

Lack of Confidence in Police Creates a “Blue Ceiling” for Sex Workers’ Safety

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La confiance en la police est fondamentale pour que les citoyens soient disposés à rapporter un acte illégal ou des informations à propos d’un crime, à demander de l’aide quand ils sont victimes d’un délit, et, plus généralement, à respecter la loi. Or, la très grande majorité des membres des groupes marginalisés affirment ne pas croire que la police applique la loi de façon équitable. Mais, même si des recherches décrivent un large éventail d’expériences difficiles que les travailleuses du sexe ont eues avec la police, on ne sait pas dans quelle mesure de tels événements sont fréquents, parce que la plupart des études concernent seulement les travailleuses du sexe qui travaillent dans la rue et ne comportent pas de données quantitatives. Dans cet article, nous examinons la confiance en la police en analysant des données pertinentes recueillies grâce à des entrevues en personne réalisées avec des travailleuses du sexe dans six régions métropolitaines de recensement du Canada. Nous observons que, sous le régime juridique qui prévalait avant 2014, la confiance en la police qu’avaient les travailleuses du sexe qui composent notre échantillon non aléatoire était plus faible que celle des autres Canadiens – évaluée dans l’Enquête sociale générale –, et que ces travailleuses avaient très peu tendance à croire que la police les traitait de façon équitable. De plus, une analyse thématique suggère que ce phénomène est principalement dû à la stigmatisation et à la discrimination. Nous observons également qu’une minorité importante des femmes interviewées considère toutefois la police comme une source d’aide, ce qui indique que des politiques et des programmes appropriés permettraient d’améliorer les relations entre les travailleuses du sexe et la police.

Mots clés : travailleuses du sexe, confiance en la police, peur d’être arrêté, stigmatisation, politiques publiques

Confidence in the police is fundamental to citizens' willingness to report unlawful behaviour, share intelligence about crime, seek help when victimized, and generally comply with the law. Marginalized groups overwhelmingly report a lack of confidence that police will apply the law fairly. Although sex work research reports a wide range of negative experiences with the police, it is not known how common these experiences are because most research focuses solely on street-based sex workers and does not include quantitative measures. We report on confidence in the police through the analysis of relevant data gathered from in-person interviews with sex workers from six census metropolitan areas of Canada. Under the pre-2014 legal regime, our non-random sample of sex workers had lower confidence in police than estimated for other Canadians by the General Social Survey and were particularly unlikely to see police as treating sex workers fairly. Thematic analysis suggests this is primarily driven by stigma and discrimination. We also found a significant minority who reported the police to be a source of aid, suggesting that appropriate policy and program regimes could be developed to improve sex worker–police relations.

Keywords: sex workers, police, confidence in police, fear of arrest, stigma, discrimination, policy

Introduction

Relations between sex workers and police have been found to be marked by profound distrust. As research demonstrates, sex workers cannot rely on the protective services that other Canadians take for granted (Brown et al. 2006; Bruckert and Chabot 2010; Ferris 2015; Jeffrey and MacDonald 2011; Krüsi et al. 2014; Lewis et al. 2005). Studies on sex worker–police interactions in Canada draw chiefly on the voices of street-based workers, who represent a minority of those working in the sex industry but are most conspicuous and therefore considered most vulnerable to harassment by police (Armstrong 2016; Ferris 2015; Lowman 2000). In the Canadian context, the perceptions of police by sex workers who are not street based are understudied. This knowledge gap is problematic given that the legal context in Canada has shifted in large part to increase access to protective services across the sex worker population.

This study has two objectives: (a) to shed light on perceptions of and experiences with police from a diverse sample of sex workers from multiple census metropolitan areas (CMAs) and (b) to provide a baseline analysis for future study of the impact of legal change on sex workers' confidence in police. The laws in place at the time of this study prohibited several sex work-related activities, including being in or operating an indoor sex work venue (bawdy house; *Canada v. Bedford* 2013, s. 210), being hired by a sex worker for security or other services (living off the avails; s. 212[1]), and communicating in public for the purposes of sex work (s. 213[1]; McCarthy et al. 2012). These restrictions were successfully challenged in the Supreme Court of Canada as violating the right to security of the person by compromising safety measures in selling sexual services, which in itself was a legal activity (*Canada v. Bedford* 2013). In 2014, the government of Canada responded to that court decision by amending the Criminal Code—for the first time in Canada—to criminalize the purchase of sexual services. The aim of the changes outlined in the Protec-

tion of Communities and Exploited Persons Act (PCEPA; Canada 2014) is to reduce and ultimately eliminate demand for sex work while avoiding punishment of those selling their own sexual services. Illuminating the major factors that shape sex workers' perceptions of and experiences with police predating the PCEPA is vital to understanding how sex workers' access to protective services may be affected by the new legal context. Before presenting our study, it is worthwhile to summarize what is already known about sex worker–police relations.

