



# **The Intersystem Assessment on Prostitution in Chicago**

**October 2006**

*Prepared by*

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## Acknowledgements

This report could not have been completed without the commitment and dedication of the Intersystem Assessment Work Group. Members of this Work Group spent hours listening to different systems discuss their current response strategies, and worked collaboratively to develop the recommendations found in this report. Thank you for all of your hard work.

Thank you to all the focus group participants, focus group facilitators, and system presenters who shared their experiences with the Intersystem Assessment Work Group. The honest information you shared provided a valuable context for this initiative.

A special thank you to the members of the Intersystem Assessment Steering Committee who helped guide this project from beginning to end. These members include Dorenda Dixon from the Cook County Sheriff's Office Department of Women's Justice Services, Samir Goswami from the Chicago Coalition for the Homeless, Leslie Landis from the City of Chicago Mayor's Office on Domestic Violence, and Jody Raphael from the DePaul University Schiller DuCanto & Fleck Family Law Center. Finally, thank you to Shay-Ann Heiser Singh for proofreading this report.

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# Intersystem Assessment on Prostitution in Chicago

## Introduction

In May 2003, the City of Chicago Mayor’s Office on Domestic Violence (MODV) and the Chicago Prostitution Alternative Roundtable (PART)<sup>1</sup> convened the first meeting of what would come to be known as the Intersystem Assessment (ISA) Work Group. Established to track and study Chicago’s current response to prostitution, the ISA Work Group has been committed to addressing the disparity in the city’s current response strategies, ensuring that response strategies are coordinated and informed by local research, and further developing safe options for individuals interested in leaving prostitution. The ISA Work Group includes representatives from various government and non-profit organizations and is informed by individuals who have been involved in the sex trade<sup>2</sup> (**Appendix A**).

Over the past three years, the Intersystem Assessment Work Group methodically examined how Chicago currently responds to the city’s sex trade industry in general and to street-level prostitution in particular. Information was gathered through focus groups with women, men, and transgender individuals who have been involved in Chicago’s sex trade and from presentations by first responders<sup>3</sup> about their current response policies and practices. This comprehensive and collaborative effort enabled the Intersystem Assessment Work Group to identify gaps in current response strategies and make strategic recommendations across three priority areas. These priority areas are:

1. Enhancing Chicago’s ability to cut into to the demand side<sup>4</sup> of the sex trade industry;

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<sup>1</sup> The oversight of the Intersystem Assessment initiative during the first year was very much a joint endeavor between PART and the Mayor’s Office on Domestic Violence. Due to the changing demands of the work, the Mayor’s Office on Domestic Violence ultimately took the lead in organizing and implementing this project. PART and the Chicago Coalition for the Homeless, however, have remained active and key members of the Intersystem Assessment Work Group.

<sup>2</sup> For the purposes of this report, the language “individuals who are involved in the sex trade” and “individuals involved in the sex trade” refers to women, men and transgender individuals who exchange sex for money, drugs or other resources. This phrase does not refer to pimps/arrangers or sex traffickers.

<sup>3</sup> “First responders” include government departments and social service providers including police officers, prosecutors, health care providers, correctional staff, and substance abuse treatment programs that come into contact with individuals involved in the sex trade.

<sup>4</sup> The “demand side” refers to those responsible for perpetuating the sex trade industry and includes customers, pimps/arrangers, and sex traffickers.

2. Expanding supportive services and increasing options for individuals involved in Chicago's sex trade industry; and
3. Enhancing awareness training and accountability among systems that are involved in responding to the sex trade industry.

This report is divided into four sections. Section 1 (Background Information) provides important contextual information, as well as an overview of the Intersystem Assessment process to date. Section 2 (Key Findings) identifies the information uncovered during the Intersystem Assessment initiative, which led to the development of specific recommendations. Section 3 (Recommendations) outlines the Intersystem Assessment Work Group's recommendations for enhancing system-level response, and Section 4 (Conclusion) discusses the implications of this report and the ISA Work Group's future plans and next steps. This report is intended to be a resource for local government departments, institutions, and social service providers, and it may serve as a guide to other jurisdictions interested in organizing similar efforts.

# Section 1

## Background Information

### Setting the Context for the Intersystem Assessment

Prior to the development of the ISA Work Group in 2003, a significant amount of local research, advocacy work, service development, and community action addressing the issue of prostitution had already been underway in Chicago. Two extremely valuable pieces of work, which helped lay the foundation for the Intersystem Assessment were the 2001 and 2002 research studies conducted by the Center for Impact Research. The report titled, *The Prostitution of Women and Girls in Metropolitan Chicago: A Preliminary Prevalence Report* (2001),<sup>5</sup> quantified Chicago's sex trade industry by finding that between 16,000 and 25,000 girls and women are involved in prostitution-related activities in the Chicago metropolitan area a year.<sup>6</sup> The following year, the *Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago* (2002)<sup>7</sup> report presented findings from in-depth interviews conducted with 222 women who had engaged in different aspects of Chicago's sex trade industry, including street-level prostitution, strip clubs, and escort services. The majority of those interviewed for this second study reported that during their involvement in the sex trade, they often experienced physical and sexual violence, emotional trauma, substance abuse, homelessness, and chronic health problems. These two pieces of research provided a voice to women in Chicago's sex trade industry, disproved the myth that prostitution is always a victimless crime, and informed the ISA Work Group's development of the response strategies recommended in this report.

Also important to the development of the Intersystem Assessment initiative was the existence of a local government office with the primary goal of working across systems to address the issues of domestic and sexual violence. Established in 1997 by Mayor Richard M. Daley, the Mayor's Office on Domestic Violence (MODV) is charged with overseeing the city's intensive efforts to promote a coordinated and multi-system

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<sup>5</sup> O'Leary, C., Howard, O. (2001). *The Prostitution of Women and Girls in Metropolitan Chicago: A Preliminary Prevalence Report*. [www.impactresearch.org](http://www.impactresearch.org).

<sup>6</sup> This number does not reflect the number of boys, men, and transgender individuals who are also involved in the sex trade.

<sup>7</sup> Raphael, J., Shapiro, D. (2002). *Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago*. [www.impactresearch.org](http://www.impactresearch.org).

response to domestic violence in Chicago. MODV aims to raise community awareness, affect public policy, direct victims to supportive services, and foster community-led prevention and intervention initiatives.<sup>8</sup> As a result of MODV's mission and because it has maintained long-standing professional relationships with numerous government departments and non-profit agencies, the office was well-positioned to coordinate the Intersystem Assessment Work Group and conduct a comprehensive examination of the sex trade industry in Chicago.

Recent demographic changes in some of Chicago's neighborhoods also influenced the development of the Intersystem Assessment as such changes have contributed to heightened public attention to the issue of prostitution. Like many urban areas across the country, several of Chicago's neighborhoods have seen an increase in growth and gentrification. With this gentrification has come a rise in community pressure to address longstanding problems such as crime, drug activity, and street-level prostitution. In Chicago, neighborhood groups began to voice complaints to their local alderman/alderwoman and district police officers about being solicited when walking home from work or witnessing an exchange of sex for money near their homes. In response to these community complaints, several police districts in Chicago identified prostitution as a priority issue, and community groups teamed up with neighborhood police districts under Chicago's Alternative Policing Strategy (CAPS)<sup>9</sup> to confront these resident-identified "problems" directly. What followed were organized marches and heightened community presence on the streets in the form of positive loitering campaigns<sup>10</sup> in specific areas where street-level prostitution was known to occur.

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<sup>8</sup> To ensure that these efforts are comprehensive, MODV's Director chairs Mayor Daley's Domestic Violence Advocacy Coordinating Council (DVACC), which includes representatives from various City, County, and State departments and non-profit agencies. Under the auspices of DVACC, the MODV coordinates a variety of policy-related projects to address domestic and sexual violence.

<sup>9</sup> Chicago is a city that prioritizes collaborations between community residents and the police to identify crime prevention and intervention initiatives through Community Policing. The Chicago Alternative Policing Strategy (CAPS) brings together the police, community residents and stakeholders, and other City agencies to identify and solve neighborhood crime problems. Problem solving at the neighborhood level is supported by a variety of strategies including neighborhood beat officers, regular community beat meetings with police officers and residents, more efficient use of City services that impact crime, and new technology to help residents identify crime hot spots.

<sup>10</sup> "Positive loitering" refers to strategies community residents have adopted to move prostitution-related activity out of a particular neighborhood by creating a community presence on the street. Some members of the Intersystem Assessment Work Group have been concerned that such efforts promote the profiling of both individuals who are involved in the sex trade and potential customers.



Although these efforts were modestly successful at moving street-level prostitution out of targeted areas, they focused almost exclusively on individuals involved in the sex trade, did little to link those individuals to needed services, and failed to address the larger social factors responsible for perpetuating this problem. Consequently, these strategies merely moved prostitution-related activity out of the targeted communities and into other areas of the city.

Community residents also began to take a more active role in responding to prostitution by volunteering to be court advocates through CAPS. As court advocates, residents strongly encouraged police officers to upgrade charges for second prostitution violations from misdemeanors to felonies,<sup>11</sup> and sat in the courtroom to ensure that these cases were fully prosecuted. The direct impact of these efforts is not completely known, however, the number of individuals arrested and convicted with prostitution felonies did increase dramatically in 2003, 2004, and 2005 as illustrated in Table 2. It can be argued, therefore, that such strategies helped to toughen the criminal legal system response towards individuals involved in the sex trade, and thus further limited available options for these individuals after their release from jail.<sup>12</sup>

Finally, the increasing rate of incarceration among women in Illinois was another important factor that influenced the development of the Intersystem Assessment initiative. Over the past decade, the percentage of women in Illinois prisons has increased by 173%.<sup>13</sup> In an attempt to gain a clearer understanding of the realities of incarcerated women, the Chicago Coalition for the Homeless conducted a one-time, in-depth interview with 235 of the 1,117 women detained in Cook County Jail on October 31, 2001. This study, titled “Unlocking Options for Women: A Survey of Women in Cook County Jail,” found that 82% of all women detained in the jail on that day were charged with non-violent offenses.<sup>14</sup> Additionally, of the 235 women interviewed, 34% reported

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<sup>11</sup> 720 ILCS 5/11-14- Prostitution: Class A Misdemeanor, 2<sup>nd</sup> or subsequent violations of this section, or of any combination of such number of convictions under this Section and Sections 11-15,11-17, 11-18, 11-18.1, and 11-19 is a Class 4 Felony. This is the offense individuals who are involved in the sex trade are commonly charged with.

<sup>12</sup> Individuals who are convicted of felonies can encounter barriers to accessing employment, housing, and other public benefits. Such limitations further contribute to the barriers individuals encounter when trying to exit the sex trade.

<sup>13</sup> Chicago Coalition for the Homeless.

<sup>14</sup> Chicago Coalition for the Homeless (2002). “Unlocking Options for Women: A Survey of Women in Cook County Jail.” [www.chicagohomeless.org](http://www.chicagohomeless.org).

being regularly involved in some form of prostitution. The study also tracked the women's exposure to both childhood and adult interpersonal violence and concluded that the women interviewed experienced sexual assault and domestic violence at two to three times the national average, substantiating the Center for Impact Research's findings from its previous studies.

In response to the heightened local attention given to the issue of prostitution in recent years, and the documented intersection with domestic violence, sexual assault, and homelessness, the Chicago Coalition for the Homeless established the Chicago Prostitution Alternative Roundtable (PART) in August 2001. Since its inception, PART has developed into a network of over fifty city, state, and private non-profit organizations. Over the past five years PART has sought to understand the nature and extent of prostitution and its systemic causes in order to reduce stigma and raise awareness, advocate for policies that promote systemic change, and propose initiatives to coordinate and expand new and existing services for individuals involved in prostitution. PART also developed a network of survivors who frequently provide awareness training, lobby for state legislation, and help organize and encourage other women to get involved in advocacy efforts.

Through PART's work, it became increasingly apparent that although numerous government departments, non-profit agencies, and neighborhood groups were coming into contact with individuals involved in Chicago's sex trade, there was little coordination of efforts, and few comprehensive and collaborative response strategies. As a member of the PART Steering Committee since the group's inception, the Mayor's Office on Domestic Violence approached the Steering Committee in January of 2003 with the idea of mapping out the city's current response strategies. Such an undertaking would enable the group to identify strengths and gaps, and make informed and strategic policy recommendations for system enhancements. The PART Steering Committee supported this proposal and determined that the Mayor's Office on Domestic Violence would coordinate this initiative, which ultimately became known as the Intersystem Assessment on Prostitution in Chicago.

## What Was Done: An Overview of the Intersystem Assessment on Prostitution<sup>15</sup>

### Initial Planning and Preparation

To implement the Intersystem Assessment (ISA) initiative, the Mayor's Office on Domestic Violence identified the need to create a work group of first responders including police officers, prosecutors, correctional officers, health care providers, social service organizations, and survivors. In February 2003, a small planning group met to identify the key systems that needed to participate in this process. Given the high number of government departments and social service providers with important roles in Chicago's response to the sex trade, the planning group found it necessary to limit the initiative's scope to adults (i.e., women, men, and transgender individuals) who are involved in street-level prostitution in Chicago.<sup>16</sup>

Once established, the Intersystem Assessment Work Group was charged with comprehensively documenting Chicago's current response strategies to the sex trade, and collectively developing recommendations for enhancements across systems. In order to fulfill these goals the Work Group identified the need to conduct focus groups with individuals previously or currently involved in Chicago's sex trade, and host interviews with key systems personnel and service providers to determine their current response protocols and procedures. To ensure that the process remained respectful, focused on the experiences of individuals involved in the sex trade, and grounded in a common mission and understanding, the Intersystem Assessment Work Group created a series of Guiding Principles (**Appendix B**).

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<sup>15</sup> For a full description of the Intersystem Assessment Process, visit the Mayor's Office on Domestic Violence's website at [www.cityofchicago.org/domesticviolence](http://www.cityofchicago.org/domesticviolence).

<sup>16</sup> The systems in place to respond to youth who are involved in the sex trade are often different than those for adults, and including all of those systems at this time would have made the initiative too large in scope. The Intersystem Assessment Work Group, therefore, decided to focus the initial initiative on adults, and if determined to be a useful process, would then move into another project that examines youth. Street-level prostitution was also selected since this was where most of the community and law enforcement attention was being focused at the time. It is important to note, however, that many individuals who are involved in street-level prostitution also have engaged in "indoor" activities such as strip clubs, escort services, etc.

