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An Overview of Community Service for Sex Buyers in the United States

Summary Based Upon Research from the National Assessments of Prostitution and Sex Trafficking Demand Reduction Efforts



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Community service programs are among the less frequently used interventions that target sex buyers, although they have a relatively long history of being used in some areas. We have documented over 230 U.S. cities and counties that have used this tactic to address consumer demand for prostitution. Arrested sex buyers can be ordered to perform community service as a condition of a sentence or a diversion program. Service might include such activities as cleaning streets where prostitution is known to occur. For most people sentenced on charges related to buying sex with adults, community service obligations range from four to 250 hours, and are often combined with other sanctions such as fines, fees, probation, and/or completion of "john school" education or treatment programs. For those arrested for paying to sexually abuse minors, the charges are far more serious felony-level offenses, and community service as part of a prosecution diversion program is not applicable (although fines, fees, identity disclosure, and community service may be applied as conditions of sentences in addition to terms of incarceration).

In most of the cities and counties known to impose community service on arrested sex buyers, the service programs were not solely targeted toward addressing demand but are instead sanctions applied to misdemeanors in general. Judges may require sex buyer misdemeanants to perform community service, either as a condition of a sentence or to fulfill the obligations of voluntary diversion options. For example, in 2017 a man caught attempting to purchase sex from two prostituted women in <u>Aurora</u>, CO, pleaded guilty to one count of soliciting prostitution, a Class 3 misdemeanor, and was sentenced to six months' probation and to perform 60 hours of community service.¹

In other cities and counties, such as <u>Indianapolis</u>, IN, <u>Columbiana County</u>, OH, and <u>Norfolk</u>, VA, community service is designed specifically for men arrested for soliciting prostitution, and is combined with other measures such as education programs and probation. The objectives of this approach combine elements of service for restorative justice purposes, for educational purposes, and punitive components intended to advance deterrence.

Table 1: Sites with Earliest Known Use of Community Service for Sex Buyers		
Year	City or County	State
1975	Miami	FL
1980	High Point	NC
1981	Grand Rapids	MI
1981	Little Rock	AR
1985	Chattanooga	TN
1991	Eugene	OR
1991	Pawtucket	RI
1992	Kingsport	TN
1993	Coffee County	TN
1993	Palm Beach County	FL
1994	Austin	TX
1995	Santa Cruz	CA
1997	Waynesville	NC
1998	Tucson	AZ
1999	Wichita	KS

¹ Jesse Paul, "Aurora Code Enforcement Officer Recorded Himself Soliciting Prostitutes on Body Camera," *The Denver Post*, March 27, 2017, https://www.denverpost.com/2017/03/27/aurora-prostitute-solicitation-body-camera.

Examples of Various Applications of Community Service Programs Used for Arrested Sex Buyers

This type of tactic is best illustrated with actual examples to convey the range of ways in which community service programs are structured and used singly or in combinations with other sanctions and programs. Source documents can be accessed by clicking the linked name of each city or county discussed below.

Community Service Program for Sex Buyers in Norfolk, Virginia

In a program run by the Norfolk Sheriff's Office, sex buyers were required to serve eight hours of community service. It usually occurred on a Sunday and began between 7:30-8:00 AM. The community service program for sex buyers was coupled with the john school, a brief educational intervention that occurred on the previous day. If the john school got out early on Saturday, then the sex buyers would sometimes pick up trash downtown for an hour or so and then continue the next day. On the full day of community service, offenders were added to community service details for other kinds of low-level crimes and performed a range of jobs such as painting buildings and cleaning public areas.

The kinds of service details that occurred were driven by civic leagues and other feedback from the community. The Sheriff's Office sent out press releases and mass emails every six months about whom to contact at the Sheriff's Office about community service that would be beneficial for the men to perform. The civic league president would made requests for community service to be performed, and the properties that could utilize this community service labor were required to be those of the city, the state, or certified nonprofit 501c3 organizations. A Norfolk Sheriff's Office Major and other supervisors reviewed the requests and used GIS and mapping to ensure the sites selected met the requirements for the community service program—that it was a city, state, or nonprofit 501c3. When a candidate site was questionable, the Major went on-site to examine the situation. For example, with requests for landscaping, carpentry, or cutting down trees in wetlands, they tried to ensure that there was a valid permit in place for that action.