Sex Workers and the Police

Sex workers' rights are routinely violated by police all over the world. In many studies, sex workers—and street-based workers in particular—have described the police as their largest problem (e.g., Miller 2002; Sherman et al. 2015). Frequency of police-perpetrated physical and sexual assault against sex workers leads many to see the police as “violent perpetrators[s] with a badge” (Williamson et al. 2007, 27), overriding concerns regarding client-perpetrated violence (Jeffrey and MacDonald 2011; Pettifor, Beksinska, and Rees 2000; Rhodes et al. 2008). Other common types of police misconduct include non-responsiveness to calls for help and coercing sex workers into sexual acts in exchange for non-arrest (Williamson et al. 2007). The latter is reportedly commonplace in the United States (Blankenship and Koester 2002; Dewey and St. Germain 2014; Sherman et al. 2015), China (Boittin 2013), India (Biradavolu et al. 2009), Cambodia (Maher et al. 2011), Sri Lanka (Miller 2002; Nichols 2010), Russia (Odinokova et al. 2014), South Africa (Pettifor et al. 2000), and Serbia (Rhodes et al. 2008). Use of sex workers as informants for organized crime is yet another way that police undermine sex worker safety (Blankenship and Koester 2002; Sherman et al. 2015; Williamson et al. 2007).

Stigma plays a central role in these abuses of police power. By targeting known sex workers rather than sex work, the object of policing shifts “from activities into identities” (Blankenship and Koester 2002, 555), making

sex workers vulnerable to police harassment and abuse at any time of the day or night (Bruckert and Chabot 2010; Bruckert and Hannem 2013; Jeffrey and MacDonald 2011; Novich 2015; Williamson et al. 2007). According to Jeffrey and MacDonald (2011), crime prevention programs “fail to protect sex workers and fail to respect even their basic rights to citizenship” (130). As Ferris (2015) asks, “How are sex workers to trust that police want to protect and work with them to decrease their vulnerability when officers are simultaneously working to make their jobs more solitary and dangerous?” (74).

Not all sex workers’ experiences with police are purely negative, however. In their study of sex workers’ experiences in Eastern Canada, Jeffrey and MacDonald (2011, 125) describe two primary patterns of police engagement: one “rough, unfeeling, and callous,” which breeds harassment and discrimination, and a second “more human” although “possibly also paternalistic” approach that all but negates the threat of arrest. Sex workers report interacting with a few “nice cops” (Williamson et al. 2007, 23), state that “there are some good cops out there” (Bruckert and Chabot 2010, 48), or suggest that officers are just “doing their job[s]” (Novich 2015, 115; Jeffrey and MacDonald 2011, 132). Others describe some officers as unproblematic paying clients (Williamson et al. 2007).

Apart from these few positive reports, the overall picture of sex workers’ views of police is bleak. Yet generalizability of these findings is limited by the use of small homogeneous samples and a lack of quantitative variables, including measurement of confidence in police. In this article, we estimate sex workers’ level of confidence in the police and the main social factors linked to confidence through the analysis of relevant data gathered from in-person interviews.

Measuring Confidence in the Police

Confidence in the police involves a conscious assessment that trust has been established through a consistent record of fair and respectful treatment. Trust, in turn, can be defined as the “instinctive unquestioning belief in and reliance upon someone or something like ... a public institution established to protect citizens” (Cao 2015, 242). Confidence in the police is fundamental to citizens’ willingness to report unlawful behaviour, share intelligence about crime, seek help when victimized, comply with the law, and grant consent for the police to enforce the law (Goldsmith 2005; Jonathan-Zamir and Weisburd 2013). Confidence is grounded in both instrumental and procedural justice: Instrumental justice concerns effectiveness of policing, whereas procedural justice is concerned with the fair treatment of citizens by police (Tyler and Fagan 2008, 239).

Analyzing General Social Survey (GSS) responses, Cao demonstrates that Indigenous people (Cao 2014)

and visible minorities (Cao 2011) in Canada have, on average, significantly lower confidence in police than does the general population. This is the case even when controlling for other factors including perceived safety, experience of victimization, perception of local crime, and contact with police. In both studies, the author finds that the largest difference between the minority populations in question and the general population is in the assessment of how well police do “a good job of treating people fairly” (Cao 2014, 511; Cao 2011, 10). Sprott and Doob (2014) further emphasize that Indigenous peoples and other ethnic/racial groups in Canada rate police more poorly than do other Canadians on the items reflecting interpersonal relations rather than instrumental justice.

Sex workers are not identifiable within Statistics Canada data, and to date there are no reports of how sex workers in Canada would answer the same questions about police behaviour and their confidence in police. Because unfair treatment dominates in sex workers’ accounts of police encounters in the extant research literature, one would expect police confidence among this group to be quite low, especially for items pertaining to procedural justice. Our article provides an opportunity to examine this expectation using both measures of police confidence and qualitative accounts of sex workers’ perceptions of and experiences with police in multiple CMAs in a specific temporal–legal context.

Methods

Study and Procedures

The data for this analysis are part of a multiproject community-engaged study that examined the perspectives and experiences of five groups directly or indirectly affected by the sex industry: (a) sex workers, (b) intimate partners of sex workers, (c) those who purchase sexual services, (d) those who manage commercial sexual exchanges, and (e) those who are involved in providing health and social services to sex workers or in implementing laws. Ethics approval was obtained at the lead author’s institution. This article presents relevant findings only from the sex worker interviews.

The recruitment criteria for sex worker participation included being aged 19 years or older, being legally able to work in Canada, and having received money in exchange for sexual services on at least 15 different occasions in the past 12 months. Sexual services were considered to include, necessarily but not exclusively, direct physical contact between a sex worker and a client. These criteria were developed in collaboration with community partners (including outreach agencies and sex worker–led organizations) over the course of the development of the research project. The criteria were designed to recruit participants who were the age of majority in all provinces and thus could potentially be

subjected to criminal charges related to prostitution, who were habitually or regularly engaging in sex work, and who had direct physical contact with clients.

