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“What makes you think you have special privileges because you're a police officer?” A qualitative exploration of police's role in the risk environment of female sex workers

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Abstract

Worldwide, female sex workers have high rates of HIV. Many factors that escalate their risk lay outside of their control, name in the environments in which they practice sex. An understudied yet powerful risk environment is that of police. We qualitatively explored sex workers' interactions with police in their personal and professional lives. Thirty-five female sex workers were purposively sampled in Baltimore, MD in 2012. Women discussed experiences of police verbal harassment, sexual exploitation, extortion, and a lack of police responsiveness to 911 calls in emergencies, largely partner violence. Women's mistrust of police was often developed at an early age, and further reinforced by interactions in their personal and professional lives. The study underscores the need for targeting police in reducing sex workers' HIV and other risks. The case for police's role in generating risk is evident, which could be addressed through structural interventions targeting both police practices and policies.

Keywords

HIV; female sex workers; police; qualitative

Background

Throughout the world, female sex workers (FSWs) have been disproportionately infected with HIV and sexually transmitted infections (STIs) (Aral et al., 2005; Wirtz et al., 2014; Exner et al., 2003; Patterson et al., 2008; Platt et al., 2007; Surratt & Inciardi, 2004). Sex work is defined as the exchange of sex for money, drugs, or goods (Harcourt & Donovan, 2005). A large body of research has focused beyond individual biological and behavioral factors facing vulnerable groups, including FSWs, to the social contextual factors that shape their risk environment. A review of female sex work literature from the past 18 months puts forward a structural HIV determinants framework. It draws on previous risk environment

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frameworks (Blanchard & Aral, 2010; Connell, 1987; DiezRoux & Aiello, 2005; Overs, 2002; Rhodes, 2009), to elucidate the interaction between individual factors and those operating at the macrostructural (e.g., stigma, criminalization), community organization (e.g., community empowerment) and work environment level (e.g., violence, policing, access to HIV testing), in conferring risk or protections for HIV (Shannon, Goldenberg, Deering & Strathdee, 2014).

Where sex work is criminalized, FSWs experience the negative health consequences of a punitive legal environment with few legal protections (Erausquin et al., 2011; Shannon & Csete, 2010; Shields, 2012). In many contexts, sex work and illicit drug use are inextricably linked and synergistically escalate women's HIV risk (Shannon, Goldenberg, Deering & Strathdee, 2014; Blankenship & Koester, 2002; Shannon, Kerr, Bright, Gibson & Tyndall, 2008). Law enforcement practices and policies are increasingly recognized as influencing FSWs' and injection drug users' (IDUs) HIV/STI vulnerability. Cross-sectional surveys highlight that negative policing practices heighten FSWs' risk both directly, through seizure and destruction of condoms and syringes (Erausquin et al., 2011; Beletsky et al., 2011; Blankenship, Biradavolu, Jena & George, 2010) and indirectly, through arrest or police crackdowns, which can force FSWs to conduct business in unfamiliar environments (Shannon, Strathdee, Shoveller, Rusch, Kerr & Tyndall, 2009; Shannon, Bright, Bigson, Tyndall & Maka Project, 2007). These studies highlight how police practices and policies at the level of the work environment operate as a proxy for understanding the role of macrostructural determinants (i.e., criminalization) in elevating HIV risk.