## Focus Groups

To capture the experiences individuals had with first responders as a result of their involvement in the sex trade, the Mayor's Office on Domestic Violence and PART organized and conducted focus groups during July and August of 2003 with women, men, and transgender individuals who were currently or formerly involved in Chicago's sex trade industry.<sup>17</sup> These focus groups were held at various community-based organizations across the city, and were facilitated by individuals who had been involved in Chicago's sex trade. During this two-month period, the Intersystem Assessment Work Group conducted eight focus groups with 34 individuals, ranging in age from 18 years to 62 years. Eight of the participants were male, eight were transgender, and 18 were female. One focus group was conducted in Spanish, and separate focus groups were conducted with male and transgender participants. Since the focus groups were intended to help the ISA Work Group (1) map out current response strategies in Chicago, (2) record how those response strategies did or did not meet the needs of individuals involved in the sex trade, and (3) identify strategies for enhanced system response, participants were asked to discuss the following questions:

- Throughout your experience in the sex trade, which systems (e.g.. police, hospitals, counseling services, corrections) did you come into contact with and how? How did these systems respond to you? How did you feel you were treated by these systems?
- How did your experience with these systems change over time?
- Is there anything you would like to see change in the way these systems respond/responded to you?
- (Optional and only for those who were no longer involved in the sex trade)  
What enabled you to leave the sex trade?

A summary of the focus group discussions is found under the Key Findings section of this report.

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<sup>17</sup> The Chicago Foundation for Women provided funding to support PART's involvement in the Intersystem Assessment initiative, and covered some of the expenses associated with the reimbursements for the focus group participants. Additionally, the process for conducting the focus groups was reviewed and approved by the Institutional Review Board of the Chicago Department of Public Health. All of the focus group participants and facilitators were financially compensated for their time, and participation was voluntary and confidential.

### System Presentations

To gather additional information on current response strategies, representatives from the different systems identified by the focus group participants were invited to make presentations to the ISA Work Group. From March through November 2004, the ISA Work Group hosted 16 presentations with 22 different systems. Presenters were provided with standard questions and talking points, which focused on their:

- current response protocols and practices related to the sex trade industry;
- barriers/challenges commonly experienced when responding to individuals who are involved in the sex trade industry; and
- recommendations for system enhancements.

A complete list of the systems involved and the talking points used can be found in **Appendix C**.

The presentations by different first responders helped the Intersystem Assessment Work Group members gain a broader understanding of each system's current role and limitations in responding to the sex trade, and ultimately facilitated the development of more informed recommendations. As anticipated, however, some of the information shared during the system presentations and focus group discussions identified further questions and illuminated some inconsistencies in the reported response strategies. These unanswered questions and inconsistencies are discussed and addressed in the Key Findings and Recommendations sections of this report.

### Recommendation-Identification Phase

Once the system presentations were completed, staff from the Mayor's Office on Domestic Violence compiled the information gathered through the focus groups and the system presentations, and drafted a working list of recommendations that were reviewed by the entire ISA Work Group. After compiled, it became apparent that the Intersystem Assessment recommendations encompassed three broad themes including the need to: (1) focus attention on the demand side of the sex trade industry, (2) develop specialized service options and resources, and (3) enhance system level training and accountability.

In February and March of 2005, members of the ISA Work Group met several times to review the proposed recommendations, determine whether each recommendation

would be supported, and identify any missing recommendations.<sup>18</sup> Also during this time, many of the Intersystem Assessment recommendations were presented to individuals involved in the sex trade for feedback and comments.

### Next Steps

On June 21, 2005, Mayor Richard M. Daley and Police Superintendent Philip J. Cline held a press conference to discuss the city's efforts to respond to the sex trade. At the press conference, Mayor Daley recognized the hard work and dedication of the ISA Work Group members. Noting that prostitution is not a victimless crime, the Mayor focused his comments on the need to address the demand side of the sex trade industry, a need fully endorsed by the Intersystem Assessment Work Group. In addition, the Mayor identified several new prostitution-related initiatives, including the creation of a website to display pictures of customers arrested for soliciting in Chicago,<sup>19</sup> the development of a public awareness campaign to inform potential customers of the penalties they may face if arrested in Chicago, and the creation of a "Johns' School"<sup>20</sup> in Chicago. At the end of the press conference Mayor Daley charged the Intersystem Assessment Work Group with continuing its efforts to examine and address the issue of prostitution in Chicago.

The June 21<sup>st</sup> press conference marked the end of the first phase of the Intersystem Assessment and the beginning of the second. At a meeting held soon after the Mayor's press conference, the Intersystem Assessment Work Group reaffirmed its commitment to the initiative and expressed its intention to work collectively and strategically toward implementing the recommendations made in this report.

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<sup>18</sup> The process of selecting recommendations was not done through a formal voting process. Areas where there were outstanding questions or disagreements among Work Group members are identified in this report.

<sup>19</sup> As will be discussed in a later section of this report, the Intersystem Assessment Work Group's recommendation was to explore the possibility of posting pictures of customers on a website after they had been *convicted* of a prostitution-related offense. The City's current practice of posting pictures of customers at the time of their *arrest*, therefore, departs from the recommendation of the Intersystem Assessment Work Group.

<sup>20</sup> "Johns' School" programs typically work to reduce recidivism of customers by providing education about the negative impact and consequences their behavior can have on themselves, those who are involved in the sex trade, their families, and their communities.

## Section 2

# Key Findings

The findings presented in this section are supported by local research and the information collected through the Intersystem Assessment focus group discussions and system presentations. These findings are organized in the following manner:

- A. Current Legal System Response to the Sex Trade Industry
  - A.1. Legal System Response to Customers
  - A.2. Legal System Response to Individuals Involved in the Sex Trade
  - A.3. Other Legal System Response Strategies
- B. Focus Group Findings
- C. Current Services, Service Needs, and Response Strategies
- D. System Training and Accountability

Since the recommendations described in Section 3 of this report are informed by the findings presented below, a list of recommendations related to each finding is included in this section.

### **A. Current Legal System Response to the Sex Trade Industry**

Finding #1: There are multiple state statutes and city ordinances that criminalize prostitution-related activity.

Table 1 lists the different state and municipal codes that criminalize prostitution-related activity. Information on who can be charged under each statute and sentencing options associated with these statutes is also presented.

***Relevant Recommendations: 1.1, 1.3, 1.9, and 3.5***

Finding #2: There is a disparity between the sentencing options under state statutes for customers and for those involved in the sex trade industry.

As shown in Table 1, the state misdemeanor charge typically given to individuals in the sex trade (720 ILCS 5/11-14-A) may be upgraded to a felony, whereas the state misdemeanor charge typically given to customers (720 ILCS 5/11-14.1) may not.

***Relevant Recommendations: 1.1, 1.3, 1.5, and 2.6***

Finding #3: Customers and individuals involved in the sex trade can be charged under some of the same state and municipal statutes. Since there is no routine analysis of arrest or conviction data, it is therefore difficult to ascertain the total number of arrests and convictions of customers versus those of individuals involved in the sex trade.

Police arrest records include the sex/gender of the person arrested but do not specify whether the person was a customer or someone involved in the sex trade. It is therefore not possible to determine whether men arrested under some of the relevant statutes are customers or a male or transgender individuals involved in the sex trade.

***Relevant Recommendation: 1.4 and 1.5***

Finding #4: The Chicago Police Department (CPD) has resources to respond to the sex trade industry.

The city of Chicago is divided into 25 different police districts, each housing district-level commanders and patrol officers. Though any CPD officer may respond to prostitution and solicitation-related offenses, the Chicago Police Department has a separate Vice Control Section with specialized resources dedicated to responding to this issue. Vice Control officers may conduct independent operations throughout the city, including undercover surveillance missions, and, upon the formal request of a district commander, they may provide additional assistance on district-specific missions.

District-level and Vice Control Section police officers typically become aware of prostitution-related activity through tips or complaints received from community residents, business owners, aldermen/alderwomen, undercover police operations, or police officers who personally see street-level prostitution activity occurring. Police policy states that arrested individuals (whether customers or individuals involved in the sex trade) must be transported to the police station in the district where they were arrested.

***Relevant Recommendations: 1.1, 1.3, 1.6, and 1.7***



Finding #5: There is a gender disparity in the number of arrests, convictions, and sentencing outcomes for prostitution-related offenses in Chicago.

Table 2 provides data on the number of individuals arrested during 2003, 2004, and 2005 on prostitution-related charges. These data are broken down by charge, sex of the person arrested, and conviction and illustrate that women are arrested in higher numbers, receive more felony charges, and are convicted more frequently than men. Since customers and individuals in the sex trade can be arrested and charged under some of the same offenses, these data do not provide an exact breakdown of the number of customers versus the number of individuals involved in the sex trade who were arrested and convicted. Members of the Intersystem Assessment Work Group, however, assumed that most of the women arrested were involved in the sex trade industry, but were not sure how many of the men arrested and convicted were customers or men who were involved in the sex trade.

Additionally, reports from members of the Intersystem Assessment Work Group suggest that customers convicted of the Class B misdemeanors typically receive supervision and fines rather than jail time. Such sentencing outcomes are in stark contrast to the felony convictions and subsequent penalties commonly received by those involved in the sex trade, thus creating even further disparities. It is important to note, however, that sentencing determinations typically consider the defendant's past criminal history, and given that individuals involved in the sex trade frequently come into contact with law enforcement, they are more likely to have many past misdemeanor arrests and convictions.

***Relevant Recommendations: 1.1 and 1.10***

Finding #6: Individuals involved in the sex trade industry have high rates of recidivism.

Individuals in the sex trade are likely to be arrested and convicted numerous times for prostitution-related offenses. At this time no evaluation has determined whether giving felony upgrades effectively reduces recidivism by individuals involved in the sex trade.

***Relevant Recommendations: 2.1, 2.3, 2.5, 2.6, 2.7, 2.9, 3.1, and 3.4***

Finding #7: Probable cause is required in order to make an arrest regardless of the type of offense.

The probable cause requirement of the Fourth Amendment strikes a balance between the individual's right to privacy and the need for efficient law enforcement. Mere suspicion that a person has committed an offense is an insufficient basis for an arrest. Even conducting an investigatory street stop requires that the officer have a reasonable, articulable suspicion that a crime has been or is about to be committed.

Probable cause exists when the facts and circumstances within the arresting officer's knowledge would lead the officer to believe that there has been a violation of a particular ordinance or statute. An arrest cannot be justified by what a subsequent search produces, but stands or falls exclusively on the basis of the facts known to the officer at the precise moment of the arrest. Even though each offense, whether municipal or state, has particular elements, there is no "checklist" for probable cause. As in all cases, police officers must establish probable cause before making an arrest for a prostitution-related offense, and all factors that contributed to the determination of probable cause must be delineated in the arrest report. Courts assess the existence of probable cause based on the totality of the circumstances, and cases can be dismissed if a judge determines there was not sufficient probable cause to make an arrest. Although it is clear why a "checklist" for probable cause does not exist, its absence in prostitution-related offenses has fostered suspicions of a disparity in probable cause standards for customers and those involved in the sex trade.

When probable cause for a prostitution-related offense does not exist, officers may have probable cause to arrest individuals for other offenses, including possession of contraband, trespassing, or soliciting on a public way. As a result, customers and individuals involved in the sex trade may be arrested and serve jail time for non-prostitution specific offenses.

***Relevant Recommendation: 1.1***

Finding #8: Individuals who violate a city ordinance are not always arrested.

Police officers are not required to arrest individuals when charging them with city ordinance violations. Rather, officers may issue citations and provide court dates at

administrative hearings. The ability of officers to forego arresting individuals charged with violating prostitution-related city ordinances makes it difficult to track the total number of city ordinance solicitation cases and obtain information on recidivism by customers and individuals involved in the sex trade. Additionally, the discretion of police to issue citations instead of making arrests raises questions about when and under what circumstances the police would forego arrest in favor of issuing a citation.

According to the City's Office of Administrative Adjudication, during 2004 and 2005 229 individuals received citations for violating the prostitution-related city ordinances 8-8-050 and 8-8-060. Approximately 22% (52) of these individuals were men.

***Relevant Recommendation: 1.1, 1.4, and 1.10***

Finding #9: There is a formal process for handling state misdemeanor cases.

Individuals charged with a Class A Misdemeanor offense may be allowed to post a bond of \$100.00 (10% of the statutory \$1,000 amount), so long as they are not on bond for another Class A misdemeanor or a greater offense, and are not charged with an offense requiring a judge to set bond. Individuals may also be given an Individual Recognizance Bond (I-Bond), on which they promise to appear in court. If an individual posts neither an I-Bond nor a cash bond, s/he is taken to court at the next available court call where the judge will conduct an arraignment and set the bond. The case will then be set for trial. Trial dates tend to be scheduled within 14-49 days of the posting of bond.

All Vice Control Section cases are heard in Cook County Branch Court 43. Hearings for individuals (both customers and those involved in the sex trade industry) arrested by district-level officers and charged with state misdemeanors or city ordinance violations are heard in one of the seven Cook County branch courts located in the district closest to the district in which the arrest occurred. At preliminary hearings, cases may be dismissed if the arresting officer fails to appear for court or if the judge determines there was not sufficient probable cause to make the arrest.

***Relevant Recommendation: 1.1 and 1.9***

## **A.1. Legal System Response to Customers**

Finding #1: Customers *may* be charged with both prostitution-related state misdemeanor offenses and city ordinance violations simultaneously; however, it is not the current practice of the Chicago Police Department to charge customers with both offenses.

It is important to note, however, that there was some inconsistency in the information provided during the system presentations about whether customers are ever charged with both offenses. For example, some systems reported that customers are likely to be charged with both offenses simultaneously, whereas other systems reported that customers are more likely to be charged with only the city ordinance violation since this charge allows for vehicle impoundment and has the option of higher fines. The data presented in Table 2 illustrate that in 2003 and 2004 men were more likely to be arrested under the state misdemeanor statutes, whereas more men were arrested under the city ordinance violations in 2005.<sup>21</sup> The data, however, do not indicate whether any of these men were arrested on both offenses.

Information obtained during the ISA system presentations indicates that if a customer is charged with both a city ordinance violation and a state misdemeanor offense, the Assistant State's Attorney and the City's Corporation Counsel (city prosecutors) assigned to the case determine which charge to pursue.<sup>22</sup> Representatives from the city and state reported that when customers are charged with both state misdemeanors and city ordinance violations, the state usually prosecutes the case. There are, however, no consistent policy guidelines used by the state or city prosecutors in making these determinations. Since the city does not have a formalized method in place to track the number of customers arrested and charged with state misdemeanors or city ordinance violations, it is difficult to substantiate the practice stated above.

***Relevant Recommendations: 1.1 and 1.4***

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<sup>21</sup> The Intersystem Assessment Work Group suspects that the majority of these male arrests are of customers, but data limitations make it impossible to determine how many of these men were customers and how many were men or transgender individuals who are involved in the sex trade.