Recruitment sites were 6 CMAs: St. John's, Newfoundland; Montréal, Quebec; Kitchener–Waterloo–Cambridge, Ontario; Wood Buffalo (Fort McMurray), Alberta; Calgary, Alberta; and Victoria, British Columbia. These research sites were selected from a sample of 93 CMAs on the basis of census measures reflecting various social and institutional factors such as population size, mobility, education, income, and provincial jurisdiction. Our objective was to obtain as broad a cross-section of sex workers as possible (given time and budget constraints), representing the diversity of social, political, and cultural contexts that are likely to condition the organization and practices relating to the industry in Canada.

It is not possible to gain a statistically representative sample of a hidden population such as sex workers. Traditional methods of recruitment, including snowball sampling, key informant sampling, and targeted sampling, are each associated with sampling bias. Furthermore, reporting bias threatens data validity, particularly when participants are asked about behaviours they may perceive as socially unacceptable. We worked to mitigate sampling bias by using multiple concurrent recruitment strategies used in earlier studies (e.g., McCarthy, Benoit, and Jansson 2014), including direct phone and email contact with escorts advertising on sex workers' websites and escort directories advertised on the Internet; advertising the study in local newspapers, on sex-work-related websites, and in social support offices and health clinics; hiring sex workers as experiential research assistants; and using respondent-driven sampling. We adjusted our strategies throughout to ensure that no one strategy became dominant—that is, that the sampling bias from a particular strategy would not greatly affect the overall sample. We recruited 34 participants from the St. John's CMA, 54 from the Montreal CMA, 34 from the Kitchener–Waterloo–Cambridge CMA, 9 from the Wood Buffalo (Fort McMurray) CMA, 41 from the Calgary CMA, and 46 from the Victoria CMA, for a total of 218 participants. Recruitment was challenging in the Wood Buffalo (Fort McMurray) CMA because sex workers tend to travel to, rather than reside in, the area for work, making the time window for both recruitment and conducting an interview prohibitively narrow. In the end, we feel that our sample of sex workers is one of the most comprehensive to be found in the Canadian research literature. Although the sample from Wood Buffalo is the most limited, in the other locations we are reasonably confident that we have good representation from key subgroups such as independent street-based (though not managed street-based), independent indoor, and managed indoor workers, with diverse ages, family configurations, and variations in gender identity.

The majority of the interviews were conducted by the first and third authors, with the remainder conducted by research assistants. The French interviews were translated into English before analysis. All interviewers underwent training to help maintain data quality and to mitigate reporting bias. The development of the research instrument was a collaborative effort involving several revisions with community partners as well as input from the research team. In its final form, the instrument took an average of an hour and a half to administer, including both close-ended and open-ended questions about demographic information, experience working in the industry, and interactions with health care providers and the police. All participants received an honourarium of \$60. The present analysis focuses only on data pertaining to sex workers' perceptions of and experiences with the police.

Descriptive Analysis

Our systematic recruitment process in each CMA yielded a diverse and heterogeneous sample of sex workers. We used several demographic characteristics routinely used in Statistics Canada population surveys to develop a descriptive portrait of our sample of sex workers, including age, gender, race/ethnicity, median income, and marital status, which were processed using IBM SPSS Statistics version 23 (IBM Corp., Armonk, NY).

Pertinent to this article, we asked participants four questions about perceptions of police behaviour and one question inviting assessment of their confidence in police. We selected the former four items from among those regarding perceptions of police in Statistics Canada's (2011) GSS Cycle 23 (Victimization). We used two items verbatim and slightly modified the other two. Specifically, we asked participants whether they thought their "local police force" did a "good job" (score = 2), "average job" (1), or "poor job" (0) of "enforcing the laws," "promptly responding to calls," "being approachable and easy for you to talk to," and "treating *sex workers* fairly" (italics show modified wording; the originals of the latter two items read "being approachable and easy to talk to" and "treating *people* fairly"). We modified the latter two items to increase their specificity to the context of sex work.

The fifth stand-alone item, also drawn from the GSS 23, asks, "How much confidence do you have in the police?" Possible answers are "a great deal of confidence," "quite a lot of confidence," "not very much confidence," or "no confidence at all." Because the possible answers to this question ask participants to polarize their position (there is no neutral option), using this item as a stand-alone global measure provides an insightful complement to the other four items.

To help denote the diversity of work locations captured by this study, we categorized each of the participants quoted below into one of three broad categories that reflects their location in the industry at the time of study: independent indoor work, independent street-based work, and managed indoor work. Although we recognize that there is tremendous diversity in business models, working relationships, clientele, and so forth within work types (Weitzer 2007), we assigned participants to each category on the basis of how often they advertised or delivered services in indoor and outdoor locations within the past 12 months and whether they reported having a supervisor. None of the participants reported currently both working outdoors and being managed by someone else, although some had engaged in managed street-based work in the past.

Qualitative Analysis

We examined responses to the open-ended question “What level and kind of interaction do you have with the police through your sex work?” Interviewers probed for sex workers’ perceptions of police attitudes, intersectional discrimination, and enhanced feelings of safety or danger. There were 17 missing answers (from 201 transcripts) because the participant did not wish to be recorded or completed only a portion of the interview or the interviewer mistakenly skipped the question. Transcripts were coded using NVivo software (version 10; QSR International, Burlington, MA, USA). We followed Braun and Clarke’s (2006) multiple-step thematic analysis strategy. Our initial coding process involved the second author’s separately reviewing the relevant answers in all of the transcripts multiple times to gain familiarity with the data. The first and second authors then independently reviewed and coded a random sample of the transcripts. Both authors then checked the two sets of initial codes for interrater consistency (Bradshaw and Stratford 2010) and agreed on a revised set of codes that were then presented to the third and fourth authors for discussion. The second author then coded the transcripts accordingly, based on the revised codes that were unanimously agreed on by all of the authors.