Coercive police behaviors that extend beyond sanctioned law enforcement practices are an important social feature of this complex and dynamic work environment. The current study examines the range of interactions between police and FSWs both in their professional and personal lives, which directly and indirectly generate HIV risk among FSWs. For example, FSWs throughout the world have reported police harassment as among one of their most significant challenges, with police leveraging their power and the threat of arrest to extort financial bribes or sex (Erausquin et al., 2011; Shannon & Csete, 2010; Blankenship & Koester, 2002; Biradavolu et al., 2009; Miller, Spittal, LaLiberte, Li et al., 2002; Rhodes, Simic, Baros, Platt & Zikic, 2008). The HIV implications of police interference have been confirmed in a number of cross-sectional surveys. A study among drug-using FSWs (N=624) in two Mexican towns that border the U.S. found that close to one-third reported police requests for free sexual services and 17% reported sexual abuse at the hands of police (Strathdee et al., 2011). Research has also documented that police perpetrate sexual violence against FSWs, in turn compromising the sexual, physical, and mental health of those violated (Crago, 2009; Baral et al., 2011). Police are not typically aware of the public health impact of their actions, despite the fact that they not only manage, but can also contribute to the health risk environment. Traditionally police role emphasize public safety (Wood et al., 2013) with FSW's more frequently perceived as criminals or informants, rather than victims. Few studies have qualitatively examined the nuanced nature of police-FSW interactions at the micro-level of daily policing (Simic & Rhodes, 2009; Milloy et al., 2011; Shannon, Kerr, Allinott, Chettier, Shoveller & Tyndall, 2008).

The current study explores the nature of police interactions with street- and venue-based FSWs in Baltimore, Maryland, moving beyond a singular focus on law enforcement practices, to consider the breadth of interactions between police and FSWs, both in their professional and personal lives. We use the conceptual framework of risk environment developed by Rhodes and colleagues (Rhodes, 2009). Rhodes defined the risk environment as “the space in which factors increase the risk of harm occurring” (Rhodes, 2009). The framework posits that HIV risk behaviors are socially produced, in that behaviors are shaped by contextual and environmental factors. Rhodes proposes that four types of environment (physical, economic, social, and policy) exist at either the micro (proximal) or macro (distal) levels to generate HIV/STI-related risks or protection. In the current study we focus on the microenvironment of police and FSW interactions, recognizing at the same time the dynamic interplay with upstream macro-structural factors such as stigma and sexism, in addition to criminalization.

Methods

In-depth interviews were conducted with FSWs (N=35) in Baltimore, MD from March through to August, 2012. Eligible participants were ages 18 and over who reported having traded sex for drugs, money, or a place to stay within the three months prior to being interviewed. Recruitment was conducted through outreach to clients of four organizations that targeted FSWs who worked on the street, in dance clubs, and in drug houses; participants were invited to recruit up to three peers into the study to ensure inclusion of FSWs who were not receiving services.

Once eligibility and interest were determined, participants were invited to a private office or car to complete informed consent, a brief survey, and undergo a 45-75 minute in-depth interview that explored women's entry into sex work, current working situation, condom use and negotiation, substance use, experiences of violence, and police interactions. Participants were guided by semi-structured interview questions, but encouraged to describe their stories to ensure rich narratives. Participants were compensated \$40 for their time. Interviews were audio-recorded and transcribed verbatim.

The study was approved by the Institutional Review Board of Johns Hopkins Bloomberg School of Public Health. All interviews were conducted by graduate-level researchers with a history of qualitative research and experience working with survivors of sexual abuse. Participants were provided with a discreet resource sheet documenting local support services.

Using a Grounded Theory approach (Glaser & Strauss, 1998), the research team employed an iterative process to identify mutually exclusive but possibly linked themes across transcripts. Four research team members read a set of transcripts to develop an initial coding scheme. This initial structure was applied to a set of transcripts, with each transcript coded independently by a set of two coders who met to review codes and discuss emergent themes. Through this process, codes were generated and finalized, and three team members independently coded the remaining interview data. Inter-coder reliability across coding was

reached via a standard approach wherein coders came to agreement on all codes (Carey et al., 2000; Raj et al., 2011).

Results

Participants (N=35) were a median of 36.7 years old, reported entering sex work at a median of 22.4 years old, 57% self identified as African American, and 40% as white. A number of themes emerged from the data surrounding women's experiences with and feelings toward the police, including a recurring disregard for women's safety by the police, as well as experiences of verbal harassment, sexual harassment, and entrapment. Women's ages and self-reported ethnicities are reported with the quotes.

