to recognize that there is a simultaneous risk of arrest for both the sex worker and the offender when a crime is reported by a sex worker, which elevates the chance of fatal violence against the sex worker by the client to prevent their own arrest.<sup>11</sup>

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<sup>6</sup> Nestadt et. al., 2023

<sup>7</sup> Decker et. al., 2021

<sup>8</sup> Decker et. al., 2021

<sup>9</sup> Klambauer, 2017

<sup>10</sup> Krüsi et. al., 2016

<sup>11</sup> D'Adamo

The criminalization of sex work additionally compromises the safety and ability of sex workers to report domestic violence. If law enforcement perceives that an individual is a sex worker, they might be arrested, even when police are called for unrelated reasons. This decreases the likelihood of a sex worker calling law enforcement and seeking legal support when faced with violence.

Biased responses from law enforcement can often have legal ramifications for sex workers.<sup>12 13</sup> Women who are, or are perceived to be, sex workers might be arrested instead of the perpetrator of violence, which can further enable crimes like intimate partner violence because perpetrators feel safe to continue harming their victim without the threat of arrest.<sup>14</sup> In the case of intimate partner violence, criminalization can be a source of vulnerability used to exert power and control over the sex worker, particularly when the sex workers involved have children, are immigrants, or have a criminal history.<sup>15</sup> The risk that law enforcement will call Child Protective Services (CPS) or immigration services further discourages reporting physical violence. Under the criminalization and stigmatization of sex work, sex workers will continue to be faced with the decision to put themselves and their families at risk or leave violence unreported.

When sex workers do report client-perpetuated violence or intimate partner violence, law enforcement often blames them for their actions rather than seeing them as victims of violence. Law enforcement routinely perceives violence as inherent in selling sex and, therefore, the responsibility of sex workers to avoid or endure, especially within the context of sexual assault and domestic violence.<sup>16</sup> These responses contribute to the false idea that violence is justified for those engaging in sexual behavior perceived as deviant. This is dangerous for sex workers and anyone who engages in sexual or romantic practices that fall outside the societal norm.

## **Myth #2: Do police perpetuate violence on sex workers?**

Yes, members of law enforcement perpetrate violence against sex workers. This includes physical and sexual violence, as well as legal actions like arrests and deportations, which can exacerbate sex workers' vulnerability and limit their access to justice and essential

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<sup>12</sup> Klambauer, 2017

<sup>13</sup> INCITE, "Policing Sex Work,"

<sup>14</sup> INCITE, "Policing Sex Work,"

<sup>15</sup> D'Adamo

<sup>16</sup> Klambauer, 2017

services.<sup>17</sup> The criminalization of sex work often leads to a lack of legal protections for sex workers, making them more susceptible to abuse by both clients and law enforcement.<sup>18</sup> Additionally, migrant sex workers face heightened risks due to immigration enforcement actions, which can lead to detention and deportation.<sup>19 20</sup>

Alongside a lack of law enforcement protection, law enforcement officers are often perpetrators of violence against sex workers. A 2016-2017 study of female sex workers in Baltimore City, Maryland, published by the American Public Health Association, found that 78% of surveyed sex workers reported at least one abusive police encounter, such as damage to personal property, forced sex, or intimidation.<sup>21</sup> In an additional study of female sex workers in Baltimore, 30% reported having recently had sex with police officers while at work; of those who reported, nearly half of the women indicated they had done so because they feared arrest otherwise, and one-third were directly pressured for sex by police to avoid arrest or trouble.<sup>22</sup> The criminalization of sex work gives police greater power to exert violence because they can threaten arrest or other legal consequences if sex workers attempt to resist unjust demands.