<sup>22</sup> Assistant State's Attorneys prosecute state charges and City's Corporation Counsel Attorneys prosecute city ordinance violations and vehicle impoundments.

Finding #2: A customer's vehicle can be impounded if used at the time of arrest.

If a customer's vehicle was used at the time of the arrest, it can be impounded under the city municipal code 8-8-060 and under Illinois statute 720 ILCS 5/11-15. When a vehicle is impounded as part of the city ordinance violation, the customer must attend a hearing at the city's administrative hearings and may be required to pay a fee of \$1,000 plus towing and storage costs before the impounded vehicle will be released. The hearing and fees associated with the vehicle impoundment are separate from those related to the city ordinance violation. In 2005, 1,371 vehicles were impounded under city ordinance violation 8-8-060.

***Relevant Recommendations: 1.1 and 1.5***

Finding #3: Customers are arrested in Chicago for prostitution-related offenses, but not in the same numbers as those involved in the sex trade.

Table 2 provides a breakdown of the number of men and women arrested on prostitution-related offenses in 2003, 2004, and 2005.<sup>23</sup> Although there are some limitations, these data indicate that customers are arrested and convicted in disproportionately lower numbers than individuals involved in the sex trade.

***Relevant Recommendations: 1.1 and 1.4***

Finding #4: First responders identified challenges to arresting and prosecuting customers.

In its presentation, the Chicago Police Department identified some challenges officers experience in their efforts to arrest customers. A primary challenge is establishing probable cause for an arrest. Currently arrests of customers in Chicago are most likely to occur through decoy or reverse sting operations involving undercover female Vice Unit police officers. At the time of this report, however, the Vice Control Section had limited resources to conduct such operations, and personnel resources allocated at the district-level for decoy or reverse sting operations were also extremely limited.

The system presentations and focus group discussions also suggested that even when probable cause exists, it is often difficult to prosecute cases against customers, because

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<sup>23</sup> The police department only has the ability to track arrests by sex/gender and not by whether the arrested individual was a customer or a male or transgender individual who is involved in the sex trade. As a result, this data only provides an *estimate* of the number of customers arrested and charged.

individuals involved in the sex trade rarely cooperate or feel safe enough to testify in court against their customers. Many focus group participants reported this is because they fear retaliation or being prosecuted themselves. Prosecution is slightly easier when a customer has been arrested as part of a decoy mission since the decoy officer can provide testimony, however, limited resources impact the number of such missions.

***Relevant Recommendation: 1.1, 1.2, and 2.6***

Finding #5: Currently, there is no formal or standardized analysis of the numbers of customers arrested in Chicago.

The city currently does not have a way to easily track or analyze the number of customers who are arrested on city ordinance violations or state misdemeanor offenses. Without access to such information, challenges arise in determining the manner of and frequency with which customers are processed through the legal system in Chicago. Furthermore, in some instances customers may plead guilty to a different and unrelated charge during their hearing, which creates additional obstacles to tracking customer recidivism in Chicago. Ultimately, these practices limit the city's ability to develop informed policies to address recidivism amongst customers.

***Relevant Recommendations: 1.4, 1.6, 1.7, and 3.4***

Finding #6: There is no formal or routine process in place for analyzing the issuance or collection of fines or fees from customers according to specific charge.

If fines are ordered by a judge as part of a customer's sentence at one of the branch courts, the Cook County Clerk of the Court is responsible for collecting payment. The clerk will record the case number into the system and indicate the amount of the issued fine. There is, however, no mechanism in place directly linking the issuance or payment of fines to the specific state or city statutes violated, which complicates efforts to track the issuance and payment of fines and fees associated with prostitution-related offenses. Additionally, except for probation enforcement, the ISA Work Group did not learn of any formalized process in which the court follows up with customers who are delinquent in paying their fines and fees. Consequently, some fines and fees go uncollected.

***Relevant Recommendations: 1.4 and 1.5***

Finding #7: As with all crimes committed in Chicago, fines and fees collected from customers arrested for prostitution-related offenses are deposited into the city's Corporate Revenue budget.

Once the fines issued from one of the branch courts are paid, the Cook County Clerk's Office prepares a quarterly check to the City of Chicago Comptroller's Office. These funds are deposited into the city's corporate funding stream. It is also believed that the fines collected as a result of vehicle impoundments resulting from prostitution-related city ordinance violations are routed back into the city's general corporate funding stream. No portion of these collected funds is earmarked for direct services for individuals who are or have been involved in Chicago's sex trade.

***Relevant Recommendation: 1.5 and 2.1***

Finding #8: The City of Chicago has a website that posts identifying information of customers arrested in Chicago.

Prior to the formation of the Intersystem Assessment Work Group, the Vice Control Section was posting names and partial addresses of customers arrested in Chicago for prostitution-related offenses on the city's website. It is unclear whether this practice was used to track recidivism rates of customers at that time. After the June 2005 press conference with the Mayor, the City announced the development of a website to display mug shots, birthdates, and partial addresses of customers arrested in Chicago for prostitution-related offenses. This website is updated daily.

***Relevant Recommendations: 1.4, 1.7, and 1.9***

Finding #9: Customers are coming into Chicago from other cities and states.

Information gathered through the Intersystem Assessment process indicates that a significant number of customers arrested in Chicago are not city residents. Chicago police officers report that customers come to Chicago from nearby suburbs, towns, and states with the expectation that they will have some anonymity outside of their hometowns.

***Relevant Recommendations: 1.6 and 1.9***

## **A.2. Legal System Response to Individuals Involved in the Sex Trade**

### Finding #1: Individuals involved in the sex trade industry are eligible for felony upgrades.

As described in Table 1, if an individual receives a second or subsequent misdemeanor conviction for a prostitution-related offense, the charge can be upgraded to a Class 4 felony. Further, the Chicago Police Department has a department-wide policy of upgrading charges (for all offenses) whenever appropriate and possible.

In Chicago, the arresting police officer is responsible for indicating the initial charge on the arrest report, and all felony upgrades require approval from the district watch commander. All prostitution-related police reports are reviewed by both the commander in the district where the arrest occurred and the supervisor in the Vice Control Section to ensure that charges are upgraded whenever appropriate. Felony upgrades also require the approval of the State's Attorney's Office of Felony Review. To receive approval for upgrading charges for prostitution-related offenses, the arresting police officer must call the 24-hour Felony Review line and speak with an assistant state's attorney about the nature of the case. Felony Review considers the number of prior arrests, the severity of the crime, the time lapse between offenses, and the conditions of previous sentences. There is an element of discretion involved in the assistant state's attorney's decision to upgrade a charge to a felony; however, supervisors are required to review all decisions. If Felony Review does not approve an upgrade, the police department can request an override.

Individuals who are charged with felonies are transported to Cook County Jail. In Bond Court, the judge will determine if there was probable cause to make the arrest, set the bond, conduct an arraignment, and set the case for a preliminary hearing. Preliminary hearings for felony cases are generally scheduled four to five days after the defendant appears in Bond Court, and the case will be dismissed if the arresting officer fails to appear, unless the State is able to obtain a continuance. In this instance, and depending on the facts of the case and the defendant's background, the State may later seek a grand jury indictment. After the preliminary hearing, the case will be sent to the Chief Judge for



a felony courtroom assignment. The felony trial is typically held 30-45 days after the preliminary hearing.

As illustrated in Table 1, an individual who is convicted of a felony prostitution-related offense can receive a one-year prison sentence, which typically requires 61 days served with a two-year mandatory supervised release program or probation. Probation can involve participating in monthly meetings, drug testing, counseling, or parenting classes for 18 months to three years. As the conditions associated with probation are very strict, information provided during the Intersystem Assessment suggests that many defendants charged with prostitution offenses prefer going to prison.

***Relevant Recommendations: 2.3, 2.6, 2.7, 2.8, and 3.4***

Finding #2: Individuals involved in Chicago's sex trade industry are getting felony upgrades.

Statistics from the Cook County Department of Corrections and the Chicago Coalition for the Homeless show that the percentage of women serving time in Illinois prisons has increased dramatically over the past ten years. Table 2 illustrates that over the past several years, the City of Chicago has seen an increase in the number of women receiving felony arrests and convictions for non-violent prostitution-related offenses (428 arrests and 266 convictions in 2003, 689 arrests and 387 convictions in 2004, and 917 arrests and 381 convictions in 2005). Significantly, fewer men were arrested and convicted on prostitution-related felony charges during these same years (32 arrests and 12 convictions in 2003, 57 arrests and 24 convictions in 2004, and 33 arrests and 11 convictions in 2005).

***Relevant Recommendations: 2.6***

Finding #3: Felony convictions limit options for individuals who are interested in leaving the sex trade industry.

In Cook County, individuals who have a felony conviction face barriers to accessing public benefits, housing, and employment opportunities. These barriers make leaving the sex trade industry even more difficult than it would otherwise be.

***Relevant Recommendations: 2.1, 2.3, 2.6, 2.7, 2.9, and 3.4***

Finding #4: Individuals involved the sex trade can access assistance from a public defender during their legal proceedings.

When retained for a prostitution-related case, the public defender will discuss with the defendant whether s/he would like to plead or go to trial. If the defendant chooses to plead, the public defender can discuss services the defendant needs and will attempt to receive referrals to such programs as part of the plea. In a plea, the public defender and state's attorney try to work out an agreement, which could include treatment instead of jail, less jail time, or probation with service conditions. The defendant and the court have to accept the terms of the agreement before it is entered.

Although defendants are able to access the services of a public defender, there was some discrepancy in the information collected through this initiative as to how often individuals in the sex trade do so.

***Relevant Recommendation: 2.1***

Finding #5: Some alternative sentencing options exist for individuals who receive a misdemeanor conviction.

For a first time prostitution-related misdemeanor conviction, individuals can receive a conditional discharge, which means that their sentence would be suspended if they participate in and complete a treatment program such as the Unhooked Program.<sup>24</sup> In such instances, the state may choose to not proceed with further action. Because sentencing determinations typically depend on the defendant's past criminal history, being sentenced to treatment programs or services is done on a case-by-case basis and is not part of a formalized court protocol. It is important to note that even if defendants successfully complete the required treatment program and thereby avoid jail time, the conditional discharge will still be reflected on their record.

***Relevant Recommendations: 1.8, 2.1, 2.6, and 3.4***

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<sup>24</sup> The Unhooked Program was a one-day, 8-hour class that provided education and options counseling to women involved in the sex trade. At the time this report was released, however, the Unhooked Program was being reorganized under the auspices of a new agency.

### **A.3. Other Legal System Response Strategies**

#### Finding #1: Illinois has state laws on other prostitution-related crimes.

Table 1 provides information on other related offenses including pimping, pandering, and sex trafficking. Table 2 provides data on the number of individuals who have been arrested and convicted of pimping and pandering in 2003, 2004, and 2005.

Of important note is the Illinois *Trafficking of Persons and Involuntary Servitude Act*, which was passed in 2005. This law criminalizes human trafficking and involuntary servitude of adults and minors and allows local and state law enforcement personnel to identify victims, prosecute traffickers, and provide enhanced protections to victims.

#### ***Relevant Recommendations: 1.3 and 3.5***

#### Finding #2: Landlords can be held accountable if prostitution-related activity occurs in one of their properties.

Under City of Chicago Municipal Code 8-4-090, owners of “disorderly houses,” which include premises used for prostitution, can be fined or jailed if illegal activity is committed on their property.

#### ***Relevant Recommendation: 1.10***

#### Finding #3: The federal *Trafficking Victims Protection Act* (2000) criminalizes human trafficking and offers assistance to victims.

The *Trafficking Victims Protection Act* (TVPA) defines sex trafficking as the “recruitment, harboring, transportation, provision, or obtaining a person for the purpose of a commercial sex act, in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of 18 years.”<sup>25</sup> Traffickers or arrangers charged and convicted under this law face penalties including lengthy jail sentences and fines.

Under the TVPA, victims of trafficking are granted immunity for the crimes they have “committed,” are offered legal protections, and become eligible for federal and state benefits and services provided to U.S. citizens, including financial and medical

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<sup>25</sup> <http://www.state.gov/g/tip/rls/61124.htm>

assistance, and social services such as job training and housing. In addition, non-U.S. citizens may be eligible for special immigration remedies, including permission to remain in the United States under the Continued Presence provisions, T-Visas or U-Visas. All such benefits, however, are contingent on victims' cooperation with the prosecution of their traffickers/arrangers. The supportive services afforded through this law, therefore, are a crucial component of the response strategy, without which victims of trafficking might not remain safe and thus may be unable to assist with prosecuting their trafficker.

***Relevant Recommendations: 1.1, 1.3, 2.8, and 3.5***

Finding #4: Historically, sex trafficking cases have been difficult to prosecute.

Although the TVPA can be an effective tool for prosecutors, trafficking cases have been difficult to prosecute on the local level for a variety of reasons. One such reason is traffickers and arrangers often use aliases or a multi-layered network of employees to protect themselves. As a result, tracking and locating traffickers is extremely challenging and requires an extensive amount of investigative and undercover work. Additionally, prosecutors often have difficulty persuading victims to testify against their traffickers because they often fear retaliation against themselves or their family members and have a general distrust and fear of law enforcement personnel. Victims of trafficking also may not be in the same location long enough to cooperate with prosecutors, since they are moved around the country frequently in order to avoid detection.

Finally, trafficking cases historically have been difficult to prosecute because of jurisdictional challenges. Prior to June 2005, trafficking was exclusively a federal crime in Illinois, and only FBI agents and U.S. attorneys had jurisdictional authority to pursue these cases. As a result, a local police officer who uncovered a trafficking case would have to turn the investigation over to federal prosecutors. Such a process often resulted in problems with coordinating the information sharing between these various local and federal entities. The new Illinois *Trafficking of Persons and Involuntary Servitude Act* criminalizing human trafficking, however, will eliminate some of these past jurisdictional challenges.

***Relevant Recommendations: 1.1, 1.3, 2.1, 2.8, and 3.5***

Finding #5: Felony prostitution-related convictions cannot be expunged from a person's record.

At the time this report was written, felony convictions for non-violent offenses, including prostitution, could not be expunged from a person's record. PART, however, successfully led an advocacy campaign to pass Illinois Public Act 93-1084. This act makes it possible for those who have successfully completed their sentences for a misdemeanor or Class 4 felony drug possession or prostitution conviction to have their criminal records *sealed*. Although technically not erased from a person's record, charges that are sealed are only accessible to law enforcement agencies and can only be viewed by the public with a court order. Requests to seal one's record must be made before a judge and can only occur four years after the individual has successfully completed the requirements of their sentence.

