



An Overview of Shaming Applied to Sex Buyers in the United States

**Summary Based Upon
Research from the Study,
“A National Assessment
of Prostitution and Sex
Trafficking Demand
Reduction Efforts”**

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An Overview of Sex-Buyer Shaming Efforts in the United States

Shaming is a simple tactic for combating demand: The identities of men arrested for soliciting commercial sex are publicized, typically through police press releases that are carried by local media outlets, or on police websites (Figure 1 presents an example). More than half (59%) of the 891 communities in the U.S. that are known to have conducted reverse stings publicize the identities of arrestees.

For many police departments, revealing arrestee identities proceeds from the intent to deliver a punishment which will serve as a specific deterrent. It also pursues general deterrence - sending a message to potential johns that their identities will be revealed if they are apprehended for soliciting sex. For some police departments, publicizing identities does not appear to be programmatic, meaning they are not necessarily a systematic attempt to punish and deter buyers of sex. In many cases, the identities are released as part of routine crime reporting, which occurs regardless of offense type. For example, the identities of arrestees sometimes appears in local news "crime logs" or "police blotters," with johns' identities revealed alongside those of burglars, vandals, and drunk drivers. However, the lack of a specific intent of reducing demand for commercial sex does not directly affect the potential for the tactic to serve as effectiveness as a deterrent.

Year	City or County	State
1975	Eugene	OR
1976	Joliet	IL
1976	Detroit	MI
1976	Atlanta	GA
1977	Fort Pierce	FL
1977	Poughkeepsie	NY
1977	Trenton	NJ
1978	Des Moines	IA
1978	Norwalk	CT
1978	Oxnard	CA
1978	Westport	CT
1978	Harrisburg	PA
1979	New York	NY
1979	Pasco	WA
1981	Newburgh	NY


While publicizing identities may be nothing more than routine crime reporting in some cities, in others the release of the identities of arrested johns is meant specifically as a deterrent, and not just as routine "crime blotter" reporting. For example, Fresno, California launched an aggressive effort to apply shaming tactics as a deterrent and punishment for sex buyers. They named the effort "Operation Reveal," and the city has a web page devoted to disseminating the mug shots, names, dates of birth, and residence of the men arrested in reverse stings.¹ The city of Inglewood,

¹ <http://www.fresno.gov/News/PressReleases/2011/City+Officials+Announce+Operation+Reveal.htm>

California's press releases about reverse stings have contained the following message, which leaves no doubt about the intent of the release of sex-buyer identities:

"The Inglewood Police Department has implemented a policy to post the names of individuals arrested during certain anti-prostitution operations, such as John Stings, in a continuing effort to deter this type of activity in the City. The arrestees' names, along with their sex, race, age and city of residence, will be provided to local newspapers and other media sources after the conclusion of these operations."²

Figure 1. Example of Police Department Press Release Publicizing Identities of Arrested Johns



COSTA MESA POLICE DEPARTMENT
99 Fair Drive, Costa Mesa, California 92626
<http://www.ci.costa-mesa.ca.us/cmpdpress.htm>

PRESS RELEASE

Release Date: 6-21-04	Lt. John FitzPatrick 714-754-5266 jfitzpatrick@ci.costa-mesa.ca.us
Time: 1500 hours	Sgt. Bob Ciszek 714-754-5012
INCIDENT: Prostitution Sting Operation	

Due to a marked increase in the number of prostitutes and their customers loitering on Harbor Blvd during the past month, the Costa Mesa Police Department Detective Bureau has been conducting a "Prostitution John Sting" concentrating on the customers rather than the providers.

The sting resulted in the arrest of 15 "johns" for soliciting acts of prostitution or loitering for the purpose of prostitution. One suspect was arrested for lewd conduct and one prostitute was arrested in the area.

