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An Overview of Identity Disclosure of 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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Identity disclosure is a simple and evidence-based tactic for combating demand: The identities of people arrested for soliciting commercial sex (sex buyers) are publicized, typically through police press releases that are carried by local media outlets, through police websites (Figure 1 presents an example), and through news reports. More than 90% of the 2,650+ communities in the U.S. that are known to have implemented any demand reduction tactic have publicized the identities of arrested sex buyers.

Methods of dissemination include news outlets, police or district attorney websites, social media (e.g., Facebook, Twitter), and/or billboards. In some communities, citizens initiate and maintain websites identifying sex buyers (e.g., Columbus, OH; Oklahoma City, OK). Another method of dissemination, so far implemented in only one state, is a sex buyer registry, modeled after sex offender registries. In June 2019, the Governor of Florida signed a bill into law the created a registry of convicted sex buyers and provides a publicly accessible listing of their identities, including photos, names, and addresses.¹

For some jurisdictions departments, revealing arrestee identities is done with the intent to deliver a punishment which will serve as a specific deterrent. It also pursues general deterrence - sending a message to potential sex buyers that their identities will be revealed if they are apprehended for soliciting sex. For example, Fresno, CA launched an aggressive effort to apply identity disclosure 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 residences of the men arrested in reverse stings. The press releases about arrests made during reverse stings in the city of Inglewood, CA have contained the following message, which leaves no doubt about the intent of publicizing 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."³

While publicizing identities may be done routinely for crime reporting in some cities, in others the release of the identities of arrested sex buyers is meant specifically as a deterrent, and not just as routine "crime blotter" reporting. 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 appear in local news "crime logs" or "police blotters," with sex buyer identities revealed alongside those of burglars, vandals, and drunk drivers. However, the potential for the tactic to serve as an effective deterrent exists regardless of the intent of the agencies or news outlets that publicize the identities of sex buyers.

The most common method of disseminating identities is through news outlets – both online and in print. Other methods include police websites (e.g., Alton, IL; El Cajon, CA; Nashville, TN); billboards (e.g., Rochester, NY;

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¹ Lyn Hatter, "New Florida Law Establishes 'Johns Registry' to Shame People Convicted of Paying for Sex," *WFSU Public Media*, June 28, 2019, https://news.wfsu.org/state-news/2019-06-28/new-florida-law-establishes-johns-registry-to-shame-people-convicted-of-paying-for-sex.

² "Operation Reveal," City of Fresno Police Department, accessed November 7, 2022, https://www.fresno.gov/police/crime-and-victim-resource-center/sexual-assault-unit/operation-reveal; Larry Neumeister, "Prostitute Patrons Can't Hide Their Faces Anymore," MPR News, October 13, 2012,

https://www.mprnews.org/story/2012/10/13/prostitute-patrons-cant-hide-their-faces-anymore; Ryan Russman, "Public Shaming to Prevent Crime," *Russman Law Blog*, October 29, 2013, https://www.russmanlaw.com/blog/criminal-defense/nh-law/public-shaming-to-prevent-crime.

³ City of Inglewood, "15 People Arrested for Prostitution Activity," News Release, April 9, 2005, https://www.cityofinglewood.org/DocumentCenter/View/925/April-9-2005---15-People-Arrested-for-Prostitution-Activity-PDF.

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 identity disclosure 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 expose 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 Christi, 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 sex buyers respond to questions, but to raise public awareness about combating prostitution.

Figure 1: Example of Police Department Press Release Publicizing Identities of Arrested Sex Buyers



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 Sqt. Bob Ciszek 714-754-5012 Time: 1500 hours

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:

- Pablo Luna, 35 years of Costa Mesa, Soliciting an act of prostitution
- Ignacio Santillan, 35 years of Costa Mesa, Soliciting an act of prostitution Rafael Rosas, 41 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 I os Angeles, Lewd conduct, Indepent exposure.