***Relevant Recommendation: 2.3, 2.6, 2.7, and 2.10***

## **B. Focus Group Findings**

Although the focus groups were conducted with diverse individuals from different neighborhoods throughout Chicago, the participants' interactions with various systems and first responders were remarkably similar. Importantly, most of the focus group discussions centered on the participants' experiences with different systems as a result of their engaging in street-level prostitution activities rather than their involvement in indoor activities such as escort services or strip clubs. Such a focus provides an important context for the findings presented in this section.

Finding #1: Individuals in the sex trade are being arrested in Chicago.

Most focus group participants reported having been arrested on a prostitution-related charge at some point in their lives. Additionally, the participants believed that they, rather than their customers, were more likely to be arrested for these offenses. Table 2 provides a breakdown of the number of women and men who were arrested in Chicago for prostitution-related charges in 2003, 2004, and 2005. This breakdown illustrates that

more women than men were arrested and that women were more likely than men to be charged with felonies.

***Relevant Recommendations: 1.1, 2.5, 2.6, 2.7, and 2.10***

Finding #2: Individuals in the sex trade come into contact with numerous systems.

The most common systems with which focus group participants reported coming into contact were the Chicago Police Department (CPD), hospitals, substance abuse treatment programs, the courts (public defenders, state’s attorneys, judges), the Department of Corrections, and agencies that provide specialized services to individuals in the sex trade. Less common but still significant were participants’ interactions with homeless shelters, counseling programs (e.g., domestic violence and sexual assault agencies), and the Department of Children and Family Services.<sup>26</sup>

***Relevant Recommendations: 2.1, 2.2, 2.4, 2.5, 2.11, 3.1, 3.2, and 3.5***

Finding #3: Many focus group participants had at least one positive experience with one of the systems with which they came into contact during their involvement in the sex trade.

Generally speaking, focus group participants had both positive and negative experiences with the different systems with which they came into contact. Many of the participants reported at least one positive experience with specific police officers, health care workers, advocates, or social service programs that seemed to genuinely care about their wellbeing. Participants reported that positive experiences were those in which they were treated as “human beings,” instilled with the belief that they deserve better in life, and offered information on available service options.

***Relevant Recommendations: 2.1, 2.2, 2.4, 2.5, 2.11, and 3.1***

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<sup>26</sup> As a result of the limited number of agencies that provide specialized services to individuals involved in the sex trade, participants in the focus groups reported seeking services and assistance through other non-traditional programs including homelessness, domestic violence, sexual assault, and substance abuse treatment agencies.

Finding #4: Focus group participants reported being mistreated by the systems they came into contact with during their involvement in the sex trade.

All participants reported mistreatment by at least one of the different systems identified, including police and correctional officers, health care workers, and social service providers. This mistreatment took the form of disrespect, humiliation, physical and verbal harassment, forced sexual activity, use as informants without sufficient protection (making them even more vulnerable to community violence), being profiled and arrested when they had not committed a crime, not being taken seriously when seeking assistance after becoming a victim of a crime such as battery or sexual assault, or being denied services or assistance as a result of their involvement in the sex trade. Additionally, focus group participants believed that many of these helping professionals lacked a comprehensive understanding of and sensitivity to the situations and circumstances common among those involved in the sex trade.

***Relevant Recommendations: 2.2, 2.11, 3.1, 3.2, and 3.3***

Finding #5: Focus group participants experienced violence and victimization during their involvement in the sex trade.

Although personal experiences with violence and abuse were not the intended topic of the focus group discussions, participants shared stories about the extensive amount of violence they encountered during their involvement in Chicago's sex trade. Indeed, the information gathered during these discussions substantiated the findings from the 2002 *Sisters Speak Out* report, which chronicled the extensive rates of physical, emotional, and sexual violence experienced by individuals in the sex trade from pimps, arrangers, customers, and significant others.

In response to such information, the Prostitution Alternatives Roundtable (PART) proposed legislation that would allow individuals involved in the sex trade to seek civil damages for the pain and suffering caused by pimps and customers.<sup>27</sup> Such legislation recognizes that individuals in the sex trade are often victims of crime and are often forced into prostitution through physical and emotional coercion, manipulation, and deception.

***Relevant Recommendations: 1.2, 1.3, 1.8, 2.1, 2.2, 2.6, 2.8, 2.10, 3.1, 3.2, 3.3, and 3.4***

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<sup>27</sup> The Predator Accountability Act was signed into law in July 2006.

Finding #6: Mistreatment or abuses by first responders and crimes committed against individuals in the sex trade rarely are reported or brought into the legal system.

Focus group participants reported that individuals involved in the sex trade are reluctant to report mistreatment or violence from first responders, pimps, or customers to authorities and follow through with the prosecution. As a result, many of these crimes go unpunished. The reluctance to report and prosecute arises from a number of reasons, including:

- (1) individuals in the sex trade are not aware of the process for filing a report or grievance;
- (2) individuals fear they will not be believed or that no one will care; and
- (3) individuals are afraid they will experience retaliation from the customer, pimp, or first responder, will be arrested, or will otherwise jeopardize their own safety or legal status.

In some instances individuals may be able to use the federal or state victim witness protection programs; however, this is not common practice and is done only at the discretion of federal and state law enforcement personnel. Focus group participants confirmed that concerns regarding their personal safety and the lack of physical protection significantly influenced their willingness to report and prosecute these cases. Such concerns call upon the need for enhanced safety planning for these victims of crime.

Even when crimes committed against individuals involved in the sex trade are reported, however, it is very rare that these reports are brought into the legal system.

Reasons given as to why charges are not filed include:

- individuals in the sex trade who disclose that they are a victim of crime are not believed;
- sexual assault charges are not filed because many helping professionals believe that individuals in the sex trade cannot be raped; and
- crimes committed against minors are not filed because minors involved in the sex trade commonly lie about their age or use false identification.

***Relevant Recommendations: 1.2, 2.2, 2.6, 2.11, 3.1, 3.2, and 3.3***



Finding #7: Many focus group participants began working in the sex trade industry as minors.

Approximately 42% of the focus group participants reported that they first exchanged sex for money, drugs, or other resources before the age of 18 years.<sup>28</sup> This finding demonstrates that many customers engage in sex acts with minors and therefore could be charged with felonies.

***Relevant Recommendations: 1.2, 1.8, 1.9, 2.1, 2.6, 2.8, 2.10, 3.1, 3.4, and 3.5***

Finding #8: The reasons a person becomes involved in the sex trade are multiple and complex.

During the focus group discussions many participants discussed how they first became involved in the sex trade. Their experiences ranged from being forced into “the life” by a family member or acquaintance at a young age, to exchanging sex for survival needs after running away from an abusive home environment as an adolescent, to being “pimped out” by an intimate partner or family member, to engaging in prostitution to support an addiction to substances, to seeing the sex trade as a viable option for making money and surviving.

***Relevant Recommendations: 1.3, 2.1, 2.6, 2.8, 2.10, 3.1, 3.4, and 3.5***

Finding #9: Individuals who are involved in the sex trade experience many negative consequences.

Regardless of the reasons why or how focus group participants entered the sex trade, many ultimately experienced negative consequences including homelessness, substance use, chronic physical health conditions, becoming a victim of crime, or getting a criminal record.

***Relevant Recommendations: 1.2, 2.1, 2.2, 2.3, 2.6, 2.7, 2.10, 3.1, 3.2, 3.3, and 3.4***

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<sup>28</sup> The 2002 report *Sisters Speak Out* report, furthermore, found that among the 222 women interviewed for the study, approximately 62% of them had first engaged in an act of prostitution before the age of 18 years.

Finding #10: Individuals in the sex trade face barriers when trying to access medical services.

Information gathered through the focus group discussions indicated that although individuals in the sex trade often have extensive medical needs,<sup>29</sup> they encounter numerous barriers to accessing health care. These barriers include being prevented from accessing health care services by a pimp/arranger or trafficker, fear of being stigmatized by medical providers, lack of transportation to health clinics and hospitals, inability to pay for health services and medications,<sup>30</sup> or fear of arrest.

***Relevant Recommendation: 2.2***

Finding #11: Medical personnel are important first responders.

Even though individuals involved in the sex trade experience barriers to accessing health care, hospitals remain an important first point of contact with helping professionals. The focus group participants reported that individuals in the sex trade commonly seek treatment at hospitals for injuries sustained from physical or sexual assaults, sexually transmitted diseases, prenatal care, and other general health care needs. Some focus group participants explained that they were at a “low moment” in their lives when they sought medical services after being physically or sexually assaulted. These individuals reported that they would have been open to learning about available supportive service options at this time, however, referral and resource information was rarely offered.

***Relevant Recommendations: 2.2, 2.4, and 3.1***

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<sup>29</sup> Local research and the focus group discussions suggest that many individuals who are involved in the sex trade have significant medical needs and suffer from chronic and untreated physical health conditions. Raphael, J., Shapiro, D.L. (2002). Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago. [www.impactresearch.org](http://www.impactresearch.org). Additionally, individuals involved in the sex trade are often at risk for health issues such as HIV/AIDS, other sexually transmitted diseases, Hepatitis C, prenatal complications, and physical symptoms associated with Post-Traumatic Stress Disorder.

<sup>30</sup> Illinois Law 410 ILCS 70/7: The Sexual Assault Survivors Emergency Treatment Act protects survivors of sexual assault from being billed for emergency medical care related to the assault.

Finding #12: Individuals involved in the sex trade encounter many barriers when trying to exit prostitution.

Focus group participants encountered many barriers when trying to leave the sex trade industry, including past felony convictions, a lack of job skills, an inability to access income by other means, a lack of safe housing options, unaddressed substance addictions, fear for their safety, and an inability to leave the control of pimps/arrangers or traffickers. In addition, a lack of appropriate discharge planning upon being released from jail created further barriers for many of the focus group participants. For example, many women reported being released from jail with no money or method of transportation and thus were forced to sell sex in order to get back home. Other focus group participants explained that their pimps or arrangers often were waiting to pick them up upon their release from jail, thus leaving them little alternative but to return with them.

***Relevant Recommendations: 1.3, 2.1, 2.3, 2.5, 2.6, 2.7, 2.8, 2.11, 3.1, 3.4, and 3.5***

Finding #13: Substance abuse poses a significant barrier to leaving the sex trade industry.

Focus group participants explained that individuals involved in the sex trade frequently turn to substances to cope with the trauma of prostitution, may have been forced to use substances by their pimps, or may have sold sex to support an addiction. As a result, the focus group participants felt strongly that the issues of prostitution and addictions cannot be addressed separately. Despite the strong association between these two issues, very few Chicago-area substance abuse treatment programs provide specialized services to this population of clients.

***Relevant Recommendations: 2.1, 2.6, and 3.4***

Finding #14: Individuals do leave the sex trade industry.

Focus group participants no longer involved in the sex trade industry spoke candidly about what helped facilitate their exit. Although extremely individualized, many reported that this decision came during one of their “low moments,” such as when they were in the hospital, jail, or a substance abuse treatment program. Some participants spoke of the crucial support they received during these difficult times from concerned family and friends, understanding counselors/advocates, and their own faith. Others reported

ultimately growing tired of “the life” and knowing that if they did not leave the sex trade soon they would die. These different paths out of the sex trade industry demonstrate that intervention services need to be diverse.

***Relevant Recommendations: 2.1, 2.11, and 3.1***

Finding #15: Women who are involved in the sex trade are mothers.

Many of the focus group participants reported having children and being involved with the Illinois Department of Children and Family Services (DCFS) at some point in their lives. Several participants indicated that their parental rights had been terminated, and they believed this was the result of their involvement in the sex trade.<sup>31</sup>

Both focus group participants and prosecutors also reported that women sometimes bring their children with them to court with the hope that the judge will provide them with a more lenient sentence because they are mothers. Women who work in the sex trade industry, however, are not always aware that such a strategy could backfire if they have not created a care plan for their children in case they are sentenced to jail time.

***Relevant Recommendation: 2.1 and 2.7***

### **C. Current Services, Service Needs, and Response Strategies**

Finding #1: Specialized services for individuals involved in Chicago’s sex trade industry are extremely limited.

There are only a few programs offering specialized services to women involved in Chicago’s sex trade industry, and even fewer programs are available for men, youth, and

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<sup>31</sup> As part of the ISA process employees of the Illinois Department of Children and Family Services (DCFS) reported that involvement in the sex trade industry alone is not enough to warrant the removal of children from the care of their parent or guardian. DCFS becomes involved only when the parent or guardian’s behaviors are determined to be abusive or neglectful. If a parent or guardian is arrested, her children are not automatically taken away. If the parent has not created a care plan for her children, DCFS will try to identify a family member who could take care of the children until the parent is released from jail. The state will move to terminate a guardian’s parental rights or move to private guardianship (the later of which is reversible) if the guardian is convicted of a crime and must serve a jail sentence of over three years and there are no family members who are willing to take temporary custody of the children during this period of time.

transgender individuals (**Appendix D**).<sup>32</sup> Consequently, the city's current service capacity is insufficient to meet the demand for prevention and intervention assistance. It was also apparent throughout the Intersystem Assessment initiative that the city lacks a network or coalition of agencies focused on providing services to individuals involved in the sex trade. As a result, existing services are often fragmented and poorly coordinated.

***Relevant Recommendations: 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, and 3.3***

Finding #2: There is a lack of funding to support specialized services for individuals in the sex trade.

Limited availability of funding poses very real challenges to the enhancement of Chicago's service capacity. This was a concern continuously raised throughout the Intersystem Assessment initiative.

***Relevant Recommendations: 2.1, 2.3, 2.4, and 2.7***

Finding #3: Housing was identified as a primary need of individuals involved in Chicago's sex trade industry, yet affordable housing options are limited.

There are very few specialized residential treatment and supportive housing programs for individuals involved in the sex trade,<sup>33</sup> and the services that do exist are not available to men, youth, or women who are pregnant or who have children in their care. Moreover, Chicago is undergoing rapid changes in public housing and experiencing gentrification in many previously affordable and mixed income neighborhoods. These trends directly impact the availability of affordable housing options for Chicago's residents and those involved in the sex trade.

Individuals with criminal backgrounds, particularly those with felony convictions, experience additional barriers in securing affordable housing.<sup>34</sup> Although such barriers

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<sup>32</sup> It is important to note that during the writing of this report, Genesis House, one of the primary service providers in Chicago, went out of business. As a result, many of the services discussed in this report have been temporarily suspended or are being reorganized under the auspices of another organization.

<sup>33</sup> The primary residential treatment facility for women involved in Chicago's sex trade had been run by Genesis House, and had ceased operating during the time this report was written.