The following individuals were arrested during the sting operation:

1. Pablo Luna, 35 years of Costa Mesa, Soliciting an act of prostitution
2. Ignacio Santillan, 35 years of Costa Mesa, Soliciting an act of prostitution
3. Rafael Rosas, 41 years of Costa Mesa, Soliciting an act of prostitution
4. Jose Serrano, 23 years of Costa Mesa, Soliciting an act of prostitution
5. Marianao Guzman, 34 years of Costa Mesa, Soliciting an act of prostitution
6. Norberto Castaneyra, 27 years of Santa Ana, Soliciting an act of prostitution
7. William Dawes, 55 years of Irvine, Soliciting an act of prostitution
8. Ivan Rios, 18 years of Anaheim, Soliciting an act of prostitution
9. Juan Lopez, 35 years of Stanton, Soliciting an act of prostitution
10. Frank Angel, 44 years of Garden Grove, Soliciting an act of prostitution
11. Jose Gomez, 33 years of Santa Ana, Soliciting an act of prostitution
12. John Johnston, 38 years of Los Angeles, Lewd conduct, Indecent exposure, soliciting lewd act
13. Jeff Murray, 35 years of Placentia, Carry concealed weapon
14. Roberto Ampudia, 34 years of Laguna Niguel, Soliciting an act of prostitution
15. Amy Davis, 24 years of San Diego, Soliciting an act of prostitution
16. Constance Fortune, 19 years of San Diego, Loitering for prostitution

<http://abclocal.go.com/kfsn/story?section=news/local&id=8276677>
<http://www.examiner.com/article/prostitutes-customers-photos-to-appear-on-website>

² <http://www.cityofinglewood.org/news/displaynews.asp?NewsID=632&targetid=134>

The most common method of disseminating identities is through news outlets – both online and in print. Other methods include police websites³ (e.g., Alton, IL; El Cajon, CA; Nashville, TN); billboards (e.g., Rochester, NY; Minneapolis, MN); community websites (e.g., “Trick the Johns” in Chattanooga, TN, “JohnTV” in Oklahoma City, OK); and public access television (e.g., New York, NY). Variations on shaming tactics include an effort in Baltimore County, MD in which police inform residents of court dates for prostitution-related cases, encouraging them to appear at hearings and trials. The tactic is intended not only to shame offenders by bringing residents to witness the men being accused in court, but also to encourage judges and prosecutors to follow through with charges and impose fair penalties. In Corpus Cristi, TX convicted sex buyers must place a bumper sticker on their car saying, "Stop Prostitution," a tactic that serves both to draw attention and make the johns respond to questions, but to raise public awareness about combating prostitution.

Another variation of shaming is the use of letters sent to the homes of alleged buyers of commercial sex, or to the homes of registered owners of vehicles used in known or suspected instances of soliciting commercial sex (these “Dear John” letters are described elsewhere). The city of Lubbock, TX has initiated the use of social media for shaming. In 2012 the Lubbock Police Department launched a concerted "shaming" effort, posting the names and photos of arrested johns on the Lubbock Police Department website. Lubbock police posted a group photo on its Facebook page of eight men who had been arrested in reverse stings.

The concept of shaming as a source of pressure to inhibit sex buyers does not necessarily mean widespread dissemination of identities. It can also be applied through the notification of employers or other institutions with leverage over sex buyers. For example, the National City, California Police Department found that many johns were Navy personnel, estimating that they comprised up to 50 percent of sex buyers in the city (Sampson and Scott, 1999). Police considered asking the Navy to make off-limits the “strip” known to be a center of street prostitution, but decided to look at other options since such a restriction would also inhibit legitimate activity in the area and hurt local businesses. Instead, they developed a procedure for notifying the Navy and involving them in applying sanctions for arrestees. Police would turn arrestees over to the Navy’s Shore Patrol, and their command would be notified to eliminate johns’ anonymity. They also attempted to educate and deter Navy men from seeking prostitution by developing a letter, with the Navy Base Safety Committee’s help, about the dangers and other negative consequences of commercial sex. The letter was distributed to all commands with the intent that the messages would be communicated to all Navy personnel.

