

# **A Quick & Dirty Sex Worker Safety Toolkit**

What's inside:

- ▶ Screening for Safety
- ▶ Creating a Safety Plan in Case of Arrest
- ▶ How the Sex Trade is Criminalized
- ▶ Know Your Rights in Police Encounters
- ▶ What to Expect from your Lawyer

The more info we have about a person and shared expectations, the more likely you'll get what you want from an experience. Meeting new people in a secluded space is never going to be 100% safe from violence - interpersonal or state. Choose the screening that is right for you.

**But always - ALWAYS - trust your gut if something feels wrong.**

Each place might also have its own culture around screening. That kind of knowledge comes from community and building relationships with other people who do what you do.

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# Remotely Screening Potential Dates Met Online

## Step 1: Collect Information About Your Date

Get as much information as you can about the person and then double check that they are who they say they are. Having more info puts them in a more vulnerable position, which isn't a bad thing. When you have a phone number for their boss, or a Facebook connected to their spouse, that person has incentive not to cause harm.

- Ask for Information**
- Full name
  - Phone number
  - Email that's listed publicly
  - Place of employment
  - Online profile (LinkedIn, Facebook)



**Double Check the Info is Real**

Try to best connect the person talking to you with the information they gave you.

**Check Bad Dates Lists**

Check all the info you have against any bad date lists in your area. Some service providers and community-based organizations maintain bad date lists for sex workers in the local area.



**Workplace Confirmation Example:**

*If they work at X and have a profile online, call the main line and ask to be connected to their office number. Don't out anyone either - use a neutral name and reason for your call, and if you ask for an email from their work account, use a non-advertised, neutral email address.*

**Trans Life Line**  
**US: 877-565-8860**  
**Canada: 877-330-6366**

This line is primarily for transgender people experiencing a crisis. This includes people who may be struggling with their gender identity and are not sure that they are transgender. While our goal is to prevent self harm, we welcome the call of any transgender person in need. We will do our very best to connect them with services that can help them meet that need. If you are not sure whether you should call or not, then please call us. Additionally, our operators will only call emergency services with your expressed consent.



# Support Hotlines if You Need to Connect

## HIPS

**800-676-4477**

HIPS offers a 24/7 hotline to provide emotional support, schedule supplies deliveries, and get connected to health and supportive services in the DC Metro Area.

## SWOP USA's Community Support Line

**877-776-2004**

The SWOPUSA Community Support Line is staffed by sex worker peers who can help you figure out your next step. We don't have all the answers but – chances are – we know someone who does! We are trained in listening and hearing. We do not give advice or make recommendations but if we have a resource, we will be happy to give it to you. A lot of times its nice to just have someone to talk to if you've been through a stressful event and know that no one will understand unless they are "in the biz."

## New York City Anti-Violence Project

**212-714-1141**

Our free, bilingual (English/Spanish), 24-hour, 365-day-a-year crisis intervention hotline is staffed by trained volunteers and our professional counselor/advocates, offering support to LGBTQ & HIV-affected survivors of any type of violence, as well as to those who love and support survivors, including those who have lost a loved one to violence.



### Internet Databases to Validate Names, Emails, Phone Numbers, and More

- [Intelius](#) - Personal favorite database after Pipl
- [CriminalCheck](#) - Free Sex Offender Registry List; look up full names to double check they are not listed.
- [ZabaSearch](#) - Free public database to search for names, emails, phone numbers, etc.
- [Spokeo](#) - reverse search database where you can look up phone number, name, email for more info on the individuals who use that info.
- [Public Data](#) - Demo included for this database.
- [Hunter: Email Verifier](#) - 50 free searches per month. Best for further validating clientele's professional email addresses as valid and avoiding fake email addresses.

## Step 2: Referrals from Other Providers

Ask for references of previous dates your potential date has had. Follow up with those people to ask whatever information helps you to feel safe (and make sure they have an ad or website, too). Ask for more than one, if possible - people pop in and out all the time and someone probably won't get back to you. This is also easier the more community is built! When we know people it's often easier and faster to follow up on that information.