- 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

Another variation of identity disclosure 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 identity disclosure. In 2012, the Lubbock Police Department launched a concerted "identity disclosure" effort, posting the names and photos of arrested sex buyers on the Lubbock Police Department website. Lubbock police posted a group photo on its Facebook page of eight male sex buyers who had been arrested in reverse stings.

The concept of identity disclosure as a source of pressure to inhibit sex buyers does not necessarily mean widespread dissemination of identities. In 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 sex buyers were Navy personnel, estimating that they comprised up to 50 percent of sex buyers in the city.⁴ 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 sex buyers' 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.

Table 1: Sites with Earliest Known Use of Identity Disclosure		
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

Evidence of Effectiveness

There is substantial evidence that public disclosure of sex buyer identities is a powerful deterrent, and that is perhaps more important than arrest and legal sanctions for preventing prostitution and sex trafficking. However, there is not currently a single definitive study that specifically evaluates and isolates the impact of identity disclosure on the purchasing of commercial sex. While it is inarguably better to have such "gold standard" statistical evidence when making operational and tactical decisions about fighting any type of crime, such evidence from experimental and strong quasi-experimental designs is not available to inform the vast majority of criminal justice initiatives or collaborative responses. Evidence that demand-reduction tactics (or comprehensive approaches that include addressing demand) effectively suppress commercial sex markets and reduce reoffending has been accumulating and is extremely robust in comparison to evidence of the effectiveness of other approaches (such as victim rescues and sex trafficker arrest and prosecution). Diverse kinds of evidence all support the conclusion demand reduction is essential for preventing harms of the sex trade and reducing its scope. Within that body of evidence, it is clear that the public disclosure of sex buyer identities is an essential element in combating demand. What follows are brief summaries of a sampling of evidence of demand reduction effectiveness that features, or includes, publicizing the identities of sex buyers.

Police Research and Case Studies:

o In St. Petersburg, FL, a comprehensive approach emphasizing arresting sex buyers and disclosing their identities was associated with a 24% reduction in calls for police service. Concluding that arresting women involved in prostitution was ineffective in reducing the illicit business and the crime and disorder

⁴ Rana Sampson and Michael S. Scott, *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving* (Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing, 1999), https://popcenter.asu.edu/sites/default/files/library/reading/PDFs/1Tackling.pdf.

surrounding it, the city focused on a multifaceted effort that featured tactics aimed at demand. Reverse stings were conducted in 1993, and a letter that included information about sexually transmitted diseases was sent to the home address of all arrested sex buyers. Prostitution-related calls for service from police decreased 24 percent between 1993 and 1994 (Minor, 1997).

- In Raleigh, NC, a comprehensive approach emphasizing arresting sex buyers was associated with a 38% reduction in calls for police service. In response to persistent prostitution-related problems in the city, a study of prostitution was conducted, which concluded that police and other agencies city should prioritize arresting customers and addressing the service needs of providers (Weisel, 2004). An initiative - Operation Dragnet - featuring those elements was launched. Among other outcomes, over 85% of the citizens surveyed were aware of the anti-prostitution effort, and citizen-initiated calls for service initially increased due to increased awareness, and then declined steadily by 38% compared to the preintervention baseline.
- Reduced street prostitution in Salt Lake City, UT in 1971 and 1976 was attributed by police to reverse stings. A three-month effort in 1971 to combat prostitution through concentrating on male buyers led police to conclude that nearly all of the 75 known street prostitutes appeared to have left town.⁵ In the crackdown on demand, 139 men were arrested during reverse stings. Subsequent reports stated that through 1976 the reverse sting program had arrested 1,129 male sex buyers, and that prostitution in the city had declined by approximately 50% soon afterward.⁶
- Reverse stings and shaming reportedly removed Wilkes-Barre, PA from a domestic sex trafficking circuit, and reduced the number of women engaged in street prostitution locally by 75%. In interviews conducted for the 2012 National Assessment, police department staff said that Wilkes-Barre had been a stop on a domestic sex trafficking circuit operating in upstate New York and central Pennsylvania. Through the mid-1980s, traditional interventions had been tried and found ineffective: arresting prostituted women accomplished little (trafficked women soon left for the next stop on the circuit, and local women simply returned to the streets), and prosecution of pimps had been attempted, but never successfully. In 1986, Wilkes-Barre police tried a new approach, conducting large-scale reverse stings coupled with publicizing the identities of arrestees. In each of the first several operations, they arrested from 50 to 100 men who were issued citations and ordered to pay fines. Arrestee identities were included in press releases which ran in the local Sunday newspaper. After two years of these efforts, police concluded that Wilkes-Barre had been taken off the "pimp circuit." The number of women known to engage in street prostitution fell from 20 to five, with the rotating circuit survivors gone and the remaining five being local women suffering from severe substance addictions. The existence of the domestic trafficking circuit and the level of police reverse sting activity in the 1980s and 1990s were corroborated by news archives and interviews with police from other cities on the circuit. However, the stated impact on the number of street-level survivors could not be confirmed due to a lack of data from the time period (e.g., arrest data were not kept by the police department beyond seven years).