Sexual violence and legal ramifications, like arrest, are inherent to the criminalization of sex work. Prostitution stings or vice operations allow undercover law enforcement officers to trick sex workers into engaging with them, which gives them probable cause for arrest or pressing charges. In 2017, Alaska House Bill 73 and Senate Bill 112 were introduced to the Alaska State Legislature to make police sexual contact with sex workers under investigation illegal. Had the bills passed, Alaska would have become the first state to outlaw sexual contact as a part of sting prostitution operations. However, the bills faced significant pushback from law enforcement who claimed that sexual contact is vital to investigate and charge sex workers. Both bills were, therefore, stalled and have not been re-introduced to the Alaska State Legislature.<sup>23 24</sup> Similar introduction of laws outlawing sexual contact in sting operations and pushback from law enforcement has occurred in Hawaii and

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<sup>17</sup> PICUM, 2019

<sup>18</sup> Deering, et. al., 2014

<sup>19</sup> PICUM, 2019

<sup>20</sup> Gallant, Lam & Willman 2025

<sup>21</sup> Footer, et. al., 2019

<sup>22</sup> Nestadt, 2023

<sup>23</sup> Dancyger, 2017

<sup>24</sup> Goldberg, 2021

Pennsylvania.<sup>25</sup> Law enforcement officers are enabled to push the boundaries of their behavior through discretion over policing practices and a lack of external accountability.<sup>26 27</sup>

The violence and criminalization of sex work are further exacerbated for sex workers who are trans, Black, and brown women.<sup>28</sup> Rooted in harmful stereotypes of the inherent hypersexuality and sexual availability of women of color, this racialized criminalization fuels stigmatization and negatively impacts workers of color. In particular, transgender women of color are more likely to engage in sex work and experience police-perpetuated violence.<sup>29 30</sup> Black, Indigenous, and multiracial participants in a 2022 survey of sex workers were especially likely to experience misconduct by law enforcement.<sup>31</sup> Additionally, racialized sex workers are disproportionately exposed to unsafe work environments and lower-paying jobs, further contributing to client-perpetrated violence.<sup>32</sup>

Several policing practices also make it difficult for sex workers or stigmatized people to keep themselves safe. For example, widespread policing practices that criminalize carrying condoms as evidence of sex work have a direct correlation with an increased risk of HIV and other sexually transmitted infections (STIs) for sex workers.<sup>33 34</sup> New York Penal Law §240.37, commonly referred to as the “Walking While Trans” law, was an example of the racialized and gendered stigma of sex work, which encouraged law enforcement’s predatory practices to target transgender women of color.<sup>35</sup> The broad scope of the law gave police discretionary power to assault and arrest trans women of color.<sup>36</sup> This law disproportionately affected transgender women of color, including transgender women of color who are not sex workers, because of the compounded bias against trans women of color and sex workers<sup>37</sup>. The law allowed law enforcement to arrest and harass anyone considered to be “loitering with intent to solicit,” which led to disproportionate police harassment of trans women of color for their clothing or the condoms in their purses.<sup>38</sup> Despite the “Walking While Trans” law being overturned in 2021, the stigma and

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<sup>25</sup> Janakiram, 2025

<sup>26</sup> Mittauer & Licia, 2025

<sup>27</sup> Goldberg, 2021

<sup>28</sup> Holston-Zannell, 2020

<sup>29</sup> INCITE, “Policing Sex Work,”

<sup>30</sup> James, et. al., 2016

<sup>31</sup> Saenz, 2023

<sup>32</sup> Armstrong, 2017

<sup>33</sup> Wurth, et. al., 2013

<sup>34</sup> Krüsi et. al., 2016

<sup>35</sup> Diaz, 2021

<sup>36</sup> Janakiram, 2025

<sup>37</sup> Mogulescu, 2020

<sup>38</sup> INCITE, “Policing Sex Work,”

stereotypes that propagated the law and informed law enforcement behavior continue to thrive in tandem with the criminalization of sex work. In 2022, California and Seattle also repealed discriminatory anti-loitering laws that had a disproportionate impact on trans and sex workers of color. However, laws that criminalize loitering “to engage in prostitution” exist in several cities and states across the nation and enable law enforcement to harass anyone suspected of sex work.<sup>39</sup>

These stereotypes and stigma formalized through criminalization contribute both to harmful legal consequences and the preservation of unsafe work environments for sex workers.

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*Woodhull Freedom Foundation conducted focus groups with participants from Spokes Hub to develop the myths for this Fact Checked series. Spokes Hub is a free online academy aimed at supporting people with lived experience in the sex trade in developing their voice and authority as advocates. Their contributions were used throughout this series to ensure the myths and content discussed aligned with the lived experiences of the impacted community. We are grateful for their insights and knowledge on this important topic.*

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<sup>39</sup> Fischer, 2022

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