# Screening When Working in a Public Space

- **Work with a buddy/peers/friends.** Community means safety. Community means you'll have someone to look out for you, someone there in case something goes wrong, and advice specific to where you are. You're safer when people know you're not alone.
  - \* Remember the license plate, make/model as well as possible, and let someone else know what that is.
- **If you have a local bad date list, read it before heading out!** Even if you don't remember every word, the color of a car or someone's name might perk your brain.
- **Know your spot.** The more you know the physical layout of a local area, the more you know where you can head off to when you need to get to safety or just get off your feet. Knowing where you have a little privacy makes negotiating easier, and it means you're focused on the person in front of you. If you're focused, you can check in with your gut a little easier, or figure out if the person you're talking to is intoxicated, or just maybe just has a vibe you don't want to fuck with.
- **Know your boundaries and price list ahead of time.** Pausing to think lets people know it's a negotiation. When that dollar amount just rolls off your tongue, people take it more seriously.

including the impact that they may have on your benefits, housing, immigration options, impact on your other jobs, among other things.

- The defense attorney should ask you about your immigration status, but if they do not remember, provide them with that information as soon as possible. Prostitution charges can lead to detention or impact your ability to get any immigration status. Even plea deals can impact immigration status, so it's important you ask the attorney what may be the impact of the plea on the immigration status. Some criminal defense attorneys do not have much education on the immigration system and do not realize that a lesser charge in criminal court may still have a negative impact on the immigration side.
- Attorneys are held to ethical standards. If they are not meeting their standards or taking advantage (e.g., asking you for a date or asking you for sexual services), you can make a complaint to the state Bar Association. You can also request the judge to assign you a new attorney. However, requesting a new attorney may require you to go on the record and explain why you need a change. In other words, you may have to tell the judge about inappropriate conduct. The judge may also deny the request and you may not be able to switch attorneys. The standard for changing attorneys can be a high standard to meet.

## A Few Tips from [Tricks of the Trade](#)

- Run against traffic, not with it.
- The smaller the stroll, the more you have to guard your reputation. In a small town with a small pool of customers, you can't afford to get caught stealing, faking, going with someone for less-than-price or without condoms.
- The further from the stroll you get with a customer, the harder it becomes to leave.
- If he gives you a bad feeling on the stroll (your territory) It will get worse once you're in the car (his territory).
- Stand where you can be seen and where you have good, glare-free vision of the stroll and approaching cars.
- Stash keys and other important personal items where they will be accessible and safe -keeping them in your pockets or purse makes them available to customers who want to rob you.



### ***Approaching a Car...***

- Approach the driver's window keeping enough distance to avoid being grabbed, assaulted with spit or spray paint or pleasing "window shoppers"
- Study the customer, the car and the door lock system.
- Arrange price, service and location while you're outside the car.
- Circle the car completely before entering to ensure the number of passengers & take the license plate number or pretend to.
- Wave goodbye to work partner (or pretend to) and shout expected return time.

# Checking Your Gut

We always hear about checking your gut, but those instincts take time to develop, too. Below are some red flags to look out for regarding your potential date's information:

- No records nor history of their provided information
- All of their information seems to be newly created
- They have an arrest/criminal record that you're not comfortable with

Some additional red flags to show that they might be inclined to push your boundaries:

- They want a photo of your face and/or other revealing photos
- They use rude, profane or unnecessarily aggressive language
- They continuously ask too many personal questions
- They promise to be a regular
- Ask about money, then ask about specific activities
- Always protect your identity and anonymity

***Every situation is different, and some of these might be standard negotiation, but always check if anything feels uncomfortable, or out of the norm for you.***



# What to Expect from Your Criminal Defense Attorney

- Everyone has the right to a criminal defense attorney, but when someone tells you to ask for one it is specific to where you are. **Ask for a public defender and make it clear that you cannot afford an attorney.** Depending on where you live, you may automatically be assigned one at your first hearing, but in some places you will have to ask for one. The sooner you ask, the sooner you can speak with attorney or stop an interrogation.