Also important was making the best use of community service labor and ensuring public safety while it was being performed. When the sex buyers (and others) showed up for community service, they had to sign in and complete an application/interview. The Sheriff's Office staff would determine if the men had some particular skill and could assign them to suitable types of tasks (especially where carpentry, painting, or operating equipment were concerned). Types of community service to which sex buyers could be assigned include:

- cleaning the grounds of schools, parks, soccer fields, football fields
- painting
- carpentry
- unloading food and supplies for the local zoo and some zoo cleanup
- putting up tents, tables, and chairs for public events

Norfolk usually had about 75 individuals doing community service every Saturday and Sunday, and about 60 every weekday. Every second month or so, the details included approximately 10 to 15 men who were convicted sex buyers that had attended the John School. Sex buyers were charged \$15 per day for a supervision fee while performing community service.

The community service program was designed by the Sheriff's Office for all types of offenders; it was not a service program that was created for sex buyers specifically. Sex buyers were funneled into the Sunday weekend crew of the larger community service program after attending the john school class on the previous Saturday. However, the Sheriff's Office would often assign sex buyers to community service details in the areas where they were arrested so they would have to give back to the community they harmed in attempting to purchase sex there by providing the revenue stream for the local commercial sex market and drawing pimps and drug dealers to those neighborhoods. They would also avoid sites that were sensitive to having arrested sex buyers on their grounds, such as a public daycare center or domestic violence shelter.

Community Service, "John School" Education, Fines, and Probation as Sentencing Conditions for Sex Buyers in Columbiana County, OH, and Indianapolis, IN

Several cities within Columbiana County, OH stage frequent reverse sting operations, and prosecute them through the Columbiana County Municipal Court. The municipalities include East Palestine, Salem, and Hanoverton, and the Court posts frequent updates of court activity that includes the dispositions of cases stemming from reverse stings, and the identities of the arrested sex buyers. These updates routinely list cases in which arrested sex buyers are ordered to perform community service, as well as complete an education program, pay fines, and serve terms of probation. For example, in August, 2022, a man responded to an online ad and solicited sexual conduct from an undercover officer posing as a prostituted woman in exchange for \$140. He traveled to East Palestine to an arranged location to complete the transaction. In Columbiana County Municipal Court in February, 2023, the sex buyer was fined \$750 and sentenced to a suspended 90-day jail term for engaging in prostitution and possessing criminal tools. He was also ordered to perform 20 hours community service and complete a 12-hour education course. In December 2022 and January, 2023, more than a dozen men traveled to Salem and East Palestine in response to police decoy ads and were arrested, and their identities publicly disclosed. Penalties imposed by the Columbiana County Municipal Court included \$750 fines and 40 hours of community service.

The Red Zone program in <u>Indianapolis</u>, <u>IN</u> combines a "john school" educational intervention with community service specifically designed for arrested sex buyers. It was a one-day program in which the first half of the day was an education session, and the second half of the day was a required community service detail. After four hours of hearing from a community impact panel and a health educator in the john school component, the men were required to pick up trash around the city streets known as "the track" area where very high levels of prostitution activity occur. The program was specifically designed so that sex buyers would perform their community service in areas where they would directly encounter some of the consequences of the commercial sex trade. Men would frequently pick up used condoms and discarded syringes that often are found where there is street prostitution. Some men had trolled the same area seeking to buy sex, and while performing community service some would see the same women from whom they had purchased sex.