Corroborating Evidence

In addition to the direct evidence of sex buyer arrest and identity disclosure effectively serving to prevent or suppress prostitution and sex trafficking, there are three additional types of evidence all reflecting favourably on demand reduction tactics:

Surveys of hundreds of admitted sex buyers have asked what would deter them from that buying sex in the future, and the men were presented with a list of options. The things most commonly listed as likely to deter them are consequences following arrest, such as jail time, and the public disclosure of their identities. Such responses were made more than 80% of surveyed sex buyers in published research.

The Deseret News, Page B-1, September 20, 1971.

Miami News, June 17, 1976.

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: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' (Berlin: Prostitution Research & Education, November 2022), 46-47, https://prostitutionresearch.com;

- NCOSE research supported by a federal grant from the National Institute of Justice corroborates these findings. Interviews of law enforcement personnel and operators of "john school" programs conducted during the 2022 National Assessment survey found that arrested sex buyers strongly agreed (almost unanimously) that identity disclosure was the largest deterrent for purchasing sex. For example, the Stop Demand School (SDS), a sex buyer education program in Waco, TX, regularly asks participants what they believe is the greatest deterrent to purchasing sex. Program operators have found that "close to 100%" of surveyed participants identify public disclosure as the most important system response to purchasing sex for advancing its deterrence.
- 2. The survey data is aligned with extensive anecdotal evidence⁸ 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, which is something sex buyers clearly seek to avoid. Those operating programs for arrested sex buyers report similar findings. For example, participants of the S.T.O.P. sex buyer education program in <u>Dallas County</u>, TX have said that identity disclosure is an effective deterrent for purchasing sex. Sex buyers in that program have stated that knowledge of their arrest by others negatively impacted their lives, often in multiple ways in addition to social disapproval. A participant from the county's Stop Demand School (SDS) was a local businesses owner, and reported a 50% reduction in profits as a result of the public disclosure of his identity as a sex buyer after he was arrested in a reverse sting.
- 3. The survey findings and anecdotal evidence provided by law enforcement about sex buyer statements is further corroborated by a vast body of criminological research on general and specific 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.
- 4. While it is evident from the research and the historical record summarized above that arresting sex buyers (especially when followed by public disclosure) appears to reduce reoffending and decrease prostitution activity, the empirical case for sex buyer arrest as a deterrent is strengthened by observing what happens when prostitution laws are not enforced, and consumers purchase sex without fear of arrest of public disclosure. Prostitution "Tolerance Zones" have been tried, in which police do not arrest and courts do not prosecute the purchase of commercial sex. They have failed every time to reduce harm or make communities or prostituted persons safer. For example, <u>Boston</u>, MA sought to manage its rampant prostitution problems in the 1960s and 1970s by allowing it within a few square blocks. The area quickly became known as the "<u>Combat Zone</u>" and became one of the most dangerous areas in the state, abuses

Rachel Durchslag and Samir Goswami, *Deconstructing The Demand for Prostitution: Preliminary Insights From Interviews With Chicago Men Who Purchase Sex* (Chicago, IL: Chicago Alliance Against Sexual Exploitation, May 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, December 2009), 1-32, https://documentation.lastradainternational.org/lsidocs/Mensex.pdf.