Results

Sample Profile

The youngest participant was aged just older than 19 years (the minimum age for recruitment) and the oldest was aged 61 years, with a mean sample age of 34 years. Of the sample, 77 percent identified as women, 17 percent identified as men, and 6 percent reported another gender identity (i.e., transman, transwoman, transitioning, fluid gender identity, intersex, gender queer, androgynous, or “other”). In terms of race/ethnicity, 19 percent identified as Indigenous, and 12 percent identified as a visible minority person. Nearly three-quarters (70 percent) of

participants had completed high school or the equivalent. Just more than one in four (28 percent) reported being married or common law, and 39 percent indicated that children, family members, partners, or friends depend on them financially. The median annual personal income before taxes was \$39,500. On average, it had been 10 years since participants had entered the sex industry, with an average age of entry of 24 years. For work type, 22 percent of participants mainly engaged in independent street-based work in the past year, 54 percent in independent indoor work, and 24 percent in managed indoor work.

Confidence in the Police

In Table 1, we describe the proportion of participants who reported that their local police force do a “good job,” “average job,” or “poor job” in each of the four activities listed. The pattern of responses from the sex workers revealed that a higher proportion responded that the police do a poor job of enforcing the law (16 percent) and responding to calls (20 percent) compared with the general population (6 percent and 8 percent, respectively; Statistics Canada 2011). The items pertaining to being approachable and easy to talk to and treating sex workers fairly cannot be directly compared with the GSS responses because of the modified wording that tailored the responses to deal with the treatment and perceptions of sex workers specifically. In response to these modified items, 34 percent of sex workers reported that police officers do a poor job of being approachable and easy to talk to, and 49 percent reported that the police do a poor job of treating sex workers fairly. When participants were asked to assess their overall confidence in the police (on a four-point rather than a three-point scale), the majority (63 percent) of sex workers reported “not very much” or “no confidence at all,” which indicates a much higher prevalence of lack of confidence in police among this sample than the general population (15 percent in the GSS). The following qualitative analysis helps to explain why the majority of participants had such low appraisals of police, but also why a minority held the opposite view.

Thematic Analysis

Two hundred one participants answered the open-ended questions about their police contact and were included in our thematic analysis. Of these, 62 participants (just less than one-third) did not describe any experiences with or perspectives on police because they did not have any contact with police through their work. In the remaining 139 transcripts, we identified three major themes in sex workers’ perceptions of and experiences with police: (a) fear of arrest, (b) stigma and discrimination, and (c) source of aid. Within this subsample, 4 participants reported being physically injured by the

Table 1: Confidence in Police Reported by a Heterogeneous Sample of Adult Sex Workers Interviewed in Six Census Metropolitan Areas in 2012–2013 in Canada

Do you think that your local police force does	Sex workers ^a (%)	GSS (2009) ^b (%)
(a) ___ of enforcing the laws?		
A good job	29	61
An average job	55	33
A poor job	16	6
(b) ___ of promptly responding to calls?		
A good job	32	63
An average job	48	29
A poor job	20	8
(c1) ___ of being approachable and easy to talk to?		
A good job	—	73
An average job	—	22
A poor job	—	5
(c2) ___ of being approachable and easy for you to talk to? ^c		
A good job	31	—
An average job	34	—
A poor job	34	—
(d1) ___ of treating people fairly?		
A good job	—	64
An average job	—	29
A poor job	—	7
(d2) ___ of treating sex workers fairly?		
A good job	14	—
An average job	37	—
A poor job	49	—
How much confidence do you have in the police?		
A great deal of confidence	7	31
Quite a lot of confidence	30	54
Not very much confidence	37	13
No confidence at all	26	2

Note: Canada-wide General Social Survey data are included for reference purposes.

Source: Statistics Canada (2011).

^a The number of valid responses for each item ranges from 208 to 215

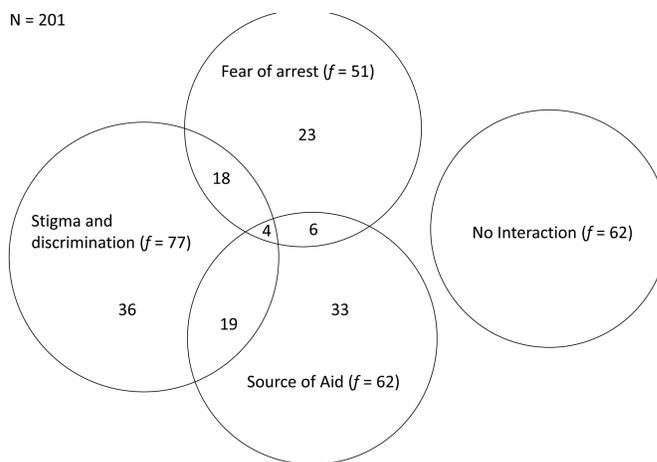
^b The number of valid responses for each item ranges from 16,196 to 18,627

^c Percentages may not total 100 because of rounding.

police or that excessive force was inflicted during the time in which they were engaged in sex work, and another 5 reported these types of experiences in instances that were explicitly not related to their sex work. Only 1 participant revealed having been coerced into sexual acts by the police, which had occurred 22 years earlier when she was a minor.