- Your lawyer should explain who they are and what their role is to you as well as give you contact information and take yours. It is possible that the first attorney you meet may not be the one that is permanently assigned to your case. Some offices have public defenders who respond to emergency cases or initial hearings only.
- They should explain to you that everything you say to them is privileged and confidential, explain what you are charged with, and explain ALL of your options. You almost always have more than one. If you are going to plead guilty to something, they should discuss \*all\* of the implications with you

# Screening is Subjective

- If you are arrested and held in jail, you have the right not to speak to immigration (ICE) agents. Tell them you want to speak to your lawyer first. You should handle this like any other situation where you are stopped or detained (see previous sections).
- If your workplace is raided, you have the right to remain silent & ask for your lawyer. Stay calm, don't answer questions & ask if you may leave. Treat the situation as any other in which you are stopped or detained (see previous sections).
- You have the right to call your consulate if you are arrested. Police must let your consulate visit or speak with you.

## **Focus on You, Your Comfort, and Your Boundaries: One Size Doesn't Fit All**

- \* Please screen to YOUR level of comfort as best as you can.
- \* Do not base your screening requirements from another provider's.
- \* Focus on what you information you need from your clients, and your favorite tools to use.

## **It's Risky Business for Everyone!**

- \* This a risky business, so both the provider and the client need to take risks.
- \* Ignore taunts like, "I need to see you ID then." We (providers) have to share photo ID and other personal identifiable information to advertise.
  - Clients are clueless since providers have to verify with all the review boards today while clients do not.
- \* Providers shouldn't be the only ones subject to risk of being alone with a random dude.
- \* Provider safety is more important than clientele "privacy."

# Meeting in Person for the First Time

- **Ask to meet in a public space or talk on the phone** before going to a more private location. You can also assess the person for comfort or intoxication in person when you can't over email.
- **Ask for ID.** If you were able to get information ahead of time, confirm it's the same information as you were provided.
- **Set up a safe call** to a friend to tell them where you are and what time you'll call them back. Work out ahead of time what to do if you do not call at the specified time.
- If the client is coming to a place you arrange:
  - \* **Hide things with sensitive information** in plain sight (e.g. mail on your kitchen counter or a name on the buzzer).
  - \* **Plan what to do if something goes wrong.** Can you get out if you need to, and would there be someone around who would offer help?
- If you are going to their place:
  - \* **Be aware of what you bring.** Carry as much cash as you are willing to lose. If you are arrested, the cash on you may be vouchered as evidence - but it's easy for an officer to pocket. You can make a complaint, but you'll likely never see that money again. If you are carrying drugs or something that could be considered a weapon, you may open yourself up to other charges.
- **Knowing your surroundings promotes safety.** If you're in a hotel, make sure the door is not chained, and remember how to get to the elevator if you have to run. Look around when you get to the house or the parking lot to see if things feel off.

## *If You are a Non-Citizen*

- **You do not have to answer questions about your immigration status or where you or anyone in your family was born.** If you are asked, assert your right to remain silent and ask to speak with a lawyer. Make sure to tell your lawyer if you have concerns about your immigration status. Talk to your lawyer before talking with the police or Immigration and Customs Enforcement (ICE) agents.
- If you are an immigrant who is 18 or older and have been issued valid U.S. immigration documents (such as an unexpired permanent resident card, also known as a "green card"), then you are legally required to carry those documents with you at all times. Failure to carry valid immigration documents is a misdemeanor crime under federal law.
- With the activation of Secure Communities, when you are fingerprinted the police send your information to ICE, regardless of whether or not you are convicted of a crime. Therefore, if you are not a citizen, just getting picked up and charged with a crime may lead ICE to ask the NYPD to hold you while they investigate whether or not you are deportable.
- Convictions of even minor crimes or violations (prostitution-related crimes), may have serious immigration consequences. Never accept a plea bargain without consulting an criminal immigration expert first.

