

Meaningful Work

TRANSGENDER EXPERIENCES IN THE SEX TRADE



WITH NEW ANALYSIS FROM THE NATIONAL TRANSGENDER DISCRIMINATION SURVEY

Executive Summary

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DECEMBER 2015



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Executive Summary

The National Transgender Discrimination Survey (NTDS) examined the experiences of over 6,400 transgender adults across the United States in 2008-2009. To date, it remains the largest reported survey of transgender people in the US. The NTDS found that transgender people overall experiences high levels of discrimination in every area of life, as well as high levels of poverty, unemployment, homelessness, negative interactions with police, incarceration, and violent victimization. As a result, many transgender people participate in the sex trade in order to earn income or as an alternative to relying on homeless shelters and food banks. The criminalizing and stigmatizing of sex work in the United States can worsen the discrimination and marginalization that transgender people already face in society. Trans sex workers experience harassment and violence, often at the hands of police, and these experiences are heightened for transgender people of color, especially women.

KEY FINDINGS

694 NTDS respondents—10.8% of the overall survey—reported having participated in sex work and 135 NTDS respondents (an additional 2.3%) indicated that they had traded sex for rent or a place to stay.

Black and Black Multiracial NTDS respondents had the highest rate of sex trade participation overall (39.9%), followed by those who identified as Hispanic or Latino/a (33.2%). Those who identified only as white had the lowest rate of participation at 6.3%.

Transfeminine NTDS respondents were twice as likely to participate in the sex trade compared to transmasculine respondents (13.1% vs. 7.1%).

Education

THOSE WHO EXPRESSED THEIR TRANSGENDER IDENTITY WHILE ATTENDING GRADES K-12 REPORTED SUBSTANTIAL NEGATIVE EXPERIENCES IN EDUCATIONAL SETTINGS.

83.2% OF SEX TRADE PARTICIPANTS EXPERIENCED PROBLEMS IN K-12 AND 76.8% REPORTED HARASSMENT.

51.2% REPORTED PHYSICAL ASSAULT AND 23.2% REPORTED SEXUAL ASSAULT IN SCHOOL DUE TO BIAS.

26.1% LEFT SCHOOL DUE TO HARASSMENT (VS. 10.8% OF NON-SEX WORKERS).

Employment

An overwhelming majority (69.3 %) of sex workers reported experiencing an adverse job outcome in the traditional workforce, such as being denied a job or promotion or being fired because of their gender identity or expression (vs. 44.7% of non-sex workers). Those who lost a job due to anti-transgender bias were almost three times as likely to engage in the sex trade (19.9% vs. 7.7%).

Current unemployment rates were dramatically higher for those who reported involvement in the sex trade (25.1%) compared to those who were not (12.4%).

Transgender sex workers were more than twice as likely to live in extreme poverty (under \$10,000/year) than those who hadn't participated (30.8% vs. 13.3%) and were less likely to be higher income earners, only 22.1% reported household income over \$50,000/year (compared to 43.4% of non-participants).

Housing Insecurity

Those who had ever been involved in the sex trade experienced substantially higher rates of homelessness; 48.1% reported experiencing homelessness at some point in their lives (compared to 14.2% of non-sex workers).

WHEN TRYING TO ACCESS HOMELESS SHELTERS, TRANSGENDER SEX WORKERS WERE DENIED FAIR TREATMENT MORE OFTEN THAN OTHER TRANSGENDER PEOPLE.

- 39.5% WERE DENIED ACCESS TO A SHELTER (VS. 17.5% OF NON-SEX WORKERS).
- 35.3% WERE THROWN OUT OF A SHELTER (VS. 12.9% OF NON-SEX WORKERS).
- 64.5% WERE HARASSED BY STAFF (VS. 39.1% OF NON-SEX WORKERS).
- 37.3% WERE PHYSICALLY ASSAULTED AND 35.4% WERE SEXUALLY ASSAULTED BY STAFF.

Police & Court Interaction

Transgender sex workers reported high levels of interaction with the police (79.1%). They also indicated that they were somewhat uncomfortable (26.3%) or very uncomfortable (31.8%) seeking help from the police.

Of those who have appeared in court, transgender people engaged in the sex trade were also more likely to report biased treatment by judges and court staff (39.6% vs. 15.5% of non-sex workers).