Distrust and lack of protection across domains of life

Shit no I don't trust them. They can't be trusted. I'd rather go to a stranger on the street before I go to the police half of them are crooked. My thing, how I was raised, you don't go to the police. You handle it yourself. (38 years old, African American)

A deep-rooted sense of distrust for the police was pervasive across interviews. In many instances this mistrust predated women's involvement in sex work. As the quote above illustrates, women came from communities in which police are not trusted. These formative experiences with, and perceptions of the police, were simply reinforced by later experiences as FSWs. Marginalization by the police emerged as a cumulative experience and life cycle that left women disempowered and vulnerable, in their personal as well as professional lives. Several accounts emphasized the lack of, or inappropriate nature of, responses to 911 calls made by women who had experienced violence in their private life:

They say they're there to protect and serve. I called the police on a boyfriend of mine a couple of weeks ago. He was in the house, threatening to hit me with a stick and to beat me up... I was really afraid for my life. I called the police. They said someone was on the way. No one came. I didn't hear any sirens I didn't hear anything. So I called back again, by that time he had gotten out of the house. And when the police came they hollered at me. Cursed me out, 'Well did he have a gun? If he didn't have a gun you weren't in danger!' I was like well what do you do *now*, *when the police wont even protect you?* (40 year old, African American)

Substance-using FSW experienced a double stigmatization at the hands of police. Unequal power relations and the ability of police to exert their own moral judgment was evident in the stories of the women interviewed:

I had a bad experience with the police, one ex-boyfriend hit me ... Just because I wasn't a person they [the police] didn't do nothing to him. He was beating me up, they [the police] said, 'You can't go hitting her, even though I'd hit her for being a junkie.' (42 year old, white).

Another participant reported the police's response to an attack by her boyfriend that was so severe she suffered numerous bruises, a dislocated jaw, and strangulation that resulted in her losing consciousness:

It took them like forever to get there. He put a gun up to my head. Because I'm a drug addict and he's not, he's got 14 years clean and he's clean cut and I dance on the block [of strip clubs], they pretty much was going to lock me up. They disregarded all my bruises, and I had a witness. (36 year old, white)

Multiple accounts highlight how women's occupation as a FSW and presence on the street seemed to negate their right as citizens for protection from violence:

This guy tried to rape me, one day last year, right down the street here. I saw somebody coming by and I started screaming. They came over to help me, and the guy fled. I went to the police station and they acted like I had done something wrong. They really did. They turned it around... They basically didn't believe me. (54 year old, African American)

The perception that police officers rarely identified women in sex work as potential victims of violence was present throughout interviews: "I have been raped, and you know what they told me? I shouldn't be out there. You got what you deserved." (40 year old, African American) Other participants echoed the sentiment that sex workers were somehow not entitled to the same police protection as other individuals:

The police don't look at us as victims when we're raped and when we're beaten and stuff like that. If we get into a physical altercation and we have to fight for our lives, we're most likely to be jailed because of it. (40 year old, African American)

The sense of helplessness and a perception of 'us and them' was particularly evident:

Regardless of what we do, we don't deserve to be beaten and raped. If we say no, we say no. And I fee like it's not right, that the police are supposed to be there to protect us regardless of what we do. And they're against us." (41 year old, African American)

Verbal Harassment

Beyond police's failure as custodians of women's safety on and off the street, police harassment emerged as an insidious tool of social control, with little connection to women's street work:

They harass you. Sometimes you don't even be doing anything... You could just be coming out the gas station and they harass you just walking by. You don't even have to be in the drug area... but they just assume that every woman that is walking is a hooker and because we're Black and we're in their neighborhood." (42 year old, African American)

A number of women described pervasive verbal harassment within the context of being out on the street:

They stop and ask you 'you got an ID on you? What are you standing here for? Are you trying to get picked up? Why don't you get away from here? Where are you walking to?' First of all, you can't tell me to go in a house and I can take a walk. I can be out jogging. Sometimes they'll tell you if I see you again you're going to jail. For what? I haven't done anything. I could see if you see me get out of a car or you

caught me doing something, but you can't just keep harassing me because I'm walking down the street.... Some of them just go, 'well, slut, you're going to jail. We're going to take your hooker ass to the jail. (40 year old, African American)

While women described some police officers as “*real*”, “*not all bad*” or “*just doing their job*”, police verbal harassment covered the spectrum from mild: “Yeah, I've had them whistling at me, 'Hey where are you going?’ And these have been officers in a patrol car” (40 year old, African American); to abusive: “They act like we're the lowest scum of the earth, they talk to me anyhow, like you're a piece of shit, like you're a dog, lower than a dog. Some of them, not all of them.” (38 year old, African American)

Sexual Solicitation On and Off Duty

A small number of women described instances where police solicited sex from them as paying clients: “*They [cops] paid me for my services, they were wearing full uniform in the back of the patrol car, but I wasn't made to, they exchange some money for a service.*” (41 year old, white) Sexual advances from police were most often initiated while they were on duty, but often continued while they were off duty, with a range of ranks mentioned:

Policemen get out of their cars and they will proposition you, tell you to meet them around this corner. [Interviewer: Has that happened to you?] Yeah we got in the back of the cruiser, did what we had to do, and that was it. As they'll say, they're men, too, but they just have a job to do. (51 year old, African American)

More ubiquitous across interviews were examples in which women lacked autonomy in sex work transactions, with police officers using their status and power to limit the control a woman might ordinarily have in a client exchange. Given this compromised power, women rarely discussed their ability to have safe sex with police; where condoms were used, decision-making was squarely in the hands of the officer. The same participant described her challenges in requesting a policeman to wear a condom or be remunerated for services rendered:

One officer, he got upset. He didn't want to use a condom. I had to beg him to use to a condom. He didn't want to pay me again, and came to my house and he was like, come on. And that's the time when he came around and he said, oh, I don't have no money. I don't get paid till Friday. So I'm like, 'what makes you think you have special privileges because you're a police officer?’

A number of women reported the menacing, sustained harassment from police, which was frequent and characterized by a complete lack of sexual agency:

There is an officer that does ride around that will pick you up if he thinks you're tricking. He'll make you do whatever with him, and then he'll throw you out of the car. And he'll say, 'you're lucky that I didn't charge you with this, go ahead and tell them, they're not going to believe.’ (33 year old, white)

He just don't want the simple, he wants everything. And he goes so rough, and then demands you to tell him that you like it. Then he'll take your phone number and write down your name and stuff just to see.... If you don't tell him where you live, he'll follow you until he finds out where you're staying. And then he'll be sitting

there outside your house, like I'm the police, I can find out anything. (29 year old, African American)

Frequently exchanging sex with police was a woman's only "option" in avoiding arrest, and represented the most egregious abuse of an officer's position:

You've got some of them [cops] that they use their authority to get what they want. If they catch you with a stem [crack pipe] or some drugs on you or they catch you doing something illegal sometimes they'll let you go if you do something for them.... Mostly it's just a blowjob because it's really quick. ... There's no money transacted but it's like damn, I'm going to jail because he just seen me with a stem ... or I dropped a vial of crack or I have an open beer. Anything. 'But if you give me some head I'll let you go. I won't say anything; you aren't getting anything. No money, no nothing, but you're just staying free.' (42 year old, African American)

The act of providing services outside of the usual terms of exchange represents a loss of control and dignity that is parceled up with other emotionally violating experiences on the street. As one woman described: "I've been raped, I've been beaten, and I've been on drugs. I've been propositioned by police, I've traded my freedom and drugs from police for sex." (51 year old, African American)