There are compelling arguments both for and against shaming. Proponents argue that it is a powerful deterrent, perhaps more important than arrest and legal sanctions. Surveys and anecdotal evidence lend support to this argument (e.g., Durschlag & Goswami, 2008; Farley et al., 2009), as does a body of criminology literature on the effects of extralegal sanctions on deterrence (e.g., Vold et al., 1998; Zimring and Hawkins, 1973). For example, when asked to name tactics that would deter men from buying sex, having identities publicly circulated was listed most frequently. In the Durschlag & Goswami study, 87% of the men listed “photo and or name in local paper” in response to the question, “What would deter you from buying sex?” This was the most frequently cited potential

³ http://www.jonesboropolic.com/jpd_news.php?item=69

consequence, followed by “jail time” and “photo and/or name on billboard” (both at 82%), “photo and/or name on the Internet” (82%), and “a letter sent to family saying you were arrested for soliciting a woman in prostitution” (79%). Four of the five consequences that men most frequently cite as deterrents involve others finding out that they have had sex with prostituted persons. While men's perceptions of what may deter them in hypothetical situations does not necessarily correspond to what actually deters men in real situations, the results are provocative, and provide an empirically-based reason to suspect that shaming might be effective.

“The first thing attorneys for these guys say is, ‘What can we do about the picture on the Web site?’ Their clients are willing to do more time and pay bigger fines rather than having their photo [on display].”

Lt. Rick Edwards, Akron, Ohio Police Department, 2005⁴

“I think someone is less likely to engage in prostitution in El Cajon if they know their picture is going to end up on our Web site.”

Gary Kendrick, El Cajon, California, City Councilman, 2007⁵

“Of all the things that we are going to do, [shaming] is the number one deterrent to prostitution in our city. And it's been very effective in other cities as well.”

Police Chief Jerry Dyer, Fresno, California, 2011⁶

Opponents of shaming contend that its deterrence is unproven, that violates due process rights since identities are typically publicized upon arrest and prior to adjudication (American Civil Liberties Union, 2008), and that it negatively affects families of arrestees. Some cities that are strongly committed to combating demand (e.g., San Francisco) do not pursue shaming specifically because of the impact it may have on those associated with alleged offenders, such as the children, spouses, and other friends and family members. Some news outlets receive the information from police but do not cover it, for a variety of reasons. For example, some feel it constitutes punishment prior to due process, or worry about collateral damage to families of arrestees, or worry about liability issues for men who may later be found not guilty in the adjudication process.⁷

⁴ <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/22/AR2005062200514.html>

⁵ <http://legacy.signonsandiego.com/news/metro/20071030-9999-1m30copsite.html#>

⁶ <http://abclocal.go.com/kfsn/story?section=news/local&id=8276677>

⁷ There are more mundane reasons as well, such as publishers feeling the arrests are not newsworthy. Some news outlets have policies of not releasing identities of either the buyers or sellers of sex, although may make exceptions for particularly large-scale operations or when there are high profile arrestees. E.g., see news report from Brockton, MA on August 2012 sting and reverse sting: “While it is not the policy of The Enterprise to regularly run the names of those charged with prostitution or solicitation of prostitution, the newspaper believes the number of arrests this week and the goal of the Brockton Police Department to raise awareness of this community issue warrant an exception.” [Bridgewater Independent: http://www.wickedlocal.com/bridgewater/features/x1437143800/Bridgewater-woman-among-21-busted-for-prostitution-in-Brockton#ixzz23KiVgOqa](http://www.wickedlocal.com/bridgewater/features/x1437143800/Bridgewater-woman-among-21-busted-for-prostitution-in-Brockton#ixzz23KiVgOqa)

“It sounds really like a stunt. Are they going to have stocks next or paint ‘A’s on people’s foreheads or make them carry a sign? Public humiliation has never been shown to be particularly worthwhile. I suppose that you could argue that lashing people in the town square, as the Taliban do... but I don’t think we want to move in that direction.”

Laurie Shanks, Albany Law School professor and criminal defense attorney, 2005⁸

“I don't think [shaming] makes anyone think twice. I don't think the men that go out and solicit a hooker are thinking about what's going to happen to them if they get caught. One, I don't think they are thinking about getting caught and two the ramifications are not thought of at the time.”