⁸ Charlot Alter, "Catching Johns: Inside the National Push to Arrest Men who Buy Sex," *Time*, https://time.com/sex-buyers-why-cops-across-the-u-s-target-men-who-buy-prostitutes/ (accessed February 28, 2023); Nicholas Kristof, "Targeting the Johns in the Sex Trade," *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 Gainsville 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, https://doi.org/10.1002/9781118512449.ch4; Raymond Paternoster, "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, https://doi.org/10.4324/9781351112710, https://www.taylorfrancis.com/chapters/edit/10.4324/9781351112710-3/perceptual-deterrence-theory-raymond-paternoster (accessed March 2, 2023); 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.

against sex trade survivors flourished. This same basic story is being repeated in current times. Since 2020, prosecutors in several U.S. cities declared policies of de facto decriminalization by refusing to prosecute prostitution, along with other select crimes. The results have been, predictably, negative. In San Francisco, prostitution and other crime increased dramatically, and in 2022 the District Attorney who declared "de facto" decriminalization by announcing his office would not prosecute prostitution was removed from office in a recall vote. In Baltimore, prostitution and other crime flourished after the prosecutor who declared in 2020 she would not prosecute prostitution cases. The community protested rampant crime, and District Attorney was voted out of office in 2022. As of March, 2023, similar patterns were evident Philadelphia and Los Angeles, as well as abroad. Several suburbs of London, England have experimented with prostitution tolerance zones since 2020, again to extremely negative effect, and the voices of residents in these areas echoed the 'war zone' language used to describe Boston's results with the failed policy 50 years earlier.

Collectively, the evidence is strong that arresting sex buyers and disclosing their identities deters reoffending, as well as advancing "general deterrence" (referring to how awareness of the risk of sanctions deters crime in wider populations, and not just among those who have been arrested and punished).¹⁵

"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, 2005¹⁶

"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, 2007¹⁷

Concerns about Sex Buyer Identity Disclosure: Unintended Consequences, Collateral Harm

Opponents of identity disclosure contend that its deterrence is unproven, that it violates due process rights since identities are typically publicized upon arrest and prior to adjudication, and that it negatively affects families of arrestees.¹⁸ Some cities that have been strongly committed to combating demand (e.g., <u>San Francisco</u>, CA from

https://www.vice.com/en/article/xd74qq/john-shaming-is-actually-putting-sex-workers-at-risk.

¹⁰ Politics, "San Francisco recalls progressive prosecutor Chesa Boudin," *PBS News Hour*, June 8, 2022, https://www.pbs.org/newshour/politics/san-francisco-recalls-progressive-prosecutor-chesa-boudin.

¹¹ Brian Witte, "Baltimore prosecutor Marilyn Mosby defeated in primary," *AP News*, July 22, 2022, https://apnews.com/article/2022-midterm-elections-covid-health-general-marilyn-mosby-1742b1a284798e76a89f974cd8c5e497.

¹² The Editorial Board, "Impeaching Philadelphia District Attorney Larry Krasner," *Wall Street Journal*, October 27, 2022, https://www.wsj.com/articles/impeaching-larry-krasner-philadelphia-progressive-district-attorney-pennsylvania-state-house-crime-11666822018.

¹³ Joseph Pimentel, "George Gascón recall supporters get major lift after SF voters oust DA Chesa Boudin," *Spectrum News 1*, June 8, 2022, https://spectrumnews1.com/ca/la-west/politics/2022/06/08/george-gascon-recall-supporters-get-major-lift.

¹⁴ Stephanie Balloo and Ewan Gleadow, "UK city's 'red light district' where used condoms litter floor and business starts at 8am," *Daily Star*, October 4, 2022, https://www.dailystar.co.uk/news/latest-news/uk-citys-red-light-district-28148390.