## Sexual Harassment

- Sexual harassment or assault by police officers is never ok! If you feel that you are being spoken to or touched inappropriately, you can ask for a supervisor to be called to the scene.
- You don't have to give an officer your phone number.
- If an officer says they will let you go if you do something for them, think twice. They may arrest you anyway. Report sexual harassment and abuse by police!

## If You Are LGBTQ+

- The police are not allowed to make transphobic or homophobic remarks or discriminate against you based on gender identity or sexual orientation.
- You have the right to be referred to by names, honorifics and pronouns that reflect your gender identity (even if it doesn't match the information on your ID.) It may be a good idea to carry a copy of your legal name change documents if you have them along with your ID.
- It is illegal for police to frisk or search you to determine your gender. If this happens to you, be sure to report it! Check the information at the end of this pamphlet about what you can do if your rights are violated by police.
- If you are in police custody, you should be searched by an officer of the gender you request. You should also be held in sex segregated police facilities according to your gender identity, even if it differs from the sex you were assigned at birth, unless there is a concern for your safety.
- If you are concerned for your safety, you should ask to be treated as a "special category prisoner" and held in a cell by yourself. The police cannot handcuff you to rails, bars or chairs for unreasonable periods of time because you asked to be treated as a "special category prisoner."

# Safety Planning in Case of Arrest



The following worksheet is to help create a safety plan in case you are arrested. Fill it out with whatever additional information is necessary and keep it with a safe person in your life.

- 1. Have an arrest support person (ASP) and memorize their phone number.** Memorize your Arrest Support Person's (ASP) phone number. If you are detained, anticipate that you will only be allowed one phone call. Your ASP should be someone who will be a connection between you and the outside world. Make sure they agree to this responsibility before you list them! They will have to contact care providers for your children/pets, reach out to designated contacts, and may even have to assist you in getting financial support for your attorney/bail/bond.
- 2. Memorize your lawyer's phone number.** If you don't have a lawyer retained or in mind, find the legal services organization in your area and write them on the sheet for your ASP. Places to call may include the local Legal Aid Society, a local service provider, or the American Bar Association in your state.
- 3. List an emergency care provider for each person you care for/pet and their contact info (if different from ASP) and create a daily schedule regarding their needs.** Your ASP will contact each care provider and they

will carry out your instructions regarding things like school, extra-curricular activities, and medical needs. Also go over what to tell those in your care in case of arrest. If you have children, keep this schedule updated each semester to reflect changes.

4. Have a plan for **what you will tell various people** in your life if you are arrested.
5. **Put aside money to live off of in case an arrest prohibits you from working for a while.** It would also be a good idea to have money set aside for a lawyer, but in case that is not an option, have the names and numbers of attorneys you can reach out to.
6. **Keep seven (7) days worth of your medications on you at all times in correctly labeled prescription bottles.** If you have potentially life threatening allergies/medical conditions keep documentation or wear a medic alert bracelet
7. **Decide if you want community/court support and what that looks like for you.** Think about what would feel most supportive to you afterwards. Sometimes people want a hand to hold in the court room, or a friendly face to look back at. Some people want an email blast to go out to journalists about the case. Some people want child care and a person to have lunch with after court, and to know who will take a ranting call at 10pm. Every answer is valid, and your emotional well-being is the most important goal.
8. When doing outcalls, try to only **carry as much money as you are willing to lose.** While cops are supposed to voucher anything they confiscate, they can easily pocket cash and you'll never see that money again

## ***When Your Rights Have Been Violated***

- Write down everything you remember, including officers' badge and patrol car numbers, which agency, and any other details. Get contact information for witnesses.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

## ***If the Police Ask You Questions After Arrest (Interrogation)***

- Ask for a lawyer. Once you do, all questions should stop. Whether or not the police read you your "Miranda" rights, you have the right to remain silent.
- If you are arrested, state clearly, "I'm going to remain silent. I'd like to speak to a lawyer." Even if the police don't read you your "Miranda" rights, what you say may be used against you.
- Any time you are questioned while in police custody, you should say out loud, "I'm going to remain silent! I want a lawyer!"
- Even if you make a mistake and start talking to the police, it's not too late to use your rights. Once you do, the police must stop interrogating you.