Participants' identities have been protected through the use of pseudonyms, and both the main work type category of the participant at the time of the interview and the CMA in which they were recruited appear in

N = 201

**Figure 1:** Number of Participants within Each Theme Combination ($n = 201$).

parentheses after quotations. We chose the quotations as ones that best demonstrated the emergent themes. Figure 1 illustrates how multiple themes were present in many of the participants' accounts, demonstrating substantial heterogeneity in sex worker–police relationships.

Fear of Arrest

As noted earlier, during the time at which this study was carried out (2012–2013), it was not illegal to sell or buy sexual services in Canada. However, most of the activities that facilitated such sales were criminal offences, including operating a bawdy house, procuring and living on the avails, and communicating in public for the purposes of prostitution. For 51 participants (37 percent of 139), this quasi-legal quagmire undermined confidence in police (cf. Figure 1). As Charlotte described,

I've known sex workers that were prosecuted because they reported a crime that they were a victim of, but then when the police found out that they had been involved in street work or they were working in like a bawdy house or something like that, they ended up getting arrested instead of the person who had been violent towards them. (independent indoor, Kitchener–Waterloo–Cambridge)

Nicholas explained how police officers charged sex workers with various petty crimes (such as loitering, drug possession, and littering) whenever it was difficult to incriminate them on the basis of explicit sex work–related laws: “There’s a lot of judgment, I guess. But they can’t really come out and say it, but they’ll treat you more harshly. They’ll find something else to ticket you for” (independent indoor, Calgary). The constant displacement of street-based workers by police was for some workers, as Lola said, “like cat and mouse” (independent street-based, Victoria).

The risk of being charged or arrested fostered a strong aversion to seeking police services, as Alexis described: “I do my best to stay away from them [the police] as best I can. I don’t like even walking past them on the street. I’m scared of them; I’m scared because they could put me in a cage” (independent indoor, Kitchener–Waterloo–Cambridge). Both independent indoor and independent street-based workers also described the fear of being subjected to undercover operations, as well as the strategies they adopted to identify undercover cops. Managed indoor workers appeared more concerned with being fined for not having a business license—breaking a bylaw—than for breaching the criminal code for a sex work–related offence. Licensing seemed to afford some protection across sites, as Cassandra explained:

I mean that they want to know we have our licenses and I’ve always had that “Oh if you don’t have your license paid for when they come in they might do a like a raid where they come and check all the lockers and you better not have any drugs in there,” you know, like you want to have your license paid for so it’s all nice and legit. (independent indoor, previously managed indoor, Victoria)

Purchasing a business license was not feasible for all sex workers, especially for persons with an existing criminal record. This barrier to some extent intensified disparities in police protection among sex workers.

Overall, sex workers were highly critical of the semi-criminal status of sex work. As Dawn said, both “the police and the legislation they enforce, doesn’t make a safe space for people who are in sex work” (independent indoor, Kitchener–Waterloo–Cambridge). Avoidance of arrest presented an obvious way that the content and enforcement of the law interfered with sex workers’ ability to access protective services or develop trusting relationships with police. Given the amount of discretion that police have in their duties, fear of arrest was very much connected with police attitudes toward sex workers.

Stigma and Discrimination

Seventy-seven participants (55 percent of 139) described anticipating, experiencing, or knowing someone who had experienced being stigmatized or discriminated against in their interactions with police (cf. Figure 1). Participants reported that police officers sometimes treated them as undeserving of citizenship rights and basic dignity. Sydney, for example, recalled her experience during a time when she was involved in independent street-based work:

All [the police] would do is stop me on the street or whatever and humiliate you. They would yell at you in front of everyone telling you that, you know, that you are just a stupid whore, you have no right to be

here. You know I remember I had a cigarette in my hand and it was burning out and they were like, “What are you going to do, throw that on the ground? If you do, we are going to make you pick up all the cigarette butts around here.” And you know, just very demeaning. And I had that one cop tell me, you know, that I’m just a fat whore, like native whore, things like that. (independent indoor, Victoria)

Sydney also made reference to “starlight tours,” an unsanctioned practice infamous in the prairie provinces in which police pick up vulnerable individuals at night and abandon them outside city limits:

Like you hear a lot of stories about where these guys [the police] end up taking the girls, like I said, out on the highway, they’ll take your shoes and they’ll make you walk into town. Doesn’t matter if it’s winter or nothing, they just treat you like you are nothing. And so when anything serious happened, or you know, those are not the guys I would go to.

Such prejudicial, misogynistic, or racist conduct compromised sex workers’ confidence in the police. Furthermore, discriminatory treatment extended beyond the times and places where sex workers were engaged in work, as Aimee noted:

Well they are disrespectful, they see me walking on the street during the day or at night it doesn’t matter, I’m going grocery shopping and I’m not in the mood to work, they, they. . . . We are stigmatized. (independent street-based, Montréal)

Similarly, Kathleen recounted,

I was talking to a friend of mine who wasn’t even a john. I was in front of the bar, the [bar] down there, and I had a cop pull up—we were getting into a cab, and a cop drove by, going the other direction, and he rolled down his window and he says, “You know you’re getting into a cab with a prostitute right?” Screamed it out. Oh my god. It was so embarrassing. (independent street based, Kitchener–Waterloo–Cambridge)

When working on the streets, sex workers also described more passive aggravations that stopped short of arrest. Avery said,