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52.6% WERE HARASSED BY CORRECTIONS STAFF
29.4% CORRECTIONS STAFF ALSO DENIED ACCESS TO HORMONES (24.9%) AND MEDICAL CARE (17.1%)
26.9% INCARCERATED SEX WORKERS WERE ALL SUBJECT TO PHYSICAL ASSAULT BY OTHER INMATES (26.9%) AND OFFICERS/STAFF (13.5%)
10.7% REPORTED THAT THEY WERE SEXUALLY ASSAULTED BY A PRISON OFFICER

Health Care & HIV Status

Those with experience in the sex trade were more likely to use the emergency room or low-cost clinics than other survey respondents and 32.9% reported being uninsured entirely (vs. 17.5% of non-sex workers).

For sex trade-involved respondents, mistreatment was common in medical settings: 47.9% reported harassment and 28.9% were refused treatment by medical providers. Mistreatment was consistently higher for those with sex trade experience across all medical settings, especially in the ER and rape crisis centers.

Transgender respondents involved in the sex trade were more likely to have a physical or mental health disability (40.2% vs. 28.3% of non-sex workers).

HIV RATES AMONG TRANSGENDER PEOPLE WITH SEX TRADE EXPERIENCE WERE ALARMINGLY HIGH.

15.3% SAID THEY WERE HIV+ OVERALL, COMPARED TO 1.2% OF NON-SEX WORKERS FROM THE SURVEY
9.9% DID NOT KNOW THEIR HIV STATUS
25.9% OF PEOPLE OF COLOR WITH EXPERIENCE IN THE SEX TRADE WERE HIV+ (VS. 3.2% OF NON-SEX WORKERS)
40.6% OF BLACK AND BLACK MULTIRACIAL RESPONDENTS SAID THEY WERE HIV+ (VS. 7.0% OF NON-SEX WORKERS)

Mental Health & Suicide

Respondents who had done sex work reported higher rates of daily tobacco use (32.5% vs. 17.4% of non-sex workers) and were more likely to say they use drugs or alcohol to cope with discrimination (18.2% vs. 6.7% of non-sex workers).

60.4% of survey respondents in the sex trade reported that they had attempted suicide, significantly higher than the attempted suicide rate of non-sex worker survey respondents overall (38.2%).

Transgender men who had participated in the sex trade had the most substantial increase in suicide attempts (75.5% vs. 44.3% of non-sex workers).

Policy Recommendations (excerpted)

What policy makers and legislators can do

DECRIMINALIZE SEX WORK AND ALL RELATED OFFENSES

Federal, state, and local governments should repeal criminal laws for prostitution and related offenses. Leading human rights and public health experts agree that decriminalization is essential to protect the safety of people in the sex trade and to combat HIV. This is not only compatible with efforts to combat coercion and trafficking in the sex trade, it will strengthen them by focusing resources on the real problem and making it far easier for sex workers to screen clients, report violence, access social services, and find employment outside the sex trade without the burden of a criminal record.

While full decriminalization may not immediately be feasible in many jurisdictions, policymakers can take steps to reduce the harshest impacts of criminalization and refocus attention on coercion in the sex trade. This includes rolling back local enforcement policies based on “zero tolerance” of prostitution, “prostitution free zones,” and “quality of life.”

PASS NONDISCRIMINATION AND OTHER TRANS-POSITIVE LAWS AND POLICIES

Federal, state, and local governments should pass comprehensive legislation to explicitly prohibit discrimination against based on gender identity and sexual orientation in employment, housing, public accommodations, public education, and by any entity receiving federal funding.

Federal, state, and local governments should also adopt policies permitting individuals to update the name and gender on identification documents without medical requirements, excessive fees, or other burdens; eliminate discriminatory transgender exclusions in Medicaid and other health insurance plans; collect data on gender identity, sexual orientation, and where appropriate, sex trade participation in population surveys; and prioritize funding for research on transgender and sex worker populations.

IMPROVE AND MONITOR POLICING PRACTICES

Federal, state, and local governments should implement more rigorous civilian oversight, transparency, and other accountability measures for police, including passing or strengthening laws and policies limiting use of force and prohibiting profiling and other discrimination based on race, ethnicity, national origin, religion, gender, gender identity, and sexual orientation; and adopt specific policies governing interactions of police, prosecutors, public defenders, court staff, and judges with transgender people, sex workers, and suspected sex workers.

IMPROVE AND MONITOR POLICING PRACTICES

Federal, state, and local governments, social service agencies, and funders should invest resources in education, job training, healthcare, and housing programs for transgender and sex trade-involved individuals, with a focus on those in low-income and traditionally underserved communities, such as transmasculine participants in the sex trade; and adopt policies and approaches that prohibit discrimination and avoid stigmatizing these populations.

Federal, state, and local governments should provide funding for harm reduction health care services for transgender communities and sex workers, including lifting all restrictions on federal funding for harm reduction programs.

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