Entrapment

Specialist prostitution squads regularly employ "encouragement practices" with FSWs as a legitimate policing tactic in which they actively seek to be solicited by a FSW. These undercover activities are recognized by women and are described separately as almost part and parcel of being on the street, an elaborate and staged game with each party trying to outwit the other: "We know the under-covers from the regular guys. It's almost rehearsed. It's like a play." (42 year old, African American) However, women's accounts also point to instances where police officers have crossed the line, provoking an offense: "I call it entrapment if you ask me. I mean, the day I got picked up, I really wasn't even looking. I'll never forget it." (33 year old, white) This policing tactic and construction of conditions that result in an arrest leads to a sense of insecurity on the street, as the same woman went on to explain: "I'm not going to lie. It's a lot harder on the street now it's scarier. [Interviewer: Why?] I mean they'll have a taskforce that focuses just on that all day long, and you got five or six johns riding around that are cops."

Given street-based FSWs' familiarity with and time spent on the street, police often exploit the illegal nature of sex work by using them as informants, or snitches, on cases involving harsher crimes than prostitution (e.g., murder, robbery, drug sales) in exchange for women not being arrested:

This day it just so happened, they wanted a murder. If you could give them a murder, you were allowed to go. If you couldn't give them a murder.... that's how they get girls to do controlled [drug] buys. 'I'll let you go, but I want you to go up here and I want you to buy something from such-and-such.' A lot of times they'll

let you keep the drugs, keep the money. Just, knock off whoever, and we won't charge you with the prostitution. (33 year old, African American)

Police enforcement strategies that seek to employ women in this way can, as women recognized, have serious consequences for their own safety: "They [the police] put me in this room. 'If you tell us this we'll let you off.' I'm like, how about screw you, I'll do my time. I'm not here to rat and get killed for no information." (42 year old, African American)

Discussion

This study describes FSWs' experiences with police in Baltimore, MD, looking at interactions in the sphere of both their professional and personal lives. Through an interpretative analysis of women's own stories and voices, the study provides a nuanced understanding of how the police risk environment operates in the lives of FSWs. This small sample of women described a range of negative experiences. As victims of violence or rape the police did not participate in women as vulnerable citizens. Repeated examples of failures to respond appropriately to reports of abuse enabled the perpetration of violence against these women with impunity. Drug use instigated moral condemnation and characterized many instances of police inaction, compounding women's marginalization. Within the sphere of their work, verbal and sexual harassment with the expectation of free sexual services was common throughout these women's stories. Prescribed police enforcement policies, including undercover crackdowns and encouragement practices that strayed into entrapment only added to the tension and mistrust experienced by women. In both their official and unofficial interactions police took advantage of FSWs' vulnerabilities, with the cumulative impact of eroding any sense of police trust and, as we will discuss, promoting an environment that increased HIV risk. Only one woman discussed a positive interaction [data not shown]. The sum of these experiences was a pervasive social marginalization characterized by police failure to act as custodians of women's safety in their homes and on the street.

The sense of a lack of protection is situated against the backdrop of intensive policing efforts in low-income, minority neighborhoods - the very places in which street-based sex work is often concentrated. This strategy of increasing police presence and arrests in "hot spots" was adopted in Baltimore in 2000, and arresting large numbers of individuals for minor offenses became a cornerstone of Baltimore law enforcement. In 2004, out of 68,495 warrantless arrests, 21,000 were released without charge. One-third of these were loitering arrests (Collins, 2007). Although this approach has been softened in Baltimore, starting in 2007, the long-term effects codified low-income communities' distrust of police and inflamed community and police tensions.

The descriptions of police failures to respond appropriately to women's experiences of violence, and manipulation of characteristics (e.g. drug use, work on the street/clubs) as a basis for control and moral superiority over these women's lives, left women feeling that they were never "victims," rather that they deserved whatever happened to them and had less of a right to protection by the law. Although the sample was 57% African American, the overwhelming majority of study participants who described negative police interactions

were African American. Structural violence is characterized by gender, social and racial/ethnic inequalities. Internalization of this form of violence as self-blame and its relationship to health status has been raised as important questions for research [30]. Our study suggests that police are playing a negative role in silencing women's experiences of actual violence and perpetuate structural conditions that escalate their HIV risk on the street.