<sup>34</sup> Many Chicago residents with felony convictions face housing discrimination and are not aware that they still may access housing subsidies/Section 8 vouchers. For example, the Chicago Housing Authority permits individuals with felony convictions to access subsidies unless they were convicted for drug-related offenses. Unfortunately some individuals in the sex trade have felony convictions for drug-related offenses.

exist, some resources are available in Chicago. In 2005, 79 of the 99 programs funded to provide subsidized permanent housing in Chicago responded to a survey administered by the Chicago Continuum of Care regarding their program eligibility requirements. The survey results showed that 58% of the 4,325 permanent housing units operated by these programs are available for individuals with felony convictions. An additional 30% of these total 4,325 units are available for individuals with felony convictions in certain circumstances. Although individuals with felony convictions may be eligible for permanent housing services, very few of these services provide specialized supportive assistance for those who have been involved in the sex trade.

In 2003 Chicago adopted the Continuum of Care strategic plan to end homelessness in ten years. As part of this plan, various housing and shelter program models were created and the city began to transition away from short-term emergency shelter programs and move to a “Housing First” philosophy. This transition will ultimately impact individuals in the sex trade, since many are in need of immediate safe housing options. A housing model currently identified in the plan includes transitional subsidized housing with wrap-around supportive services,<sup>35</sup> which is a model well suited to those in the sex trade.

Finally, at the time this report was written, the Illinois Department of Corrections and PART were collaborating to secure funding to implement a housing model developed by the Sheriff’s Department of Women’s Justice Services and Heartland Alliance. This program would respond to Illinois Public Act 920806 (*The Residential Treatment and Transition Center for Women*), an unfunded mandate to offer voluntary diversionary housing to mothers charged with non-violent felonies including prostitution. Under the program, women would be sentenced to residential treatment for one year with a second year of follow-up services.

***Relevant Recommendations: 2.1, 2.3, and 2.7***

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<sup>35</sup> Under this program model an individual receives subsidized housing for a predetermined period of time and has access to a case manager and additional supportive services. It is intended that the supportive services will enable the individual to become financially stable so they can take over the lease at the end of the program.

Finding #4: There are few specialized substance abuse treatment services for individuals involved in the sex trade.

Although many of the focus group participants reported a history of substance abuse and believed that prostitution and addictions often cannot be addressed separately, there are very few substance abuse programs in Chicago providing specialized treatment for women and men in the sex trade. The specialized services that do currently exist include screening, referrals to other community-based services, and providing on-site Prostitution Anonymous groups for the clients in the treatment facilities. It is also important to note that most housing, homeless, and domestic violence programs currently operating in Chicago require individuals to be sober in order to be accepted as clients. Such policies create additional barriers to accessing services for those involved in the sex trade and further speak to the need for comprehensive substance abuse treatment options.

***Relevant Recommendation: 2.1***

Finding #5: Individuals involved in the sex trade industry often lack consistent health care.

As part of the Intersystem Assessment Initiative, Work Group members spoke with both medical staff at Cermak Health Services, the sole medical provider housed within Cook County Jail, and emergency room personnel from John Stroger Hospital (formerly Cook County Hospital). These medical providers reported that many women who have served time in Cook County Jail regard Cermak as their primary health care provider. Upon being released from jail, moreover, most of these women do not access the follow-up and ongoing community-based medical care that they need.

***Relevant Recommendation: 2.2***

Finding #6: Advocacy work is underway to address some of the barriers that felony convictions can have on a person's ability to access resources and exit the sex trade.

At the time this report was written, individuals arrested on a prostitution-related offense in Illinois could not have a felony conviction expunged from their record. Since felony convictions can limit a person's ability to secure housing, employment and supportive services, PART has been coordinating an advocacy campaign to pass the *First*

*Offender Probation Bill* (House Bill 1319). This proposed legislation would allow judges to sentence individuals to 24-months of probation with supportive services for first time felony convictions in specific non-violent offenses, including drug and prostitution-related crimes. Defendants who successfully complete the conditions of the probationary period would have their charges dismissed automatically, thus avoiding felony convictions.

***Relevant Recommendations: 2.3, 2.6, 2.7, 2.11, and 3.4***

Finding #7: Although Chicago has a toll-free Domestic Violence Help Line and a separate Rape Crisis Hotline, the city lacks a 24-hour, confidential, and toll-free crisis line targeted to individuals who are involved in the sex trade.

Chicago's toll-free Domestic Violence Help Line and Rape Crisis Hotline operate 24-hours a day, seven days a week, 365 days a year (**Appendix E**).<sup>36</sup> Staffed by trained advocates, both of the existing help lines provide callers with information on available service options and their legal rights as a victim of violence including how to access crime victim compensation. Currently, individuals in the sex trade can call either the Domestic Violence or Rape Crisis hotline numbers to access information or receive support and information on available service options. For example, callers to the City of Chicago Domestic Violence Help Line who self-identify as being involved in the sex trade are directly linked through a three-way call to a local community-based service provider. Staff from the City of Chicago Domestic Violence Help Line, however have not received specialized training on this issue, and they do not screen every caller for involvement in the sex trade.

Although the City of Chicago Domestic Violence Help Line and the Chicago Rape Crisis Hotline both accept calls from individuals involved in the sex trade, there is no separate 24-hour, confidential hotline providing specialized crisis counseling or support to these callers. This lack of specialization may be an important reason why individuals involved in the sex trade do not appear to use these resources in high numbers. In 2005, for example, the Domestic Violence Help Line referred just 11 callers to local agencies

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<sup>36</sup> The Domestic Violence Help Line is run by the City of Chicago, and the YWCA of Metropolitan Chicago runs the Chicago Rape Crisis Hotline.



that specialize in serving individuals in the sex trade, and the Rape Crisis Hotline referred only four callers to a community-based agency that helps and supports women in the sex trade.<sup>37</sup> The low number of calls suggests that either individuals are unaware that these help lines exist, or they do not think these resources will meet their service and advocacy needs.

***Relevant Recommendations: 2.1, 2.4, and 2.8***

Finding #8: Efforts have been made to conduct outreach to individuals who have come into contact with the criminal legal system as a result of their involvement in the sex trade.

One service provider had historically conducted outreach (including legal advocacy and options counseling) to women who had been arrested on prostitution-related offenses and who were in lock-up at district police stations throughout the city and in nearby suburbs. This same service provider also had facilitated peer support and educational groups for women housed in certain units at the Cook County Department of Corrections, and its residential treatment program was used by the courts as a diversionary housing option for women charged with both felony and misdemeanor prostitution-related offenses.<sup>38</sup> In addition, the Cook County Sheriff's Department of Women's Justice Services currently operates a mentoring program for women who have been incarcerated on non-violent offenses, including prostitution. This program offers gender-specific services, but due to restricted resources it is only offered to a limited number of women incarcerated at the jail.

***Relevant Recommendations: 2.5, 2.6, 3.2, and 3.3***

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<sup>37</sup> It is important to note that neither the Domestic Violence Help Line nor the Chicago Rape Crisis Hotline routinely inquire about a caller's involvement in the sex trade industry. As a result, the actual number of callers to these hotlines where this is a primary issue might be higher than what was reported.

<sup>38</sup> This service provider was Genesis House, and by the time this report was written the agency had closed.

Finding #9: The Chicago Police Department is experimenting with a new strategy for responding to individuals who are in serious mental health crisis whereby they are diverted away from the criminal legal system.

During the time this report was written, the Chicago Police Department had begun a pilot project in two police districts in which a specialized unit of officers was trained to be the primary unit dispatched to calls involving people experiencing a serious mental health crisis. It is the hope that once trained this specialized unit will be able to respond more effectively to people with serious mental health needs by diverting them from the criminal legal system and linking them to appropriate services. This program might serve as a model for diverting individuals in the sex trade industry away from the criminal legal system and linking them to community-based social services.

***Relevant Recommendations: 2.4, 2.5, and 2.6***

Finding #10: Chicago is stepping up efforts to respond to sex trafficking.

During the Intersystem Assessment initiative, the Chicago Police Department and the Cook County Sheriff's Police reported encountering victims of international trafficking as well as United States citizens who had been transported across state lines for the purposes of engaging in the sex trade industry. Since no formal screening protocol had been established, these officers acknowledged that some trafficked individuals have been prosecuted under state prostitution-related offenses.

In recent years, the issue of human trafficking has received heightened attention and become a matter of national concern. As a result, two separate task forces (**Appendix F**) have been established in Chicago to address human trafficking on a local level. These task forces, which are working to enhance efforts to identify victims and prosecute traffickers, will most likely take the lead on implementing the trafficking-related recommendations found in Section 3 of this report.

Finally, Chicago is fortunate to be home to the National Immigrant Justice Center (NIJC), which is a partner of Heartland Alliance and one of the few non-profit agencies in the country that specializes in providing legal and social services to victims of international trafficking. Since the NIJC accepts direct referrals from police officers who suspect that an arrested individual is a victim of trafficking, one common goal of the two

newly established task forces described in Appendix F is to ensure that referrals to this program become standard police practice. More information on the NIJC is found in Appendix D.

***Relevant Recommendations: 1.3, 2.5, 2.6, 2.8, and 3.5***

Finding #11: The definition of human trafficking found in the federal legislation does not require that a person be trafficked internationally in order to be considered a victim of trafficking.

Nowhere in the federal *Trafficking Victims Protection Act* (2000) does it state that a person must be transported internationally in order for them to be considered a victim of trafficking and thus protected under this law. Moreover, language used in the law to describe the elements of trafficking, such as “recruitment,” “harboring,” “force,” “fraud,” and “coercion,” is consistent with language used in local and national research to describe the common experiences of U.S.-born individuals involved in the sex trade industry. Consequently, the line between U.S. citizens who are involved in the sex trade and foreign-born victims of trafficking is not always clear. Given this similarity, the ISA Work Group discussed how many U.S.-born individuals involved in the sex trade might qualify as domestically trafficked persons and therefore be eligible for the protections and benefits afforded under federal and state law.

***Relevant Recommendations: 1.3, 2.6, 2.8, 3.1, 3.4, and 3.5***

Finding #12: Unique challenges arise when responding to the issue of sex trafficking.

During the Intersystem Assessment initiative different first responders, including the police and service providers identified several challenges they have historically encountered when trying to respond to sex trafficking. These challenges include:

- language barriers and the inability of police officers and service providers to conduct interviews and offer services in an individual’s native language;
- lack of a formalized response protocol for sex trafficking cases;
- lack of a 24-hour service response component;
- fear and distrust among trafficking victims of the police or their traffickers, which often prevent victims from self-identifying and cooperating with the prosecution;

- lack of training and awareness on the issue of trafficking among first responders, which can result in the arrest and prosecution of trafficking victims;
- difficulty providing and locating supportive services such as shelter, housing, and job training for trafficking victims;
- lack of specialized supportive services for U.S. citizens who are domestically trafficked.<sup>39</sup>

***Relevant Recommendations: 1.3, 2.4, 2.8, and 3.5***

Finding #13: There are processes in place to file a complaint against a police or correctional officer.

The Chicago Police Department has created two separate units, which handle complaints issued against police officers.<sup>40</sup> Although the Office of Professional Standards (OPS) is the most commonly utilized, citizens may also file complaints against police officers with their local police districts, the Cook County States’ Attorney’s Office, the United States’ Attorney General’s Office, and the Illinois Attorney General’s Office. All complaints received by the Chicago Police Department come into the Office of Professional Standards and are then issued to the Internal Affairs Division as appropriate. The Chicago Police Department Internal Affairs Division typically investigates prostitution-related complaints.

Illinois state law requires that all complainants sign an Affidavit stating that the specific facts of the allegation against the police officer(s) are true to the best of their knowledge. After the initial complaint is made, the complainant is interviewed by an Internal Affairs or Office of Professional Standards investigator or by supervisory personnel from the accused officer’s unit. The police department finds it helpful if the person filing the complaint is available for questioning during the investigation. Although the need for such availability is understandable, such a process may be difficult and feel unsafe for an individual involved in the sex trade. Chicago Police Department General

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<sup>39</sup> The National Immigrant Justice Center only serves internationally trafficked victims, so U.S. citizens who have been trafficked across state lines or within city limits do not have access to such specialized resources.

<sup>40</sup> The Office of Professional Standards (OPS) registers all incoming complaints and investigates complaints that involve excessive force or domestic violence. The Internal Affairs Division (IAD) investigates cases involving allegations of drug use, theft, rude treatment, and procedural violations.

Order 93-03-01, I.D. provides that anonymous complaints may be made against Chicago Police Department members when the allegations are of a criminal nature, however, such cases are extremely difficult to investigate. The Chicago Police Department reports that satisfactory resolution of complaints is more likely when the allegations can be thoroughly investigated.

Individuals wishing to file a complaint against a Cook County correctional officer must call the Inspector General's Complaint Line, and state their name and the nature of the complaint. Within a couple of days an in-person meeting with an inspector is scheduled and the individual is asked to complete and notarize a written Complaint Registry Form. This form is then submitted to the Cook Country Department of Corrections Internal Affairs Department for a follow-up investigation. After the follow-up investigation has been completed, the person who filed the complaint is informed of the outcome. Anonymous complaints are handled in a manner similar to those made to the Chicago Police Department and are also very difficult to investigate.

***Relevant Recommendation: 3.2 and 3.3***

Finding #14: Community residents are interested in moving prostitution out of their neighborhoods.

Information gathered from residents living in areas where street prostitution occurs illustrates that, although they are aware of the larger systemic issues impacting individuals involved in the sex trade, residents are primarily concerned about getting this activity out of their neighborhoods. Strategies currently used by residents in some community areas across Chicago include engaging in "positive loitering" campaigns in their community, volunteering as court advocates to put pressure on prosecutors to upgrade charges for repeat offenders, and providing district-level police officers with tips on buildings or motels they believe to be venues for indoor prostitution. Generally speaking, these community strategies target those involved in the sex trade rather than customers or pimps/arrangers, and are rooted in the underlying belief that harsher criminal legal penalties for those in the sex trade will serve as an effective deterrent. It can be argued, however, that since many individuals are forced or coerced into the sex trade by someone else, receiving stricter penalties or longer jail sentences will not address

all of the underlying factors that may impact and perpetuate an individual’s involvement in the sex trade.

***Relevant Recommendations: 1.10 and 2.9***

Finding #15: There are no educational opportunities or diversionary sentencing options available for customers in Chicago.

Other cities across the country have started to offer programs commonly referred to as “Johns’ Schools,” which work to reduce recidivism rates by educating customers about the adverse consequences of their actions. Typically, Johns’ Schools provide men convicted of prostitution-related offenses with straightforward education on:

- the common life experiences of individuals in the sex trade including exposure to violence;
- the consequences their actions could have on their own lives; and
- the role customers play in furthering the cycle of violence and exploitation against individuals who are involved in the sex trade.

Impact statements given by survivors on how they have been harmed as a result of their involvement in the sex trade are also generally part of the Johns’ School curriculum. At the time this report was written, Chicago did not have any such education or intervention targeted at customers.