Police officers would pick us up and make us do things so that they, and you know, he wouldn’t charge us. Harass us. Stay in the area and just park his car on the side of road, and nobody’s going to stop and pick you up if there’s a cop car there, but that’s what he would do. There was two or three of them that would follow us around and do that just to be fucking jerks, for nothing else right. So, I have absolutely no faith in the police system. (independent indoor, previously independent street based, St. John’s)

Such past experiences were reminders of the lack of regard police officers held for sex workers. Jaime described how police think sex workers are undeserving of fair treatment:

Just that they're sexist pigs. That they're disrespectful, that, you know the trope that if you're getting paid for sex then you can't be raped. That sort of idea... I'm sure there are differences between individuals, but overall, my assumption is that there's a culture within the police force and police's attitudes towards sex work. (independent indoor, Kitchener–Waterloo–Cambridge)

Jaime further characterized police culture as it applied to shaping stigma as “testosterone with hand guns.” The stigma and discriminatory behaviour perceived and experienced by sex workers resulted in a reluctance to report victimization, particularly if the victimization occurred during work. Ellie explained the emotional consequences that reporting could present: “It's really hard because if you go in there, then you're facing this huge judgment attached to your already shame, and discomfort, and feeling of victim [sic]. And altogether it just leaves you feeling really worthless and helpless” (independent indoor, Calgary). In fact, the necessity of disclosing or being “outed” in the criminal justice system was described by Kayla as the primary barrier to accessing police services:

Now you have to go to court, you have to say, “I was this [a sex worker], and this is what happened,” you have to make a statement, you have to be involved, now the police know what you're doing. No wonder people don't want to call for help, because there's a stigma attached. That is a very “blue” ceiling. (independent indoor, Calgary)

Sex workers' beliefs that they would be treated unfairly if they did report crimes against them appeared well founded. For example, after experiencing a home break-in, Zoe reported that the police did not view her as a credible victim: “No investigation was done; I mean I got some money from my insurance, but my children lost all of their electronics and it was heart-breaking. Because I was sex trade worker, obviously I was lying” (independent indoor, Victoria). Disturbingly, Bailey described how an abusive intimate partner had leveraged her identity against her to influence police behaviour:

So I called police because he was beating me. He was drunk. So I called them, and he told police I used to be a stripper. As soon as he say [sic] that to police, they want nothing to do with me... Why? Because I'm a stripper? ... You're not going to believe me because I was a dancer? But if I was a secretary you will believe me. Or if I was, like, a police officer, you believe me. Like, you know, it's not—to me, we're all equal. (independent indoor, Kitchener–Waterloo–Cambridge)

Max maintained that police delay their response to emergency calls when the victim is a female sex worker:

Max: I think they, in the city, they don't take the calls so seriously from the girls. Like I've heard of girls having to wait an hour and a half for the police and she very clearly stated that her life was in danger.

Interviewer: Do you think that they knew she was a sex worker?

Max: Yes. She's had a run-in with them before and she very clearly stated her name on the 911 call. And they waited an hour and a half.

Interviewer: So why do you think they do that?

Max: One less whore on the street. Not my words, but that was probably what they were thinking. (independent indoor, St. John's)

Intersectionality of stigmas was enacted when police, for example, targeted more visible street-based workers, female workers, and those dealing with substance dependency. As Jesse related, “I say women kind of get more harassed by cops, by doing it [sex work], than guys. Because guys apparently, to the police, it's a natural thing to do. But, for women, apparently not” (independent indoor, Kitchener–Waterloo–Cambridge). Melody similarly attributed several intersecting factors to explain how stigma is enacted by the police:

Yes I think that the police are even worse with you if you are not white. If you are undocumented, it's even worse. If you're older, it's even worse or if you're, [if] you fit the norm, you have big breasts, blond hair, or whatever, I think they are *much* calmer. But if, if you are a little older, there are even more insults. Like: “What are you doing here?” And you're a mother: “What do you mean you're doing that, you should take care of your kids.” (managed indoor, Montreal)

In short, these accounts indicate that sex workers perceived that police played a stronger role in enforcing stigma and discrimination than in enforcing laws.

Source of Aid

This generally bleak picture of sex worker–police relations was countered by the positive stories of 62 participants (45 percent of 139) who had experienced the police being supportive, respectful, and providing aid (cf. Figure 1). Participants recounted that some police officers would instigate frequent check-ins to ensure that workers were doing well and to inquire about “bad dates” or other concerns. Routine communication with police sometimes developed into longer term supportive relationships. Some participants reported being on a first-name basis with officers, having their personal phone numbers, and being offered concrete aid when in

need. Seth, for example, described how officers escorted him home after he had too much to drink:

The guys that patrol downtown have been on that beat for a long time and they know me. . . . Sometimes they stop and ask me like “Is anybody hassling you?” or trying to rob me or anything, am I okay. I say, “Oh yeah, number one. Thank you for, you know, stopping and asking me that” and sometimes when I have—not sometimes, because I always have too much to drink. Instead of throwing me in the drunk tank, they bring me home. (independent indoor, St. John’s)

Experiences of relationship development with the police were described as an important source of human contact and kindness, as well as a potential lifeline for help, resources, and a sense of safety. As a street-based worker, Karen said that she interacted with the police frequently,

but it was for protection on the street. . . . They’re just really helpful and if I had a bad date or whatnot they’d be there and taking down the information and trying to make sure I was alright.