## ***When Can Police Search My Phone?***

### **If you consent to a search, the police don't need a warrant.**

The most frequent way police are able to search is by asking you for permission. If you say “yes” and consent to the search, then police don't need a warrant. You can limit the scope of that consent and even revoke or take it back after the officers begin searching, but by then it may be too late.<sup>1</sup> That's why it's better not consent to a search—police may drop the matter. If not, then they will generally need to get a search warrant to search.

### **Even if you're arrested, police can only search your phone under limited circumstances.**

After a person has been arrested, the police generally may search the items on her person and in her pockets, as well as anything within her immediate control, automatically and without a warrant. But the Supreme Court has ruled that police cannot search the data on a cell phone under this warrant exception. Police can, however, search the physical aspects of the phone (like removing the phone from its case or removing the battery) and in situations where they actually believe evidence on the phone is likely to be immediately destroyed, police can search the cell phone without a warrant.

(From the [Electronic Frontier Foundation](#))

# Criminalization of Sex Work in the U.S

Every state criminalizes the exchange of sexual services for money. Check local state laws to see what types of sex work are criminalized (e.g. BDSM). You will also want to compare them to other laws to see how they may be written differently or what the different penalties are. For example, some states combine multiple types of sexual services into one charge.

To find the laws in your state, Google your state and the charge. Some states have separate criminal codes, while others have a general state code that can make it confusing to find the accurate charge. Some codes are state hosted .gov websites others may only be available through legal sites such as findlaw.com.

## Sample State Laws Criminalizing Sexual Services

**Solicitation** (Example: [California Penal Code §647 \(b\)](#)):  
*An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with the intent to receive compensation, money, or anything of value from another person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, he or she manifests an acceptance of an offer or solicitation by another person to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.*

## If You're Arrested by the Police

- The police may arrest you if they have “probable cause” (hard evidence) that you committed a crime. You can give your name and address. Other than this, **you have the right to remain silent! Use it and say out loud**, “I’m going to remain silent. I want a lawyer.”
- **Don’t talk about anything that has to do with your arrest to anyone without having a lawyer present.** Don’t even talk to police officers or district attorneys, even if they say they are trying to help you. Remember, police are trained to trick you.
- **Do not sign anything without a lawyer present!** You may be waiving your rights or confessing to a crime.
- You will be handcuffed, searched, photographed & fingerprinted for most offenses. Once at the precinct, you should be searched by an officer of the same gender or of the gender you request. If this does not happen, you can remind the police that they are required to explain why in their command log.
- If you have children with you, you can ask the police to call a family member or friend before they take you away.
- **You have the right to make a local phone call.** The police cannot listen if you call a lawyer. They can and often will listen to a call made to anyone else.

## Your Rights

- **You have the right to remain silent.** For example, you do not have to answer any questions about where you are going, where you are traveling from, what you are doing, or where you live. **If you wish to exercise your right to remain silent, say so out loud.** (In some states, you may be required to provide your name if asked to identify yourself, and an officer may arrest you for refusing to do so.)
- **You do not have to consent to a search** of yourself or your belongings, but police may pat down your clothing if they suspect a weapon. Note that refusing consent may not stop the officer from carrying out the search against your will, but making a timely objection before or during the search can help preserve your rights in any later legal proceeding.
- If you are arrested by police, **you have the right to a government-appointed lawyer** if you cannot afford one.
- **You do not have to answer questions about where you were born, whether you are a U.S. citizen,** or how you entered the country.
- If you are being detained, police can hold you for a “reasonable” amount of time - which is just as broad as it sounds, and often can only be challenged later in court.