Women's interactions with the police on the street mirror this pattern of control and removal from the mainstream sphere of citizen or victim. Accounts highlight how they are never simply women or people to the police, but always FSWs and constantly at the behest of an unequal power dynamic characterized by verbal and sexual harassment in which they are dehumanized. The coercive sexual exchanges with police included a lack of empowerment in negotiating safe sex with officers. Other studies have pointed to the impact of this cycle of hopelessness and dehumanization by the police on FSWs, and its influence in reducing women's overall dignity and motivation to preserve their safety, increasing sexual risk taking (Blankenship & Koester, 2002; Simic & Rhodes, 2009).

The global dialogue on policing, HIV risk, and sex work has focused largely on decriminalization as a means to prevent human rights violations perpetrated by police and other state actors against sex workers. While current findings affirm concern that criminalization of sex work enables police mistreatment, they illustrate the need to extend this discussion far beyond that of decriminalization. This study points to the ubiquitous nature of an oppressive policing dynamic towards FSW in Baltimore City that extends across domains of their lives, and supports the need for a better understanding of police. Interventions within the work environment need to address deep-rooted macro-structural determinants including stigma, and reeducate police behaviors to better serve sex workers as victims within our society. The current findings provide an illustration of the range of behaviors that foster mistrust and violation, thus enabling identification of leverage points for change. Listening to the voices of those affected is an essential first step to knowledge development and the intervention process.

We do not think that the events described are solely characteristic of the majority of or solely of Baltimore police officers. Rather, the data speak to dynamics that are characteristics of such power disparities between police and sex workers that have been documented elsewhere (Erausquin et al., 2011; Biradavolu et al., 2009; Blankenship, Burris, West, Irwin, Niccolai, Kershaw et al., 2007; Miller, 2002). We are encouraged that there is potential for change in Baltimore City, particularly given a change in leadership of the Police Commissioner, who has prioritized community policing and is interested in building bridges with marginalized populations such as sex workers. Police policies represent an important upstream structural factor that can have a dynamic influence on the risk environment of vulnerable groups, including related HIV risks, when translated into frontline police enforcement (Burris et al., 2004). More research is needed to identify points for leverage in reconceiving police's role, identifying a guardianship framework that includes rather than excludes these vulnerable women. Creating an enabling environment in which police are a point of access to services could ensure that police minimize rather than promote HIV risk through policing policies – ending the cycle of exclusion and victimization that characterized our findings.

The study's findings should be viewed in light of several limitations. The data were self-reported so they are subject to bias, although the interviewers' rapport with participants and interviewing skills likely mitigated this bias. The sample was non-random, small and therefore not representative and therefore the results are not generalizable. We worked with four local non-profit organizations to maximize recruitment variability. The data are subject to social desirability response bias, which could have led to under-reporting of positive interactions with the police, although we ascertained about both positive and negative experiences.

The study is one of a handful to qualitatively explore FSWs' experiences with police. The study underscores the importance of both documenting the range of police behaviors, and points to important targets of structural and behavioral interventions within the police. It is important to use their collective voices as evidence in support of structural interventions holding the police accountable for their actions. This has traditionally been a domain outside the scope of public health, but needs to be included in order to meaningfully change some of the very structures that enhance FSWs' HIV and violence risk profile. Interventions could build respect and empathy within police training, as well as shift police policy away from crime-control and towards management of FSWs health risk. The study calls for public health to work with criminal justice systems to jointly develop solutions. Although the undertaking is a challenging one, precedents exist, including in the sphere of mental health which provides an example of how a public health lens can effectively reorientate policing practices. Transformation is required at the macro and micro structural level of policing. This study highlights the complexity of factors and their potential for a dynamic and iterative effect on one another. A normative shift is required, however, the far reaching effects on the lives and well being of FSWs demands action.

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