Tony Capozzi, ABC30 Legal Analyst⁹

Challenges and variations

Variations of the basic model of publicizing the identities of arrestees have emerged in an attempt to mitigate or prevent negative, unintended consequences. For example, one of the challenges for police in implementing a program of shaming is monitoring whether information about alleged offenders is used inappropriately. Among the inappropriate uses of the information would be targeting the people identified for harassment or vigilante actions. The Wichita, Kansas Police Department suspended posting offender information on their website due to “inappropriate use” of the photos and personal information about those arrested for soliciting. The following message appeared on the Wichita Police Department website:

“For the past two years the Wichita Police Department has used this space [the department’s website] to post photographs and information about individuals who have been arrested and charged with prostitution -related offenses in Wichita. The Department has learned that these photographs and information were being used for purposes that the Department feels were inappropriate. Because of this inappropriate use of information by individuals outside law enforcement, the Department has suspended our practice of posting this information.”¹⁰

Others have objected to shaming tactics on the grounds that they violate the right to due process. This is a serious concern where identities of all arrestees are publicized – shaming is regarded by most to be a punishment, and occurs before conviction in most communities. In response to these concerns, some jurisdictions, such as Minneapolis, post on their police websites identities of men only after

⁸ <http://blog.timesunion.com/crime/get-caught-with-a-prostitute-in-albany-brace-yourself-for-your-name-in-lights/2817/>

⁹ <http://abclocal.go.com/kfsn/story?section=news/local&id=8276677>

¹⁰ <http://www.wichita.gov/CityOffices/Police/FieldServices/North/Prostitution+Page.htm>

they have been convicted of soliciting.¹¹ Most police websites that post identities of arrestees include statements or disclaimers that include mention of the presumption of innocence of the men identified as having been arrested. For example, the Fresno Police Department's "Operation Reveal" webpage¹² posts this statement:

"The Fresno Police Department now provides information online concerning arrests involving loitering for purposes of prostitution, or patronizing/soliciting for prostitution. By using this website, you will be able to view public records on individuals who have been arrested and charged for either loitering for purposes of prostitution or for patronizing/soliciting for prostitution. The names, identities, and citations appear here as they were provided to police officers in the field at the time of arrests. These individuals are presumed innocent until proven guilty in a court of law."

For cities and counties seeking to address their prostitution and sex trafficking problems, the results of an evaluation attesting to the effectiveness of shaming would be immediately useful. Police and concerned non-profit organizations would be interested in any measured "treatment effects," while individuals further from the policing operational level would be interested in how any observed effects weigh against due process concerns and potential negative impact on the families and associates of men whose identities are publicized. Passing a risk/reward balance test requires that the tactic has been confirmed to be an effective "treatment" or deterrent.

"I wish the cop had just shot me. I'll probably end up in a divorce over this."

Unnamed sex buyer arrested for soliciting an undercover
decoy in a truck stop reverse sting, Brookville, PA, 2002¹³

Example: New Haven, Connecticut

A neighborhood-led shaming campaign in New Haven illustrates some of the objections to community-led action. In 1992, a neighborhood negatively affected by street prostitution mobilized to put pressure on johns as a deterrent. Residents obtained information about arrested johns from police. They also conducted amateur surveillance on vehicles, recording license plate numbers and obtaining names and addresses of registered owners from the Connecticut Department of Motor Vehicles. They would use this information to mail letters to the vehicle owners, saying they have seen the car being used by someone soliciting a prostitute. They also placed posters on telephone poles and trees, each naming the area's new "John of the Week." The posters stated the name and address of a man arrested for soliciting a prostituted woman in their neighborhood and warned, "Johns! Stay out of our neighborhood or your name will be here next week." There are other people in the community who objected to the posters, and routinely ripped them down soon after they went up. Association members would replace them the next day.