¹⁵ Robert Apel and Daniel S. Nagin, "General Deterrence: A Review of Recent Evidence," in *Crime and Public Policy*, eds. James Q. Wilson and Joan Petersilia (2011), 411-436; Braga, Anthony A., and David L. Weisburd, "The effects of focused deterrence strategies on crime: A systematic review and meta-analysis of the empirical evidence," *Journal of Research in Crime and Delinquency* 49, no. 3 (2012): 323-358, doi:10.1177/0022427811419368.

¹⁶ Robert MacMillan, "Dear John: You're Online," *The Washington Post*, June 22, 2005, http://www.washingtonpost.com/wp-dyn/content/article/2005/06/22/AR2005062200514.html.

¹⁷ Mark Arner and Liz Neely, "Prostitutes' Photos, Case Details put Online," *The San Diego Union-Tribune*, October 30, 2007, https://www.sandiegouniontribune.com/sdut-prostitutes-photos-case-details-put-online-2007oct30-story.html.

¹⁸ Cole Kazdin, "Does Shaming Men Who Buy Sex Stop Prostitution?" *Vice*, June 28, 2016, https://www.vice.com/en/article/qkg7q3/does-shaming-men-who-buy-sex-stop-prostitution; Bridget Noel, "'John Shaming' Is Actually Putting Sex Workers at Risk," *Vice*, September 29, 2015,

1995 to 2015) did not pursue identity disclosure as a policy specifically because of the impact it may have on those associated with alleged offenders, such as the children, spouses, and others close to sex buyers. Some news outlets receive the information from police but do not include it in their reports, for a variety of reasons. For example, some feel that identity disclosure after arrest but prior to a court disposition violates due process, constituting punishment prior to conviction. Others have been concerned about collateral damage to families of arrestees, or worry about liability issues for publicizing the identities of arrestees who may later be acquitted in the adjudication process.¹⁹

"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, 2005²⁰

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 identity disclosure 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 prostitution.

Others have objected to identity disclosure tactics on the grounds that they violate the right to due process. This is a serious concern where identities of all arrestees are publicized – identity disclosure 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 they have been convicted of soliciting. 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" webpage²² 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

¹⁹ 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 sex buyers or prostituted persons, although may make exceptions for particularly large-scale operations or when there are high profile arrestees. (e.g., see news report from Brockton, MA in an August 2012 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."); Justin Graeber, "Brockton Sex Workers Feeling the Heat," *The Enterprise*, August 25, 2012,

https://www.enterprisenews.com/story/news/2012/08/25/brockton-sex-workers-feeling-heat/40092299007.

²⁰ Mike Goodwin, "Get Caught with a Prostitute in Albany, Get Your Name on a Sign," *Times Union*, October 2, 2009, https://blog.timesunion.com/crime/get-caught-with-a-prostitute-in-albany-brace-yourself-for-your-name-in-lights/2817.

²¹ "Police Department," Minneapolis: City of Lakes, accessed November 15, 2022, http://www.ci.minneapolis.mn.us/police/prostitution-convictions/convictions.asp.

²² "Operation Reveal," City of Fresno Police Department, accessed November 7, 2022, https://www.fresno.gov/police/crime-and-victim-resource-center/sexual-assault-unit/operation-reveal.

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 identity disclosure 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, 2002²³

Example: New Haven, Connecticut

A neighborhood-led identity disclosure campaign in New Haven, CT illustrates some of the objections to community-led action. In 1992, a neighborhood negatively affected by street prostitution mobilized to put pressure on male sex buyers as a deterrent. Residents obtained information about arrested sex buyers 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 prostituted person. 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 male sex buyer 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.

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 sex buyers' 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 prostituted persons, before they finally opted to start "outing" sex buyers with the posters.²⁴ 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."

²⁴ The New York Times Archives, "NEW HAVEN JOURNAL; Curbing Prostitution on Demand Side," *The New York Times*, April 20, 1992, http://www.nytimes.com/1992/04/20/nyregion/new-haven-journal-curbing-prostitution-on-demand-side.html.