### **Loitering for the Purposes of Prostitution** (Example: [New York, Penal Law § 240.37](#))

*Any person who remains or wanders about in a public place and repeatedly beckons to, or repeatedly stops, or repeatedly attempts to stop, or repeatedly attempts to engage passers-by in conversation, or repeatedly stops or attempts to stop motor vehicles, or repeatedly interferes with the free passage of other persons, for the purpose of prostitution as that term is defined in article two hundred thirty of this part, shall be guilty of a violation and is guilty of a class B misdemeanor if such person has previously been convicted of a violation of this section or of section 230.00 of this part.*

### **Prostitution** (Example: [Illinois Compiled Statutes Sec. 11-14\(a\)](#))

*Any person who knowingly performs, offers or agrees to perform any act of sexual penetration as defined in Section 11-0.1 of this Code for anything of value, or any touching or fondling of the sex organs of one person by another person, for anything of value, for the purpose of sexual arousal or gratification commits an act of prostitution.*

### **Promoting/Pandering/Pimping** (Example: [Illinois Compiled Statutes Sec. 11-14.3, Promoting](#))

*(a) Any person who knowingly performs any of the following acts commits promoting prostitution advances prostitution as defined in Section 11-0.1;*

*(b) profits from prostitution by: (A) compelling a person to become a prostitute; (B) arranging or offering to arrange a situation in which a person may practice prostitution; or (C) any means other than those described in subparagraph (A) or (B), including from a person who patronizes a prostitute.*

### **Maintaining a Bawdy House** (Example: [Code of Virginia §18.2-347 Keeping, residing in, or frequenting a bawdy place; “bawdy](#)

# Know Your Rights in Police Encounters

This information and intellectual labor is from the [ACLU](#) and [Communities United for Police Reform](#). Please view their guides for more information. Both guides are written for traditional police stops. If you are caught in a sting operation where law enforcement has set up a fake date, they may already have probable cause for an arrest.



## What Happens if You're Stopped by the Police in Public

- At this point, you can politely ask, “Am I free to go?” in a calm, assertive tone. If the officer does not answer, continue to ask, “Am I free to go?” or “Are we free to go?”
- If the officer says, “yes,” calmly walk away.
- If the officer says, “no,” then you are being “stopped” or “detained.”
- Police are not legally required to speak with you in your native language.
- Police are supposed to treat everyone with courtesy, professionalism and respect and should never make discriminatory or disparaging comments or remarks.

[place” defined: penalty\)](#)

*It is unlawful for any person to keep any bawdy place, or to reside in or at or visit for immoral purposes any such bawdy place. Each day such bawdy place is kept, resided in, or visited shall constitute a separate offense. In a prosecution under this section, the general reputation of the bawdy place may be proved. A violation of this section is a Class 1 misdemeanor.*

**Unauthorized Practice of Law** (Example: New York Education Law §6512 )

1. *Anyone not authorized to practice under this title who practices or offers to practice or holds himself out as being able to practice in any profession in which a license is a prerequisite to the practice of the acts, or who practices any profession as an exempt person during the time when his professional license is suspended, revoked or annulled, or who aids or abets an unlicensed person to practice a profession, or who fraudulently sells, files, furnishes, obtains, or who attempts fraudulently to sell, file, furnish or obtain any diploma, license, record or permit purporting to authorize the practice of a profession, shall be guilty of a class E felony.*

2. *Anyone who knowingly aids or abets three or more unlicensed persons to practice a profession or employs or holds such unlicensed persons out as being able to practice in any profession in which a license is a prerequisite to the practice of the acts, or who knowingly aids or abets three or more persons to practice any profession as exempt persons during the time when the professional licenses of such persons are suspended, revoked or annulled, shall be guilty of a class E felony.*