¹¹ <http://www.ci.minneapolis.mn.us/police/prostitution-convictions/convictions.asp>

¹² <http://www.fresno.gov/Government/DepartmentDirectory/Police/OperationReveal.htm>

¹³ <http://old.post-gazette.com/localnews/20020608sting6.asp>

Of the first five men named on posters, two planned to sue, saying their lives had been ruined. Police said they saw a decline in the level of prostitution activity in the area, but were not “in full agreement with the tactic of John of the Week.” A local civil rights lawyer representing the men who had planned to sue the Edgewood Neighborhood Association said that the phone number of the first John of the Week was listed on the posters, leading to the man's wife and children receiving “dozens” of harassing phone calls. In both cases, the community was putting up posters before the men were arraigned. Based on the johns’ objections, the group had stopped including the men's phone numbers on the posters.

Residents argued that such measures were necessary, as they feared for their children's safety, and for the safety of women living in the neighborhood who frequently have men pulling up to solicit them for sex. Members of the association said they had exhausted other options, such as unsuccessfully asking the New Haven Register (a local newspaper) to print the names of men caught soliciting prostitutes, before they finally opted to start “outing” johns with the posters.¹⁴ In defense of their John of the Week campaign, one of the activists involved said,

“I think it's a horrible situation to have a husband and father arrested for soliciting a prostitute and having his name publicized. It is a tragedy. It's also tragic for little schoolgirls to have to wait for the school bus next to hookers. It's a tragedy to find used condoms in the sandbox and in the grass where the kids play outside. These are I.V.-drug users, and the highest risk category for AIDS.”

The association, which represented about 300 families living in the Edgewood Avenue area of New Haven, retained their own lawyer. The attorney threatened a countersuit if the johns filed a suit against the campaign, contending that the campaign was simply re-conveying public information, having obtained names from court dockets of men arrested for soliciting prostitution.

Variation: Release of Brothel Client Lists

In Odessa, Texas, a 2004 case involved an effort to address the customers of prostitution, but not through traditional street or web-based reverse stings. Instead, police leveraged a client list for a prostitution business operating out of a massage therapy business in the town. After an investigation and a take-down of the business, a client list was discovered with over 60 individuals identified. While it is not unusual to discover client lists in raided brothels, the lists often are not used by law enforcement since they alone constitute insufficient evidence that sex being exchanged directly for money actually occurred. In this case, the list is reportedly supplemented by surveillance of the brothel and other intelligence from the investigation, including interview disclosures about the prostitution activity. The client list was released to the public and 68 men were arrested.¹⁵

A similar case in Kennebunk, Maine in 2012-2013 involved an effort to address the customers of prostitution, with police using a client list for a brothel operating out of exercise studio storefronts. In September 2012, a takedown of the studios that occurred after an investigation of several months

¹⁴ <http://www.nytimes.com/1992/04/20/nyregion/new-haven-journal-curbing-prostitution-on-demand-side.html>

¹⁵ http://www.mywesttexas.com/import/article_6fa13a9a-6b7b-5357-922b-9a4eadf34992.html
http://www.mywesttexas.com/import/article_7edfd94a-3584-5740-9a07-09ac633f9584.html
<http://www.texasmonthly.com/preview/2005-01-01/feature5>

uncovered a client list with over 150 individuals. The list was reportedly supplemented by videotapes and still shots that recorded many of the sexual encounters, providing corroboration that the list of men were in fact sex buyers. Police prepared to charge the men on the list with soliciting prostitution, and began to issue summons in early October, 2012, when the district court released a list of 21 names of men who are all summoned to appear in court the following December. The remainder was scheduled to be released in batches over the following months.¹⁶

Given the prevalence of shaming and the potential for unintended consequences, it is important to determine whether effectiveness justifies its use. So far, the usefulness of the tactic has not been formally evaluated.

References

References for the materials cited in this summary can be found in the bibliography of the National Assessment final report, at DemandForum.net.

¹⁶ <http://www.onlinesentinel.com/news/kennebunk-maine-court-johns-prostitution-list-clients-wright-strong.html>
<http://abcnews.go.com/US/wireStory/prostitute-patrons-hide-faces-anymore-17470689#.UHwsTW8xp2A>
<http://www.kjonline.com/news/kennebunk-maine-court-johns-prostitution-list-clients-wright-strong.html>