When she moved into indoor-based work in Victoria, which Karen considered more secure, she continued to view the police as enhancing her sense of safety, feeling, “Just safer if anyone does need help from the police they are there. . . . Because I’m not using or on the street anymore, so I’m feeling pretty safe [but] if I ever have a problem, or a problem ever did arise I could phone and I know [the police would] be there to help.”

Trust that police were concerned for workers’ safety rather than poised to stigmatize was critical to confidence, even in the midst of, for instance, undercover operations:

Julia: Undercovers from vice came in and—but that was fine.

Interviewer: So they came in [and] just busted you guys?

Julia: Oh no, it was just me and they don’t, they don’t bust girls. They just want to make sure girls are safe and stuff. (independent indoor, Kitchener–Waterloo–Cambridge).

By contrast, managed indoor workers largely relied on their supervisors to develop relationships with, as Dawn put it, “some good police officers.” Dawn added further indications that the relative status of managed indoor work facilitated access to police as a source of aid:

I know that when I was working with the agency, there were certain police officers that the manager knew who she would contact if things happened, but I never saw that play out. . . . But I think in general, especially for people who are like, far more marginalized than I am and like working on the streets or working in, massage

parlours or, I don’t know. I don’t know what other places might be, but I know that police are not their friends and they’re not there to help them. (independent indoor, Kitchener–Waterloo–Cambridge)

Kylie had a similar perspective:

I think that they [the police] do make it [sex work] safer because I am licensed, so if I do have a problem, I can call them. So I think just being able to call them, I know some girls don’t have that luxury. (managed indoor, Calgary)

Workers who had experiences with police officers who treated them with respect, used discretion in law enforcement, and refrained from using their power to stigmatize or discriminate said they felt more secure in relying on police and calling on them for help in the future. Help for some sex workers included referrals by police to counseling, health services, or programs facilitating access to legal aid.

Sex workers with long tenures in the industry sometimes observed a gradual improvement in police attitudes. For example, Kaitlyn, who had been engaged in sex work for 18 years, related,

They come up to you “Are you okay? How have you been? You look good.” They don’t try to question me about other people because they know I won’t talk. They always talk to me about going home, they always talk to me about my kid; they’re very, very respectful to us now. (independent street based, Kitchener–Waterloo–Cambridge)

Grace, involved in sex work for more than 23 years, likewise described police as “way nicer now, more tolerant” (independent street based, Victoria). Karen, whose positive perceptions of police were quoted previously, described how, earlier in her career, “I’d more avoid them [police]. Now I know they’re there to help.”

However, attempts to improve policing experiences for sex workers were seen as limited by the difficulty of combatting pervasive societal stigma. Arden described how police made her work “harder and less safe,” explaining that “I think the intention of the force is to make [sex work] easier and safer, but I think the personalities involved in the force don’t necessarily agree and can’t comply with that” (independent indoor, Victoria). This suggests that even amid systemic change, the good cop–bad cop contrast persists for many sex workers.

Discussion

As in other studies of sex worker–police relations (e.g., Bruckert and Chabot 2010; Jeffrey and MacDonald 2011; Miller 2002; Pettifor et al. 2000; Rhodes et al. 2008; Sherman et al. 2015), in this study we estimate from a non-random interview sample that sex workers’ perceptions of police are largely negative. Similarly, as in other

studies that use standardized measures of confidence in police with marginalized populations (Cao 2014; Cao, Lai, and Zhao 2012; Sprott and Doob 2014), we found that sex workers have lower confidence in police than the GSS estimates for other Canadians. Furthermore, the items relating to perceptions of police behaviour revealed that sex workers had a higher proportion of responses indicating that the police do a poor job of enforcing the laws and responding to calls than the general population. A large proportion of sex workers also indicated that they feel that the police do a poor job treating sex workers fairly and being approachable and easy to talk to. These findings were corroborated by our qualitative analysis of sex workers' experiences with and perceptions of police, in which we discovered that the theme of stigma and discrimination came up more prominently than the theme of fear of arrest. Implied here is that the prejudicial attitudes and unjust treatment of sex workers by police likely present more substantial barriers to accessing protective services than the content of the law. Shortcomings in procedural justice—how the law is enforced—appear more significant than how effectively police perform their duties (Tyler and Fagan 2008) in undermining sex workers' confidence in police.

As Biradavolu et al. (2009) outline, police can exercise considerable discretion in their enforcement duties. Too often, it is not compassionate or practical discretion but rather outright misconduct that emerges in police relations with sex workers, founded in deeply gendered ideas of sexual propriety and social control (Jeffrey and MacDonald 2011; Novich 2015). Sex workers in this study, like elsewhere, find that it is their identity as "deviants" that is policed, more so than their activity (Bruckert and Chabot 2010; Jeffrey and MacDonald 2011; Novich 2015; Williamson et al. 2007). The discredited status afforded to sex workers in the criminal justice system acts, as Kayla described earlier, as a blue ceiling that stops sex workers from approaching police for help and limits the fair treatment of sex workers who report crimes against them.