Example 2: Community Service as a Condition of Sentences for Sex Buyers in Ashland, Ohio

In May 2015, 15 sex buyers were arrested by a collaborative task force including officers in the <u>Ashland</u> and Mansfield, OH Police Departments. Sentences for the 15 men included jail time, suspension of driver's licenses, community service, and probation. For example, one man appeared in Ashland County Municipal Court for a scheduled bench trial, but before the trial could begin, his attorney asked to change his plea to guilty for his two charges, which were soliciting sexual acts for hire and possessing criminal tools (both misdemeanors). After accepting the guilty pleas, the court sentenced the defendant to 60 days in jail for the soliciting count. The court also suspended his driver's license for six months, fined him \$650 between the two charges, placed him on one year of probation and ordered him to complete 100 hours of community work service. At least nine others arrested in this operation were sentenced to 30-60 days in jail, one year of probation, 200 hours of community service, and to pay a fine of \$250-\$400.³

Example 3: Community Service Program with Diversion and Sentencing Applications in Marshall, Minnesota

In May 2019, a man arrested as part of an October 2018 web sting in Marshall, MN, pleaded guilty to charges of hiring or agreeing to hire a minor for prostitution. He responded to an online advertisement posted by an undercover agent who was posing as a 15-year-old girl. The man received a stay of imposition of sentence, and 10 years' supervised probation, with conditions that he serve 75 days in jail, complete 120 hours of "Sentenced

² Police & Courts, "Columbiana County Municipal," *The Review*, March 1, 2023, https://www.reviewonline.com/news/police-courts/2023/03/columbiana-county-municipal-712/.

³ Dan Kubacki, "Mansfield Man is Latest Defendant Sentenced from May Prostitution Bust," *Times-Gazette*, August 13, 2015, https://www.times-gazette.com/story/news/2015/08/13/mansfield-man-is-latest-defendant/19046178007.

to Service," have no contact with minor females without approval from a probation agent, and that he does not access the internet without approval from probation.⁴

Sentencing to Service is a program operated throughout Minnesota, with almost 80% of the state's counties participating. The program was established in 1986 to provide sentencing alternatives for courts throughout the state. Sentencing to Service (STS) is operated by the Minnesota Department of Corrections in partnership with sheriff's departments, community corrections, courts, and local governments. STS can be used as an alternative to jail or fines, in combination with jail time, or as a probation sanction. Judges can order offenders to be placed on an STS work crew and specify the number of hours required to be worked.

The program is not specific to sex buyers but is an option for carefully selected non-violent offenders to work on community improvement projects, including litter pickup, river cleanup, trail development, flood control and storm damage cleanup, and work for nonprofits. Offender work crews are closely supervised as they work in parks and other public areas. The Minnesota Department of Natural Resources, local county, and other agencies identify work activities and supply equipment.⁵

Example 4: Community Service as a Diversion Option in La Crosse, Wisconsin

In August 2012, police in La Crosse, WI posted a decoy internet ad for paid sex and placed an undercover team in a hotel. Five men who responded to the ad and offered to pay for sex with the police decoy were arrested when they appeared at an arranged location to complete the transaction. The arrestees were able to gain release from custody by posting a \$200 bond meant to assure their court appearance. In October 2012, the first man to plead guilty was fined \$505. In November 2012, one of the arrested men entered a plea agreement allowing him to avoid a conviction if he complied with a diversion agreement. The man plead guilty in La Crosse County Circuit Court to misdemeanor prostitution, but the charge would be dismissed in one year if he paid a fine, completed 25 hours of community service, attended both individual and group treatment sessions, wrote an essay about what he learned, and avoided new crimes. We are do not know enough about the group treatment portion of the program to determine whether it would qualify as a "john school." If the conditions of the diversion agreement are not met, the sex buyer could face up to a \$10,000 fine, nine months in jail, or both.

Evidence of Effectiveness

While there is substantial research on community service programs, studies have focused on a wide range of crime types and outcomes. There have been no focused evaluations of the effectiveness of arrested sex buyers performing community service in reducing demand (such as reducing sex buyer recidivism, or specific deterrence) or for measure of prostitution or sex trafficking in communities where community service has been used. But hard evidence of impact from formal evaluations is rarely available in assessing the value of criminal justice interventions of any kind. Compared to other ways of combating prostitution and sex trafficking (e.g., victim rescues, trafficker arrest and prosecution, legalization or decriminalization of prostitution), a solid case

⁴ Deb Gau, "Sioux Falls Man Pleads Guilty in Marshall Sex Sting," *Marshall Independent*, May 8, 2019, https://www.marshallindependent.com/news/local-news/2019/05/sioux-falls-man-pleads-guilty-in-marshall-sex-sting.
⁵ Sentencing to Service, Minnesota Department of Corrections, (2013), https://mn.gov/doc/assets/2-7 STS tcm1089-275845.pdf.