***Relevant Recommendation: 1.8 and 3.4***

#### **D. System Training and Accountability**

Finding #1: Few first responders, including government departments and non-profit social service agencies, receive specialized training on issues related to the sex trade.

Chicago police officers, for example, (including those officers assigned to the Vice Control Section) do not receive specialized training on issues related to the sex trade industry, nor is specialized education routinely included in the training for emergency medical personnel, substance abuse treatment providers, corrections officers, or court personnel. Finally, up until recently there was no formalized training on the sex trade for

domestic violence service providers,<sup>41</sup> and this issue was not comprehensively addressed in the state certified training required for individuals who work in sexual assault programs. Consequently, many first responders have not received sensitivity training on this issue and are thus unaware of the common life experiences and service needs of individuals who are involved in the sex trade.

***Relevant Recommendations: 1.3, 2.1, 2.2, 3.1, 3.4, and 3.5***

Finding #2: Efforts have been underway to train first responders in Chicago.

Prior to the beginning of the Intersystem Assessment initiative and throughout this process, PART and other non-profit organizations have conducted several public awareness and educational events for different system personnel on the issue of prostitution. In 2002, for example, PART hosted an awareness event for youth service agencies, domestic violence advocates, health care providers, and substance abuse treatment programs, and in 2003 the group sponsored an in-depth training for the domestic violence and sexual assault service communities. Additionally, periodic roll call trainings for the Chicago Police Department have been conducted, at which general information on the dynamics of this issue and available community-based service options were presented. Such educational and awareness events, however, require a significant amount of time and resources from the community-based providers and are not undertaken on an ongoing or regular basis.

In addition, some training on the issues of human trafficking and the sexual exploitation of minors has also occurred in Chicago. In September 2004, for example, the Chicago Crime Commission hosted a local conference on child exploitation and prostitution. Both of the Chicago-area task forces on human trafficking (discussed in Appendix F), furthermore, are committed to training local law enforcement, social service providers, and community residents on how to identify and respond to victims of trafficking.

***Relevant Recommendations: 1.3, 3.1, and 3.5***

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<sup>41</sup> The Chicago Metropolitan Battered Women's Network has since included a section on the sex trade in its 40-hour domestic violence training for new advocates, and the Illinois Coalition Against Domestic Violence addresses this issue as part of the state-required 40-hour Domestic Violence certification training.

Finding #3: It is unclear how Chicago police officers determine which prostitution-related statutes to charge individuals with in specific situations.

Initially all Chicago police officers are trained on the Illinois Compiled Statutes and the City of Chicago Municipal Code by the police department's Education and Training Division. This education includes the elements of the offenses, what acts comprise those particular elements, the requirements of probable cause for different offenses, and the practical application of the laws. During the 18 months probationary term, new officers have an opportunity to work with a Field Training Officer in applying those statutes and codes to real life situations. Even after officers have completed their probationary period, all reports are reviewed by the officer's sergeant and then by the watch commander. At each stage, there is an opportunity to teach the officer about whether or not the acts observed constitute elements of the offense. Unless each element of the offense is present, there is no probable cause to make the arrest. Roll call training is also provided to police officers on relevant topics, including sex-related crimes.

As illustrated in Table 1, there are many state statutes and municipal codes under which customers can be arrested for prostitution-related crimes. Although Chicago police officers are trained on each of these crimes, the actual process of charging specific state versus municipal offenses was not always made clear to the Intersystem Assessment Work Group. For example, the ISA Work Group received conflicting information about police procedure for charging customers with both city ordinance violations and state misdemeanor offenses, and about which state statute customers are routinely charged under and why.

***Relevant Recommendation: 1.1, 3.1, and 3.4***



## **Section 3**

# **Intersystem Assessment Recommendations**

Categorized into three priority areas, these following recommendations respond directly to the key findings presented in the previous section of this report. The priority areas are: (1) Cutting Into the Demand Side of the Sex Trade Industry; (2) Enhancing Supportive Services and Increasing Options for Individuals Who are Involved in the Sex Trade Industry; and (3) Enhancing Awareness Training and Accountability for Systems Involved in Responding to the Sex Trade Industry. The Intersystem Assessment Work Group remains committed to implementing, revising, and broadening these recommendations to reflect the evolving local response to the sex trade. As the Intersystem Assessment Work Group moves toward proposing implementation strategies for these recommendations, it will try to anticipate potential unintended consequences and strive to incorporate evaluation components into its work.

### ***Priority Area #1***

#### ***Cutting into the Demand Side of Chicago's Sex Trade Industry***

Documented disparities in the number of arrests, available sentencing options, and conviction rates of customers compared to those of individuals involved in the sex trade, support the finding that current legal system response strategies target the supply side of the sex trade more than the demand side (see Tables 1 and 2). Focusing predominately on the supply side, however, does little to curb the demand since the underlying beliefs, behaviors, and actions responsible for perpetuating the sex trade go unaddressed. For example, a pimp or trafficker will quickly find a replacement for someone serving jail time for a felony prostitution offense if the demand for that person's services remains. Working towards the elimination of prostitution and sex trafficking, therefore, requires response strategies and resources that focus on cutting into the demand side of the sex trade industry. For this reason, the recommendations included under this priority area:

- address the disparity in current legal system response strategies;
- advocate that increased resources be directed at responding to the demand side of the sex trade;
- highlight unanswered questions pertaining to response strategies that arose during the Intersystem Assessment process; and
- speak to the identified gaps in local response strategies in this area.

### **Recommendation #1.1**

*Prioritize the arrest and prosecution of customers, pimps/arrangers, and traffickers in Chicago.*

#### **Background Information**

Table 2 illustrates that women are more likely to be arrested on a prostitution-related offense and face harsher penalties than men or customers. This recommendation reflects the need to address these disparities by prioritizing the arrest of customers, pimps/arrangers, and traffickers, and sentencing them with the maximum penalties and fines associated with their offense.

The Intersystem Assessment Work Group believes that prioritizing the arrests of customers will: (1) address some of the disparities in the current legal response; (2) help track the number of customers who come into the system and who re-offend; and (3) increase the financial burden and consequences placed on customers. Additionally, the ISA Work Group believes that educating potential customers on the existing penalties and consequences they face if caught soliciting in Chicago, including the high likelihood of being arrested and sentenced to jail time, will reduce recidivism and deter some potential customers in Chicago. The Intersystem Assessment Work Group does acknowledge that resource limitations within the Chicago Police Department will need to be addressed in order to prioritize the arrests of customers, pimps/arrangers, and traffickers.

## Recommendations

To prioritize the arrest and prosecution of customers, pimps/arrangers, and traffickers, the Intersystem Assessment Work Group makes the following recommendations:

- ***Engage in discussions regarding the preferred charging of customers in a way that considers parity, resources, and cultural attitudes regarding the sex trade industry.*** Current practices and preferred methods of arresting and charging customers require further discussion.
- ***Enhance efforts to arrest pimps and traffickers and charge them with the highest possible offense.*** Table 2 illustrates that only 36 individuals were arrested for pimping offenses in all of 2003, 2004, and 2005. Since so many individuals are forced into the sex trade through violence and coercion, strategies to eliminate or reduce prostitution in Chicago are incomplete without a commitment to prosecute violent and exploitive pimps/arrangers, and traffickers who promote and perpetuate the industry. Prosecuting and convicting pimps/arrangers and traffickers, therefore, needs to be an ongoing component of Chicago's response strategy to curbing the demand side of the sex trade industry.
- ***Increase personnel resources within the Chicago Police Department at both the district-level and within the Vice Control Section to allow for more decoy and undercover operations.*** Enhanced resources would enable the Chicago Police Department to arrest more customers, pimps/arrangers, and traffickers, attend more hearings, and reduce the need to use individuals involved in the sex trade as witnesses in these cases. The Intersystem Assessment Work Group will assist with advocating for necessary budget enhancements within the police department for such purposes.
- ***Address challenges related to establishing probable cause for customers by (1) reviewing Illinois legislative definitions of probable cause that are related to a customer's behavior to determine whether changes should/could be formally introduced to the legislature and (2) establishing good case law through litigation before the Appellate or the Illinois Supreme Court.*** As previously discussed in the Key Findings, police officers commonly reported difficulty

establishing probable cause to arrest a customer without the evidence collected during reverse sting or decoy operations.

- ***Enhance efforts to ensure that customers, pimps/arrangers, and traffickers are convicted and sentenced with the maximum penalties associated with the prostitution-related offense.*** The Intersystem Assessment Work Group believes that potential customers, pimps/arrangers, and traffickers might think twice about coming to Chicago if they recognize that if arrested for a prostitution-related offense they will face a state misdemeanor and possible felony conviction, which includes jail time and significant fines. Additionally, financially burdening customers, pimps, and traffickers with the maximum fines associated with their charges might have an impact on future recidivism rates. The ISA Work Group is also interested in looking into a model in which fines collected by customers or pimps/arrangers could be used to fund greatly needed supportive services for individuals involved in the sex trade. Thus ordering customers and pimps/arrangers to pay the maximum fines allowed under the statute might help generate funding for much needed supportive services.
- ***Ensure that customers who re-offend receive escalating penalties.*** This would not only create parity in the sentencing of customers and individuals involved in the sex trade, but would also send a strong message that customers will be held accountable for their actions. Clearly, the success of this practice would depend heavily on the ability of the state to secure first-time misdemeanor convictions for customers. Accordingly, implementation of this recommendation will be influenced and highly connected to the others made in this section of the report. If implemented, the Intersystem Assessment Work Group believes that like those who are involved in the sex trade, customers should be given the opportunity to have their charges expunged if they successfully complete the terms of treatment or probation outlined as part of their sentences.

## **Recommendation # 1.2**

*Prioritize the charging and prosecution of customers and pimps who use violence against individuals who are involved in the sex trade, or who engage in sex with minors. Charges could include battery, sexual assault, statutory rape, and predatory sexual assault.*

### **Background Information**

As discussed in the key findings section of this report, individuals involved in Chicago's sex trade are commonly victimized by their customers and pimps/arrangers, and many report first exchanging sex for money before the age of 18 years. Many individuals involved in the sex trade, however, are reluctant to come forward to report these crimes committed against them for fear that they will not be believed, will jeopardize their own legal status, or will face violent retaliation from their pimps or traffickers. Finally, information gathered through the Intersystem Assessment initiative indicated that prosecutors have difficulty obtaining convictions in such cases, because the victims are often reluctant to participate in the prosecution process for the same reasons stated above.

### **Recommendations**

To prioritize the prosecution of customers and pimps/arrangers who use violence against individuals in the sex trade, the Intersystem Assessment Work Group makes the following recommendations:

- ***Provide legal advocacy services to individuals who are involved in the sex trade.***  
The ISA Work Group believes that more individual advocacy and support during the legal proceedings could address some of the hesitancy to report these crimes, and could ultimately result in more follow through with charges. This recommendation will be described further in the service enhancement recommendations found under Priority Area #2 in this report.
- ***Encourage CAPS court advocates' efforts to place public pressure on the state's attorneys and judges to charge and convict pimps and customers for violent crimes and upgrade charges when appropriate.*** The Intersystem

Assessment Work Group believes it is important that advocacy efforts be directed at the prosecutors to upgrade charges for customers and pimps who use violence or who engage in sex with minors. Increased public pressure to upgrade charges for customers and pimps by CAPS court advocates, for example, would send a strong message that the community is taking this issue seriously.

- ***Provide training to law enforcement and criminal legal system personnel.*** The ISA Work Group believes that first responders including health care providers, Emergency Medical Technicians (EMTs), and police officers must become educated on the reality that individuals involved in the sex trade are often victims of crime including battery and sexual assault. Such education would help ensure that individuals who are involved in the sex trade and who report crimes committed against them will be believed. Additionally, law enforcement and prosecutors need to learn how to prosecute these cases in ways that do not put these victims in more danger. Further suggestions for enhanced education will be addressed in the training recommendations found under Priority Area #3 in this report.

### **Recommendation # 1.3**

*Explore how federal laws, including the federal Trafficking Victims Protection Act (2000), could be used to prosecute locally operating traffickers and pimps/arrangers.*

#### **Background Information**

Upon examining the federal *Trafficking Victims Protection Act* (TVPA), the Intersystem Assessment Work Group discovered that most of the elements outlined under the federal law's definition of a "trafficked person" apply to many individuals involved in the sex trade on the local level. Terms such as "coercion," "recruitment," and "force," for example, were words commonly used by women to describe their experiences in Chicago's sex trade industry when interviewed for the *Sisters Speak Out* (2002) research study. Furthermore, the federal act does not state explicitly that only those individuals trafficked into the United States from other countries are protected under this law. For this reason, members of the ISA Work Group believe the federal trafficking law could be

a powerful tool for prosecuting locally operating pimps or arrangers. This shift in local thinking would provide for harsher penalties for pimps and traffickers.

## **Recommendations**

To prosecute locally operating traffickers and pimps/arrangers, the Intersystem Assessment Work Group makes the following recommendations:

- ***Explore using the federal Trafficking Victims Protection Act to prosecute pimps/arrangers who traffic individuals across state lines and within the city limits.*** The Intersystem Assessment Work Group feels strongly that, whenever applicable, federal laws should be used to prosecute locally operating traffickers, pimps, and arrangers, since these laws provide strict penalties.
- ***Conduct training for local police officers on identifying victims of trafficking.*** Such training is crucial and will be further addressed in the training recommendations found in Priority Area #3 of this report.
- ***Enhance collaboration between federal and local law enforcement personnel when prosecuting trafficking cases in Chicago.*** As a result of the new state legislation criminalizing human trafficking in Illinois, local and federal prosecutors will need to work together to discuss and determine how trafficking cases will be prosecuted and who will have jurisdictional authority.

## **Recommendation # 1.4**

*Develop a formalized and routine method for tracking the arrest and recidivism rates of customers in Chicago.*

## **Background Information**

Not having readily available access to data on the number of customers who are arrested or cited for state misdemeanor offenses and city ordinance violations has made it difficult for the Intersystem Assessment Work Group to obtain an accurate account of when and how many customers are being processed through the legal system in Chicago. Such data limitations also make it difficult to track recidivism rates among customers. Obtaining access to data on recidivism rates will be extremely important as the

Intersystem Assessment Work Group works to evaluate the effectiveness of the deterrence strategies outlined in this report.