²³ Michael A. Fuoco, "Truck Stop Sex Sting Nabs Six Good Buddies," *Post-Gazette*, June 8, 2002, http://old.post-gazette.com/localnews/20020608sting6.asp.

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 sex buyers 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 <u>Odessa</u>, TX, a 2004 case involved an effort to address sex buyers, but not through traditional street or webbased reverse stings. Instead, police leveraged a list of sex buyers for a prostitution operation fronting as a massage therapy business in the town. After an investigation and a take-down of the business, a sex buyer list was discovered with over 60 sex buyers identified. While it is not unusual to discover sex buyer 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 prostitution activity. The sex buyer list was released to the public and 68 men were arrested.²⁵

A similar case in <u>Kennebunk</u>, ME in 2012-2013 involved an effort to address sex buyers, with police using a sex buyer 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 uncovered a sex buyer list with over 150 individuals. The list was reportedly supplemented by videotapes and still shots that recorded many of the commercial sex encounters, providing corroboration that the list of men was 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 male sex buyers who are all summoned to appear in court the following December. The remainder was scheduled to be released in batches over the following months.²⁶

Additional Examples, References

To access information about specific cases and the U.S. cities and counties in which sex buyer identity disclosure has occurred, you may go to www.demand-forum.org, open the "Browse Locations" window, and then select "Identity Disclosure" from the "Tactics" list. The U.S. locations in which these operations have occurred may be mapped on Demand Forum by clicking on the "Choose a Tactic" box and choosing "Identity Disclosure" from the list.

To learn more about this demand reduction tactic, please access the resources below:

City Council Motion Authorizing Identity Disclosure of Arrested Sex Buyers

• Cincinnati City Council Motion

Florida Registry of Convicted Sex Buyers

- New Florida Law Establishes 'Johns Registry' to Shame People Convicted of Paying for Sex (2019)
- A Review of the Soliciting for Prostitution Public Database (2022)
- Soliciting for Prostitution Public Database (accessed March 5, 2023)

²⁵ Katy Vine, "She Had Brains, a Body, and the Ability To Make Men Love Her," *Texas Monthly*, January 2005, https://www.texasmonthly.com/articles/she-had-brains-a-body-and-the-ability-to-make-men-love-her; MyPlainview, "More Than Six Dozen Suspected in Odessa Ring Rounded Up," *MyPlanview*, July 26, 2004, https://www.myplainview.com/news/article/More-than-six-dozen-suspected-in-Odessa-ring-8942538.php.

²⁶ Ann S. Kim, "Police Name 21 Alleged Kennebunk 'Johns,' but Confusion Follows," *Central Maine*, October 15, 2012, http://www.kjonline.com/news/kennebunk-maine-court-johns-prostitution-list-clients-wright-strong.html; Freya Petersen, "Maine Court Releases Names of 21 'Johns' in Kennebunk Zumba Prostitution Case," *The World*, October 16, 2012, https://theworld.org/stories/2012-10-16/maine-court-releases-names-21-johns-kennebunk-zumba-prostitution-case; Sam Dwyer, "Alexis Wright Client List: 15 More Johns Released in Zumba Prostitution Case," *Bost Inno*, November 9, 2012, https://www.americaninno.com/boston/alexis-wright-client-list-more-johns-released-in-zumba-prostitution-case-photos.">https://www.americaninno.com/boston/alexis-wright-client-list-more-johns-released-in-zumba-prostitution-case-photos.

Police Press Releases

- Bakersfield CA Information About Arrestees
- Costa Mesa, CA Police Press Release
- Dayton, OH Police Press Release
- Federal Way, WA Police Press Release
- Howard County, MD
- Mount Laurel, NJ Police Press Release

Police/District Attorney Website Displays of Arrested Sex Buyers

- Minneapolis, MN
- Polk County, FL
- Flint, MI

Private Websites Intended to Shame Sex Buyers:

• Columbus, OH

Billboards Displaying Identities of Arrested Sex Buyers

• Albany, NY

News Reports About Communities Identifying Arrested Sex Buyers

- Bexar County, TX
 - o "Sex Sting Hits Sex Buyers in Park", San Antonio Express-News, March 28 1991. (1991)
 - "SAPD Begins 'Public Shaming' of Clients of Prostitutes," NBC/WOAI-TV 4, November 24 2015.
 - o SAPD Targets Prostitution, Posts Arrests Online (2015)
 - "SAPD Begins 'Public Shaming' of Clients of Prostitutes," NBC/WOAI-TV 4, November 24 2015.
 - o SAPD Posts Photos and Identities of 23 Arrested Men on Department Facebook Page (2018)
- Dayton, OH
 - o "Dayton to Air Names of Prostitute Patrons", St. Louis Post-Dispatch, February 10, 1993.
 - o "Names Ad Makes Lovers Mad", Dayton Daily News, February 14, 1993.
 - o https://www.whio.com/dayton-announces-initiative-combat-prostitution (2019)
 - https://www.wdtn.com/city-of-dayton-announces-buyer-s-remorse-initiative-to-combat-prostitution (2019)
 - https://www.daytondailynews.com/ohio-wants-prostitution-registry-dayton-already-has-johns-list (2020)
- Nassau County, NY (Long Island, NY).
 - http://www.nydailynews.com/new-york/104-johns-nabbed-nassau-county-pay-sex-article-1.1361717 (2013)
 - o http://www.officer.com/news/nassau-county-ny-police-arrest-more-than-100-during-sex-stings (2013)
 - o http://www.nbcnewyork.com/news/local/Johns-List-Long-Island-Nassau-County-Prostitution-Customers (2013)
 - o https://patch.com/4-arrested-drug-prostitution-investigation-nassau-police (2022)
- Reno, NV
 - o http://www.rgj.com/story/news/2014/03/23/editorial-how-to-curb-sex-trafficking-make-johns-names-public (2014)
- Santa Ana, CA & Orange County, CA
 - http://www.ocregister.com/articles/prostitution-516711-prosecutors-sex.html (2013)

- o "Police Publicize Names of Alleged Johns in Prostitution Sting", *Los Alamitos Patch*, May 17 2013.
- o http://losangeles.cbslocal.com/2013/06/11/oc-authorities-fighting-prostitution-by-shaming-customers/ (2013)
- San Bernardino County, CA.
 - o Saunders, D. (2013). <u>DA's Stop the Johns Program to Shame Sex Solicitors</u>. *Inland Valley Daily Bulletin*, April 3.
 - o http://blog.pe.com/crime-blotter/2013/04/02/video-san-bernardino-da-aims-to-crack-down-on-prostitution/ (2013)
- Yakima, WA
 - http://www.kndu.com/story/yakima-police-arrest-eight-men-for-patronizing-prostitute
 - o http://www.kimatv.com/news/local/Photos-Yakima-IDs-men-charged-during-prostitution-emphasis
 - o http://www.yakimaherald.com/news/yhr/tuesday/1222592-8/yakima-police-launch-prostitution-sting

Editorials and Debates about Identity Disclosure

- Should cities shame johns by putting their faces on billboards, television, and the internet after their arrest?
- The Men Who Buy and Sell Sex (New York Times)
- Cities turn to humiliation to fight prostitution (Christian Science Monitor)
- The shame page (Chicago Tribune)
- John TV considered in Topeka
- New Haven, CT "John of the Week" Campaign
- Televised discussion about Nassau County, Long Island "Flush the Johns" campaign (2013)

Media Ads with Arrestee Identities

• Dayton, OH Print Advertisement Purchased by Dayton Police Department

News Reports on Running Media Ads with Arrestee Identities

- Buffalo, NY, 2013
 - o http://www.buffalonews.com/apps/pbcs.dll/article/CITYANDREGION/
 - o http://www.newstimes.com/news/crime/article/To-fight-prostitution-Buffalo-tries-humiliation
- West Palm Beach, FL, 1992:
 - Town to fight prostitution with publicity
 - o Mayor: Name Johns Publicize Sex Arrests, Delray Official Says