⁶ Tribune Staff, "Third Man Gets Diversion Deal in Prostitution Sting," *La Crosse Tribune*, November 13, 2012, http://lacrossetribune.com/news/local/crime-and-courts/rd-man-gets-diversion-deal-in-prostitution-sting/article 03057d1e-2d55-11e2-ad0b-0019bb2963f4.html.

⁷ Sarah Picard, Jennifer A. Tallon, Michela Lowry, and Dana Kralstein, "Court-Ordered Community Service: A National Perspective," *Center for Court Innovation*, (2019), https://www.innovatingjustice.org/publications/community-service; Hilde Wermink, Arjan Blokland, Paul Nieuwbeerta, Daniel Nagin, and Nikolaj Tollenaar, "Comparing the Effects of Community Service and Short-Term Imprisonment on Recidivism: A Matched Samples Approach," *Journal of Experimental Criminology* 6, (2010): 325-349, doi.org/10.1007/s11292-010-9097-1; Signe Hald Andersen, "Serving Time or Serving the Community? Exploiting a Policy Reform to Assess the Causal Effects of Community Service on Income, Social Benefit Dependency and Recidivism," *Journal of Quantitative Criminology* 31, (2015): 537-563, doi.org/10.1007/s10940-014-9237-2.

can be made for beneficial effects of community service programs for sex buyers, with three distinct kinds of evidence all reflecting favourably on the approach:

- 1. Surveys of hundreds of admitted sex buyers have asked what would deter them from that behavior in the future, and were presented with a list of options. The things most commonly listed as likely to deter them are having their behavior become known to others (including families, partners, friends, and employers) and other consequences following arrest, such as jail time, and being listed on a sex offender registry. Such responses were made by more than 80% of surveyed sex buyers. It is reasonable to assume that performing community service would increase the likelihood that others in the community would learn of sex buyers' behavior, and their arrest for it, which is clearly something they wish to avoid. In addition, two of these studies specifically asked sex buyers whether performing community service would deter them, and the majority (59% and 58%) said that it would.
- 2. The survey data is aligned with extensive anecdotal evidence¹⁰ from the field of law enforcement vice operations and investigations, which consistently finds that once arrested, sex buyers express great **concern about the consequences of that arrest** especially that their behavior will be exposed to their families, partners, friends, employers, and others in their communities. Most community service is performed within or near the communities in which the offender lives, and occurs in public spaces.
- 3. The survey findings and anecdotal evidence provided by law enforcement is further corroborated by a vast body of criminological research on deterrence that finds that both "legal sanctions" (such as incarceration or probation, which require a prior arrest and prosecution) and "extra-legal sanctions" (such as negative consequences for relationships and employment, which also are usually triggered by arrest) have a deterrent effect on re-offending.¹¹ To the extent that community service may increase the risk of public disclosure, it would contribute to the extra-legal sanction of public censure, and thus advance deterrence.

In addition to the possibility of deterrent effects resulting from community service programs eliciting extra-legal sanctions through identity disclosure, a case can be made that the service performed is a tangible and undeniable