## **Recommendations**

Given the lack of data on the number of customers arrested, the number of customers who recidivate, and the typical sentences received by customers, the Intersystem Assessment Work Group makes the following recommendations:

- ***Establish more formalized and routine tracking methods. Create a coding system to distinguish customers from individuals who are involved in the sex trade industry.*** Current data gathering practices distinguish defendants by sex/gender rather than by the nature of their offense. Better tracking of customer arrests, convictions, and sentences received will provide more accurate information on how many customers are being arrested and how many are re-offending in Chicago.
- ***Conduct research to review and track:***
  - ***the current number of customers arrested for both state misdemeanors and city ordinance violations to determine how customers are being processed by the legal system;***
  - ***how prosecutors typically move forward on cases when customers are charged with both a state misdemeanor and city ordinance violation to determine which penalties customers are currently subjected to; and***
  - ***the common outcomes (e.g., conviction rates and final conviction charges) when customers are charged with both state misdemeanors and city ordinance violations to determine the typical consequences customers face.***

Such research could help answer many questions raised during this initiative about how frequently customers are being charged with both a state misdemeanor and city ordinance violation and how these cases are processed through the legal system.



## **Recommendation #1.5**

*Enhance the practice of collecting and tracking the fines and fees paid by customers in Chicago at branch court and administrative hearings.*

### **Background Information**

As outlined in Table 1, the fines and fees associated with state misdemeanor convictions and city ordinance violations for customers can be large, and yet neither the city nor the state has a formal or routine process for tracking and analyzing the fines and fees paid by customers. As a result, it is difficult to determine whether customers are typically ordered to pay the maximum fines/fees allowed for under the statute and whether they are delinquent on paying these fines. Furthermore, given the challenges to tracking this information, neither the city nor state has a method in place to routinely follow up with customers who have failed to pay assessed fees and fines. This creates questions about the severity of penalties for customers and allows for further speculation about the disparity in the legal systems' response to customers and those in the sex trade industry.

### **Recommendations**

Given the need to enhance methods of tracking the issuing and collection of fees and fines from customers at both branch court and administrative hearings, the Intersystem Assessment Work Group makes the following recommendations:

- ***Implement better methods of collecting and tracking the fines and fees associated with state misdemeanor convictions, city ordinance violations, and vehicle impoundments. Create a coding system under which fines are associated with specific charges or violations.*** This would help guarantee that appropriate fines are issued and collected from a customer, and may help identify much-needed funding for direct services in the city of Chicago.
- ***Explore the feasibility of (1) increasing the fees associated with vehicle impoundment for customers on a second violation and (2) implementing protocols whereby customers would receive increased penalties (such as***

*suspension of their driver's license) if they fail to pay the ordered fines.* Once better tracking methods are established, the city and state will be able to implement escalating penalties for customers who re-offend or who have failed to pay their fees and fines. This practice would send the message that the city is holding customers accountable for their actions. The ISA Work Group does recognize that not all customers can afford to pay their fines, and such cases will require special consideration.

- ***Explore the feasibility of allocating court-generated fees and fines collected from customers to support direct services in the city of Chicago.*** With better collection of fees and fines for prostitution-related offenses, the Intersystem Assessment Work Group is hopeful that the money generated could be earmarked to fund much-needed supportive services for individuals involved in the sex trade, as has been done in some other jurisdictions across the country. Due to the lack of tracking at the present time, however, the city and state are unable to predict how much revenue could be generated from such a practice.

## **Recommendation #1.6**

*Establish a practice by which police departments in other jurisdictions are notified when customers from their cities are arrested on prostitution-related offenses in Chicago.*

### **Background Information**

As presented in the Key Findings section of this report, many customers come into Chicago from nearby suburbs, towns, and states. The Intersystem Assessment Work Group believes that some customers would be less likely to enter Chicago to solicit paid sex acts if they know their own communities will be notified upon their arrest.

## Recommendations

To deter customers from coming into Chicago, the Intersystem Assessment Work Group makes the following recommendation:

- *Establish a method for notifying police departments in writing when customers from their jurisdictions have been arrested in Chicago for prostitution-related offenses.* This would require the participation of the Chicago Police Department, the Cook County Sheriff's Police, and other surrounding police departments.<sup>42</sup>

### **Recommendation # 1.7**

*Explore the option of developing a city website or cable television program that posts pictures of customers who have been convicted of prostitution-related offenses in Chicago.*

## Background Information

As discussed in the key findings section of this report, prior to the Intersystem Assessment initiative, names and partial addresses of customers arrested by Chicago vice officers were being posted on the city's website. This recommendation, therefore, was developed in part as a reaction to a practice that was already underway.

During the Intersystem Assessment, general concerns were raised about the city's practice of posting information about arrested customers on a website, including the concern that some individuals may be charged with this crime erroneously and posting information about customers prior to conviction may violate their civil liberties. For this and other reasons, the Intersystem Assessment Work Group supports the posting of pictures only after customers have been convicted of prostitution-related offenses. Additionally, the Intersystem Assessment Work Group does not support the practice of posting the pictures or identifying information of individuals who are involved in the sex trade on a website or television program under any circumstances.

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<sup>42</sup> In the spring of 2005, the Chicago Police Department began the practice of sending the suburban chiefs of police a form letter on Chicago Police Department letterhead notifying them when a customer from their jurisdiction is arrested in Chicago.

## Recommendations

As part of Chicago's efforts to curb the demand side of the sex trade industry, the Intersystem Assessment makes the following recommendations:

- *Explore the possibility of displaying a customer's picture and identifying information on a city website or cable television program at time of conviction.*

The ISA Work Group believes that this strategy, coupled with others that appear in this report, would deter some customers from purchasing sex in Chicago and would send a strong message that Chicago is seriously committed to curbing the demand side of the sex trade. If implemented, important details would need to be worked out including whether a customer's picture would be posted immediately after sentencing, as part of their sentence, or removed after they successfully complete their probation or supervision requirements. These details will be further addressed as the ISA Work Group moves into the next phase of the project.<sup>43</sup>

- *If established, the new website or television program should incorporate educational and awareness information, including service referrals for both customers and individuals involved in the sex trade; strategies that community residents can use to address the demand for prostitution in their neighborhood; and education on the typical life experiences of individuals who are involved in the sex trade.* In addition to serving as a deterrent for potential customers, the ISA Work Group believes that such a website or television program would provide a valuable opportunity for public education and awareness on this issue.

## **Recommendation # 1.8**

*Curb the demand side of the sex trade industry by creating a "Johns' School" in Chicago.*

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<sup>43</sup> In June 2005, the City of Chicago moved forward on establishing a "johns' website" through the Chicago Police Department. This website shows pictures of customers who have been *arrested* by both vice and district-level police officers in Chicago.

## **Background Information**

As the Intersystem Assessment Work Group gathered information on Chicago's response to the sex trade industry, it became apparent that the city lacks a formalized intervention and educational component associated with the sentencing process for customers. Consequently, the Work Group saw the need for an alternative sentencing program that provides customers with an opportunity to learn how their actions adversely impact individuals, families and communities, and confront their behaviors and beliefs, which perpetuate the sex trade industry. If developed, such a program would be a key part of the city's larger efforts to reduce customer recidivism rates and cut into the demand side of the sex trade industry.

Whereas previous recommendations found in this section call on the legal system to prioritize the arrests and convictions of customers, pimps/arrangers, and traffickers, this recommendation proposes a specific sentencing option for convicted customers. Under the program model discussed by the ISA Work Group, customers would be required to attend Johns' School as part of their sentencing for a first offense as either an alternative to or in addition to paying a fine or serving jail time.

## **Recommendations**

Given the need to develop alternative sentencing options for customers, the Intersystem Assessment Work Group makes the following recommendations:

- *Establish a Johns' School program in Chicago.*<sup>44</sup>
- *Develop standardized sentencing and tracking protocols that clarify:*
  - *under what circumstances and charges a customer would be referred to a Johns' School program (e.g., as a diversion option, as a condition of supervision, upon conviction of a state misdemeanor charge or city ordinance violation);*

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<sup>44</sup> During the summer of 2005, Genesis House, a non-profit agency that provided specialized services to women in the sex trade, created its own Johns' School program named the Amend Program. The Amend Program was a one-day, 8-hour class that customers were ordered to attend as part of their sentencing for a prostitution-related conviction. No city, county or state funding supported this program, and customers had to pay to attend. The Amend Program operated briefly during 2005 and 2006, but was no longer running at the time this report was written.

- *what would happen to the customer’s conviction or charges once s/he completes the program;*
- *what would happen if a customer re-offends after completing the program (e.g., would penalties escalate?);*
- *how many times a customer could participate in the program;*
- *what type of information is reported back to the court by the program provider;*
- *what would happen if a customer is unable to pay the required fee; and*
- *how judges and prosecutors would be made aware of this service.*

These unaddressed areas have important service and sentencing implications, which will require further clarity.

- *Explore implementing a short-term evaluation of any newly developed Johns’ School programs to determine the effectiveness of this intervention strategy.* If the goals of this program are to reduce recidivism rates and influence changes in behavior, an evaluation component is essential.<sup>45</sup>
- *Establish quality assurances for services by creating standards for Johns’ School programs.* If this service is to become a standardized court-approved referral resource for customers, program quality assurances will need to be established.

## **Recommendation # 1.9**

*Conduct targeted public outreach and education campaigns that focus on the demand side of the sex trade industry by informing potential customers, and pimps/arrangers of the penalties they face if caught soliciting in Chicago.*

<sup>45</sup> In January 2006, the U.S. National Institute of Justice announced that it is funding an evaluation of the San Francisco-based First Offenders Prostitution Program (“Johns’ School”). The final evaluation report is expected to be released in early 2007.

## **Background Information**

Information obtained during the Intersystem Assessment initiative suggested that many potential customers are unaware of the harsh penalties they face if charged and convicted with a prostitution-related offense in Chicago. Additionally, the successful implementation of the recommendations previously listed in this report (e.g., the development of a website, Johns' School, increasing fines) would require that potential customers are made aware of new penalties and fines. The Intersystem Assessment Work Group believes that if potential customers were made aware of these new penalties, some would be deterred from soliciting in Chicago.

## **Recommendations**

Given the need to develop targeted public awareness strategies, the Intersystem Assessment Work Group makes the following recommendation:

- *Develop educational campaigns that (1) inform potential customers and pimps/arrangers about the legal penalties and social consequences they face if caught committing a prostitution-related crime in Chicago, and (2) educate potential customers about life experiences (e.g., exposure to violence, coercion) common among those who are involved in the sex trade.* These broad educational campaigns would be multi-faceted and would include advertising on billboards, flyers, posters and other print media. Although not effective for all, the Intersystem Assessment Work Group believes that direct public awareness and educational messages would deter some potential customers in Chicago.

## **Recommendation # 1.10**

*Develop community-identified strategies for curbing the demand side of the sex trade industry in Chicago.*

## **Background Information**

As previously discussed, community residents in Chicago have been working within the CAPS infrastructure to address concerns about prostitution in their neighborhoods.

Most of these efforts, however, have targeted individuals involved in the sex trade industry rather than customers or pimps/arrangers. Given that many neighborhoods and community residents already are organized to respond to this issue, the Intersystem Assessment Work Group believes that these groups could also implement response strategies that focus on the demand side of the sex trade industry.

## **Recommendations**

To help enhance community-led strategies that focus on curbing the demand side of the sex trade industry, the Intersystem Assessment Work Group makes the following recommendations:

- ***Host community forums to educate residents on strategies they can employ to address the demand side of the sex trade industry.***<sup>46</sup> Such strategies could include distributing public awareness flyers to potential customers, and confronting bar, hotel, and club owners where indoor prostitution is thought to occur. Hosting community educational forums also may provide an opportunity to sensitize residents to the issues individuals involved in the sex trade commonly experience, the barriers they encounter when trying to leave the sex trade, and the significant challenges and limitations they face if convicted of felonies.
- ***Encourage community residents to petition for enhanced city services in areas known for street-level prostitution.*** Through CAPS, residents can advocate for an improved city response to their identified concerns. Services that can be requested include tearing down or renovating abandoned buildings, installing more streetlights, and monitoring traffic. Such physical or structural changes to a community might impact crime in general and street-level prostitution in particular.
- ***Expand CAPS' court advocacy program to use volunteers to conduct court watching as a method for ensuring that customers get appropriately charged or fined.*** Such courtroom presence would send a strong message to prosecutors and

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<sup>46</sup> In 2003, PART hosted one such community forum in Chicago's 14<sup>th</sup> Police District. This event was attended by four local aldermen, survivors of the sex trade industry, Chicago police officers, service providers, and community residents. During this forum, attendees learned about the lived experiences of those who are involved in the sex trade and were encouraged to develop response strategies that focused on the demand side of the sex trade.



judges that the community takes the prosecution of customers seriously and that prostitution is not a victimless crime.

- ***Hold hearings of vice officer arrests outside of Branch Court 43, so that CAPS volunteers from the district of the arrest may be present.*** Currently, cases based on prostitution-related arrests made by the Vice Control Section are heard only at Branch Court 43.
- ***Continue encouraging community residents to report buildings, businesses, or motels they suspect to be used for prostitution.*** As part of this recommendation, residents would alert law enforcement personnel of suspicious establishments located in their community. Residents could also warn hotel managers, bar owners, and landlords about the penalties they face if prostitution-related activity occurs on their property.

## ***Priority Area #2***

### ***Enhancing Supportive Services and Increasing Options for Individuals Who are Involved in the Sex Trade Industry***

Local research illustrates that a large percentage of individuals in the sex trade first became involved as adolescents.<sup>47</sup> This research also documented that the majority of women and girls in the sex trade have experienced homelessness, substance addictions, chronic health problems, and high rates of physical, sexual, and emotional violence at the hands of their pimps, customers, traffickers, intimate partners, and family members throughout their lives.<sup>48</sup> Such research clearly dispels the myth that prostitution is a victimless crime and, together with information collected through the focus group discussions, provides a more comprehensive picture of the lives and realities of those involved in Chicago's sex trade industry.

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<sup>47</sup> Local findings are consistent with other national research in this area.

<sup>48</sup> Raphael, J., Shapiro, D.L. (2002). Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago. [www.impactresearch.org](http://www.impactresearch.org).

Within this context, the Intersystem Assessment Work Group recognizes that significant safety concerns and practical barriers prevent many individuals from being able to simply choose to leave the sex trade industry. Given these barriers, the ISA Work Group believes that reliance on enhancing criminal legal penalties for those in the sex trade will not effectively reduce recidivism rates and instead will further punish these individuals and impede their exit from the sex trade.

In order to more effectively respond to the sex trade industry and create opportunities for individuals to leave safely, comprehensive services including housing, substance abuse treatment, mental and medical health services, and job-training programs need to be offered. At the time this report was written, only a handful of specialized services existed for women involved in Chicago's sex trade industry, and even fewer services existed for men, transgender individuals, and youth (Appendix D). For this reason, the recommendations included under this priority area reflect the need to develop additional services that meet the complex needs of individuals involved in the sex trade. The recommendations found in this section are a necessary component to enhancing Chicago's effectiveness in responding to this issue. It is hoped that these recommendations will facilitate a reduction in recidivism among those interested in leaving the sex trade and will provide harm reduction options for those who remain involved.