Fear of arrest is more closely tied to legal context and is likely to have shifted since the time of this study. In 2014, the PCEPA granted immunity to sex workers selling their own sexual services in nearly all relevant criminal code provisions. Ideally, this would eliminate fear of arrest as an obstacle that impedes sex workers from approaching police for protection or other help. To our knowledge, only Krüsi et al. (2014) have thus far investigated the impact of increased criminalization of clients on sex worker–police relations in Canada. They found that Vancouver police were less likely to charge street-based sex workers and showed greater concern for sex worker safety. However, the fear of clients' arrest

led study participants into more secluded areas and made security measures such as screening of prospective clients more difficult and more dangerous to conduct (Krüsi et al. 2014). The impact of recent nationwide criminalization of the buying of sexual services remains unknown. It is possible that workers may feel more secure now that the criminal code provisions against the operation of an indoor location for commercial sex (bawdy house) have been eliminated and those against hiring support and security staff (financial or other material benefit) have been modified to allow for reasonable exceptions. Sex workers may also feel more secure in reporting client-perpetrated violence to the police. The criminalization of clients may, however, have increased risks by further marginalizing the industry as a whole.

Licensing is another mechanism that some sex workers felt provided them assurance of police support, but obstacles to access led to further inequity in protective services. Other authors have pointed to many aspects of licensing that are problematic to sex worker safety (Anderson et al. 2015; van der Meulen and Valverde 2013). It is unclear how the PCEPA has and will influence municipal licensing practices and enforcement.

Unlike other studies, a substantial minority of our sample reported positive relations with police. In fact, the proportion of participants reporting friendliness, helpfulness, and an enhanced sense of safety was identical to the proportion who stated that they had no first-hand work-related experience with or substantive opinion of the police. About half of those with positive reports also described fear of arrest, stigma, or discriminatory behaviour at the hands of police, supporting Jeffrey and MacDonald's (2011) assertion that kind and considerate treatment by some police officers does not neutralize the possibility of arrest or abuse. However, the prevalence of "source of aid" as a theme in our findings suggests more systemic positivity in sex worker–police relations than the occasionally constructive encounters reported by Bruckert and Chabot (2010). Although some sex workers in our study who had many years of experience from which to draw reported general improvement in police–sex worker relations, these gains were constrained by persistent stigmas (Benoit, McCarthy, and Jansson 2015a).

How the new laws in Canada may further facilitate or impede a trend toward greater support for sex workers' human rights is unclear. This should not deter police departments in the various CMAs from taking note and creating or strengthening specialized police units that are trained to work with other organizations to improve the health and safety of sex workers in their municipalities. Networks among the police, sex worker–led organizations, and other types of groups and services may also increase sex workers' trust in the police. However,

interorganizational collaboration may cause partner organizations to be seen as co-opted by police and criminalized paradigms. For instance, evidence shows that sex workers must subsume a discourse of victimization to access services in Sweden, where the purchase of sex is also illegal (Levy 2015). Efforts to combat sex work stigma within police forces is therefore needed.

Few studies document how systemic interventions can lead to improved relations between sex workers and police, a higher likelihood that sex workers will report any violence they experience, and enhanced safety overall. Specifically, Armstrong (2016) demonstrated that decriminalization in New Zealand shifted the balance of power between sex workers and police by removing the risk of arrest and by legislating specific sex worker rights. Penfold et al. (2004) describe the success of a multiagency initiative in the United Kingdom led by an outreach organization whose staff facilitated incident reports with sex workers who had been attacked, enabling better access to protective services for sex workers and offering valuable intelligence to police. Crime prevention strategies can design out violence against sex workers, and they must do so by building in respect (Sanders and Campbell 2007). Frances and Gray (2007) argue that bringing sex workers’ voices to the table is essential for developing policies to improve sex worker safety. Their input is especially needed to help develop structural competency interventions (Metzl and Hansen 2014) designed to enhance professionals’ critical thinking about marginalized populations. Sex workers should also be in control of contact-based interventions, which bring members of the stigmatized group into personal contact with service providers and policy-makers to reshape attitudes, policies, and procedures (Benoit, McCarthy, and Jansson 2015b; Phillips et al. 2012). These strategies have been effective in reducing mental health stigma (Cook et al. 2014).

We hope this study advances an approach to policy-making that centres on the experiences of those whom policing policies are meant to benefit. The message from our participants is clear: Police officers must be willing to accept and support sex workers as full citizens and community members, deserving of protection like other Canadians. Speaking of reform in policing policy, Hayley (independent indoor, Calgary) summarized this sentiment when she said, “First you have to recognize us as people, and you need to treat us with dignity and respect. . . . We’re human beings and that would be the first step.”

Conclusion

Our study has some limitations. Our sample is not statistically representative of the population of sex workers in Canada and may have been biased through non-participation, for example, by those who did not want

to talk about their past or current situations, those who had fears over breaches in confidentiality, or those who were prevented from participating by someone else. Moreover, our qualitative data did not lend themselves well to place-based comparative analyses (i.e., comparing policing across census metropolitan areas) because of non-random recruitment techniques and the tendency for sex workers to recount experiences with police from multiple places where they have worked.

Despite these limitations, ours is the only study that we are aware of that has demographic information on sex workers in multiple CMAs and multiple work types across Canada, as well as a quantitative measure of police confidence. Our findings suggest that within the quasi-legal environment in Canada in 2012–2013 when our data were collected, the greatest challenge hindering sex workers’ confidence in police was perceived stigma and discrimination, which also hinders sex workers’ access to needed health care (Benoit, Ouellet, and Jansson 2016). Because positive perceptions of and experiences with the police run through a substantial minority of our participants’ accounts, we demonstrate that trusting relationships can be built even on historical distrust. We suggest there is cause for moderate and cautious optimism in the potential for improvement in police–sex worker relations in Canada. Outcomes related to the recent changes in Canadian law are in need of study. Progress in policing policy and practice will require collaboration, courage, and, above all, a commitment to affirming the full citizenship of all Canadians regardless of how they make a living.

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