⁸ Anna E. Kosloski and Bridget Diamond-Welch, "The Men and Women Who Purchase Sex in the United States: Understanding Motives, Practices, and Preferences," *Women & Criminal Justice* 32, no. 3 (2022): 306-324, doi.org/10.1080/08974454.2021.1993424; Melissa Farley et al., "Men Who Pay for Sex in Germany and What They Teach us about the Failure of Legal Prostitution: A 6-Country Report on the Sex Trade from the Perspective of the Socially Invisible 'Freiers'," *Prostitution Research & Education*, (2022), https://prostitutionresearch.com; Rachel Durchslag and Samir Goswami, "Deconstructing The Demand for Prostitution: Preliminary Insights From Interviews With Chicago Men Who Purchase Sex," *Chicago Alliance Against Sexual Exploitation*, (2008): 1-34, https://humantraffickinghotline.org/sites/default/files/Deconstructing-the-Demand-for-Prostitution%20-%20CAASE.pdf; Melissa Farley, Julie Bindel, and Jacqueline M. Golding, "Men Who Buy Sex: Who They Buy and What They Know," *London Eaves and Prostitution Research & Education*, (2009), 1-32, https://documentation.lastradainternational.org/Isidocs/Mensex.pdf.

⁹ Melissa Farley et al., "Men Who Pay for Sex in Germany and What They Teach us about the Failure of Legal Prostitution: A 6-Country Report on the Sex Trade from the Perspective of the Socially Invisible 'Freiers,'" *Prostitution Research & Education*, (2022), 46-47, https://prostitutionresearch.com; Rachel Durchslag and Samir Goswami, "Deconstructing The Demand for Prostitution: Preliminary Insights From Interviews With Chicago Men Who Purchase Sex," *Chicago Alliance Against Sexual Exploitation*, (2008), May, 1-34, https://humantraffickinghotline.org/sites/default/files/Deconstructing-the-Demand-for-Prostitution%20-%20CAASE.pdf.

¹⁰ Charlotte Alter, "Catching Johns: Inside the National Push to Arrest Men Who Buy Sex," *TIME USA, LLC.*, n.d., https://time.com/sex-buyers-why-cops-across-the-u-s-target-men-who-buy-prostitutes/; Nicholas Kristof, "Targeting the Johns in Sex Trade," *The New York Times*, February 26, 2014, https://www.nytimes.com/2014/02/27/opinion/kristof-targeting-the-johns-in-sex-trade.html; Kristin Pisarcik, "Miami Vice: Inside 'John Stings' and Escort Stings," *ABC News*, March 21, 2008, https://abcnews.go.com/2020/story?id=4488667&page=1; The Associated Press, "Prostitute Customers Posterized," *The Gainesville Sun*, October 13, 2012, https://www.gainesville.com/story/news/2012/10/14/prostitute-customers-posterized/31836219007/.

Thomas A. Loughran, Ray Paternoster, and Douglas B. Weiss, "Chapter 4: Deterrence," in *The Handbook of Criminological Theory*, ed. Alex R. Piquero (Chichester, West Sussex, UK: John Wiley & Sons, Inc., 2016), 50-74, doi.org/10.1002/9781118512449.ch4; Raymond Paternoser, "Chapter 3: Perceptual Deterrence Theory," in *Deterrence, Choice, and Crime, Volume 23*, eds. Daniel S. Nagin, Francis T. Cullen, and Cheryl Lero Jonson, (New York, NY: Routledge, Taylor & Francis, 2018), 81-106, doi.org/10.4324/9781351112710; Robert Apel and Daniel S. Nagin, "Chapter 7: Perceptual Deterrence," in *The Oxford Handbook of Offender Decision Making*, eds. Wim Bernasco, Jean-Louis van Gelder, and Henk Elffers, 6 (New York, NY: Oxford University Press, 2017), 121-140.

benefit, as a community-level restorative justice measure. The behavior of sex buyers is responsible for all sex trafficking and negative impacts of prostitution since consumer level demand is a primary motivation for these crimes. When constructively applied and properly monitored, sex buyer service can mitigate or offset some of the harms that their crimes have caused.

References

To access information about specific community service approaches used in U.S. cities and counties for demand reduction purposes, you may go to www.demand-forum.org, open the "Browse Locations" window, and then select "Community Service" from the "Tactics" list. Doing so will return lists of cities and counties that have used community service for arrested sex buyers. In addition, U.S. locations in which community service programs have been used may be mapped on Demand Forum by clicking on the "Choose a Tactic" box and choosing "Community Service" from the list.