The Intersystem Assessment Work Group is committed to ensuring that individuals who have been involved in the sex trade play an important role in developing the implementation strategies for the recommendations included under this priority area. The Intersystem Assessment Work Group will also strive to ensure that new strategies and service models are evaluated to determine their value and effectiveness in reducing recidivism rates and promoting options for individuals in the sex trade. Additional research exploring other national program models to learn about the effectiveness of different strategies also will need to be conducted. Finally, the implementation of these service enhancement recommendations depends largely on funding availability, which necessitates an advocacy agenda for the Intersystem Assessment Work Group.

## **Recommendation # 2.1**

*Enhance services for individuals involved in Chicago's sex trade industry by developing different service delivery and program models.*

### **Background Information**

Since individuals involved in the sex trade have diverse experiences and complex service needs, the Intersystem Assessment Work Group recognizes the importance of creating a variety of different service options in the city. Such options would include, street outreach, 24-hour crisis intervention, safety planning, residential treatment, permanent supportive housing, short and long-term counseling, health services, legal/court advocacy, and prevention. Program models would include peer mentoring, harm reduction,<sup>49</sup> faith-based response, and trauma-informed intervention.<sup>50</sup> Inherent in this recommendation is the acknowledgment that individuals enter services differently (e.g., by way of the hospital, jail, substance abuse treatment programs), and a single type of service and program model cannot be effective for all individuals involved in the sex trade.

### **Recommendations**

Given the need to create a continuum of intervention services for individuals involved in Chicago's sex trade industry and facilitate collaboration and coordination among the various service providers, the Intersystem Assessment Work Group makes the following recommendations:

- ***Identify different funding opportunities to support the development of specialized service options in Chicago.*** At the time this report was written, there was no permanent or specific funding source targeted towards enhancing services for individuals involved in Chicago's sex trade industry. Identification and allocation of future funding to support service enhancement is crucial and

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<sup>49</sup> The overarching goal of harm reduction is to assist individuals who are still engaging in at risk behavior to reduce the potential harm that could be caused to them as a result of their behavior or habits.

<sup>50</sup> Trauma informed services recognize that many mental health symptoms, addictions, and personal challenges are driven by traumatic experiences that occur in one's life. Intervention, therefore, takes into account a person's experience with violence, abuse, and other traumatic life events.

will be a necessary factor for the implementation of recommendations found under this priority area. Different sources of funding could come from government units, private foundations, corporations, or through court-generated fees and fines. The Intersystem Assessment Work Group will assume responsibility for formally adopting a strategic advocacy agenda to address the lack of funding for specialized services in Chicago.

- ***Enhance Chicago's core service capacity by increasing the availability of specialized services, including 24-hour crisis intervention, street outreach, residential treatment, housing, and drop-in services. Ensure that these service options are gender-specific and culturally appropriate and reflect the diversity of program operating philosophies.*** This recommendation reflects the need to both expand the services currently available and develop new and innovative programs and service delivery models. Best practices should be researched to determine when and with what population different service and programmatic approaches have proven effective.
- ***Co-locate services or institute referrals within homeless service programs, substance abuse treatment facilities, and sexual assault and domestic violence agencies to ensure that services are coordinated and individuals are able to receive specialized assistance regardless of how they enter into services.*** As discovered during the focus groups, the current lack of specialized services means that individuals who are involved in the sex trade often reach out to these other non-specialized social service programs for assistance. By offering on-site supportive services such as Prostitution Anonymous groups, such programs will be better equipped to accommodate the needs of all clients who come through their doors. At minimum, the Intersystem Assessment Work Group believes that homeless service programs, substance abuse treatment facilities, and sexual assault and domestic violence agencies should maintain networking agreements with organizations that specialize in providing services to individuals in the sex trade, and provide referrals to these organizations as needed.
- ***Develop specialized services for pregnant women, women with children, youth, men, and transgender individuals who are involved in Chicago's sex***

*trade industry*. Specialized programs need to be developed to address the unique service delivery and advocacy needs of these underserved groups.

- ***Develop counseling services that are trauma-informed to address issues of lifetime violence, loss, and grief.*** Local research has documented that a large percentage of women in the sex trade have experienced sexual abuse as children and adults, and have been exposed to extensive amounts of violence and trauma throughout their lives. For these reasons, those involved in the sex trade may experience symptoms of post-traumatic stress disorder, anxiety, or depression. Specialized mental health services that are sensitive to the unique experiences of these individuals, therefore, need to be developed.
- ***Create a pilot project to explore best practices in the delivery of substance abuse treatment to women, men, transgender individuals, and youth who are involved in the sex trade.*** Given the high co-occurrence of prostitution and addictions, the Intersystem Assessment Work Group identified the need to enhance specialized substance abuse treatment services for individuals involved in the sex trade. As a result of limited funding and strict government guidelines regarding substance abuse treatment models and service delivery requirements, the ISA Work Group determined that a pilot project at a local substance abuse treatment center would be the best way to experiment with this enhanced and specialized program model. Such a pilot project will develop a holistic treatment model that is both gender-specific and trauma-informed. Components of this program could include on-site counseling services and support groups and referrals to community partners. Ideally, the pilot project would include an evaluation component to determine the value and effectiveness of such co-located services. Advocacy with state and federal substance abuse treatment licensing and certification entities would also be required so as to garner support for the inclusion of this specialized service into the existing substance abuse treatment program guidelines.
- ***Expand community aftercare and mentoring programs for individuals involved in the sex trade.*** The high rate of recidivism among individuals involved in the sex trade speaks to the need to develop community-based

resources that offer on-going support and assistance to those who have left prostitution. Such resources could include the expansion of the existing Cook County Sheriff's Department of Women's Justice Service's Female Furlough program or the development of similar community-based aftercare and mentoring programs. Offering onsite Prostitution Anonymous groups at local domestic violence, sexual assault, and substance abuse treatment agencies is another way that individuals could access ongoing peer support in their community. Once established, referrals to these aftercare and mentoring programs could be routinely provided to individuals upon their release from jail or hospitals.

- ***Develop specialized residential treatment facilities for individuals who have been involved in the sex trade industry.*** Creating residential treatment options for individuals involved in the sex trade is imperative. New residential treatment programs need to be made available to individuals both pre- and post-conviction, and programs should consider whether services would be mandated as part of a sentencing option or whether individuals could enter residential treatment programs voluntarily.

## **Recommendation # 2.2**

*Create specialized public health services at both the city and county level for individuals involved in the sex trade.*

### **Background Information**

Hospitals were identified by many of the focus group participants as a place they often went to after experiencing physical or sexual violence by their pimps or customers, and yet only a few received any type of service intervention while being treated for their injuries. Further information gathered during this process indicated that although individuals who are involved in the sex trade often need extensive medical care, many experience barriers to accessing treatment.

## Recommendations

To facilitate access to medical treatment and develop hospital-based intervention, the Intersystem Assessment Work Group makes the following recommendations:

- ***Pilot a new hospital-based response protocol at a major hospital, which could ultimately be implemented throughout the city.*** Response strategies to be developed under such a protocol include linkages to onsite supportive services such as crisis intervention and advocacy,<sup>51</sup> referrals to community-based programs, and the posting of awareness literature and resource information in hospital waiting rooms and restrooms. Hospital staff would also receive additional training on how to sensitively respond to patients involved in the sex trade, and practices pertaining to documentation, confidentiality, and screening will be explored and addressed as part of this pilot project. Finally, an evaluation component also would be included to ensure that the developed protocol is effective and meets the needs of the patients receiving care.
- ***Establish a pilot project at one or two Chicago Department of Public Health and Cook County Health clinics.*** As part of this project, staff at the selected clinics will receive awareness training on the sex trade industry and will begin to refer patients who self-disclose to appropriate community-based services for ongoing support and assistance. If implemented, issues pertaining to screening, confidentiality, and documentation will need to be further explored to ensure that such a project will not produce unintended consequences for those involved in the sex trade. It is intended that such a project would address these policy-related questions and develop a protocol that could be adapted by all city and county-funded clinics.

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<sup>51</sup> At the time this report was completed, some on-site hospital crisis intervention was already being provided for domestic violence and sexual assault victims. The Hospital Crisis Intervention Project of the Chicago Abused Women's Coalition, for example, provides on-site crisis intervention, counseling, safety planning, legal advocacy and referral services to victims of domestic violence at John Stroger Hospital. Similarly, sexual assault programs such as Rape Victim Advocates also provide on-call, onsite crisis intervention, counseling, legal advocacy, and referral services to victims of sexual assault at Chicago-area hospitals including John Stroger. Each of these programs also provide on-site education and awareness training to medical personnel. The proposed onsite crisis intervention for individuals involved in the sex trade could be provided by either of these two advocacy programs or by another provider.

## **Recommendation # 2.3**

*Create more housing options for individuals involved in the sex trade.*

### **Background Information**

One of the most pressing issues discussed by the focus group participants was the need for emergency, transitional, and permanent housing. Since many women, men, youth, and transgender individuals involved in the sex trade industry are homeless or live with their violent pimps/arrangers or traffickers, strategies to reduce recidivism must include plans to create safe housing options. The city's current "Plan to End Homelessness," as discussed in the key findings, provides an opportunity to address this pressing need for the development of specialized short- and long-term housing resources for individuals involved in the sex trade.

### **Recommendations**

Given the need to enhance safe and affordable housing options, the Intersystem Assessment Work Group makes the following recommendations:

- ***Ensure that the city's "Plan to End Homelessness" considers individuals who have been involved in the sex trade.*** The Intersystem Assessment Work Group recommends that program models being developed through the Continuum of Care, such as permanent housing with wrap-around supportive services, be made available for individuals who are involved in the sex trade. Additionally, discussions about prisoner re-entry occurring through the Continuum of Care should include consideration of those convicted of prostitution-related offenses.
- ***Ensure that individuals convicted of felonies as a result of their involvement in the sex trade are able to access public housing subsidies.*** Housing benefits ultimately could assist many individuals in safely exiting the sex trade.
- ***Provide education to both landlords and individuals with felony convictions regarding housing discrimination.*** Knowledge of one's rights is extremely important and may protect individuals from losing their housing.



## **Recommendation # 2.4**

*Create a local 24-hour, toll-free, and confidential crisis hotline providing specialized support and information to individuals involved in the sex trade.*

### **Background Information**

Although the City of Chicago Domestic Violence Help Line and the Chicago Rape Crisis Hotline are valuable resources for many victims of physical and sexual violence, individuals involved in the sex trade are not using these resources in large numbers.

### **Recommendations**

Given the lack of a 24-hour crisis line that serves as a clearinghouse for service referrals and advocacy information for individuals involved in the sex trade, the Intersystem Assessment Work Group makes the following recommendations:

- ***Create a crisis line that individuals involved in the sex trade can use to learn about their options, receive referrals to community-based services, and obtain information on their legal rights.*** Ideally, this crisis line would serve as a clearinghouse for a variety of resources (e.g., counseling programs, survivor’s groups, and advocacy services), and callers would be able to receive support and obtain information on safety planning, service options, and their legal rights, including how to access crime victim compensation.<sup>52</sup> The proposed crisis line would be toll-free, confidential, multilingual, and would operate 24 hours a day, 365 days a year.
- ***Develop intervention response protocols whereby police officers, health care workers, and other first responders provide individuals who are involved in the sex trade with referrals to the crisis line.*** Once established, the new crisis line would serve as the standard referral source for service providers, hospital workers, and the police. It is important to note that there is already a precedent for such a practice. In 1998, the Chicago Police Department implemented a protocol

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<sup>52</sup> Depending on the circumstances of the case, individuals involved in the sex trade may be eligible for crime victim compensation in Illinois.

whereby officers are required to distribute referral information to the Chicago Domestic Violence Help Line every time they respond to a domestic violence-related call. As a result of this practice, victims who may not have been aware of available service options are now provided with information they can use immediately.

- ***Consider whether this new crisis line should be incorporated into either the City of Chicago Domestic Violence Help Line or the Chicago Rape Crisis Hotline.***

Given the extensive resources it takes to establish and maintain a 24-hour hotline, the Intersystem Assessment Work Group discussed the possibility of incorporating this service into one of the existing help lines operating in the city. A final determination was not made; however, given the limited availability of funding, and the pressing need for this service, members of the ISA Work Group decided that this possibility should be explored further. Future discussions should include: (1) whether the new crisis line would have a different number that would feed into one of the existing lines; (2) whether the advocates answering the calls should be survivors; and (3) whether the crisis line should provide callers with crisis intervention and counseling in addition to service referrals.

## **Recommendation # 2.5**

*Develop a collaborative law enforcement/social service provider outreach response model focused on educating individuals involved in the sex trade about available options and services.*

### **Background Information**

This recommendation addresses the identified need to inform individuals in the sex trade about available service options and resources after they have come in contact with law enforcement and the legal system.

### **Recommendations**

Given the need to develop collaborative outreach strategies that inform individuals about available services and resources, the Intersystem Assessment Work Group makes the following recommendations:

- ***Expand the services currently available within the Cook County Department of Corrections so that both women and men from the general population can voluntarily access onsite services related to their experience in the sex trade industry.*** Only a small segment of the population at the Cook County Department of Corrections receives access to specialized supportive services that address their experiences in the sex trade industry, and even fewer individuals receive education and information on available community-based resources. The ISA Work Group believes that increasing access to such specialized onsite resources would begin the important process of linking individuals to appropriate community-based support upon discharge, and could impact short-term recidivism rates.
- ***Provide outreach and education at the district police stations to individuals arrested on prostitution-related offenses.*** As part of this strategy, service providers would increase efforts to conduct outreach to individuals in lock-up and educate them on available services, legal options, and safety planning strategies. Such an effort, however, has significant personnel and resource implications, which will need to be further considered.

## **Recommendation # 2.6**

*Develop different legal system response strategies for individuals involved in the sex trade.*

### **Background Information**

The Intersystem Assessment Work Group recognizes that individuals involved in the sex trade are often victims of crime. Moreover, these individuals often have a complex set of service and safety needs, which prevent them from being able to leave the sex trade. As a result, many members of the Intersystem Assessment Work Group believe that to effectively reduce recidivism, efforts should be made to divert individuals involved in the sex trade away from the criminal legal system through linkages to community-based services.

At the time this report was written, response strategies targeting those involved in the sex trade focused more on criminal prosecution and punishment, including a push for felony upgrades, rather than providing referrals to needed and appropriate supportive services. As a result, individuals involved in the sex trade rapidly cycle through the legal system, limited criminal legal system resources are becoming drained, and available options for these individuals continue to disappear. Most members of the ISA Work Group assume that this current strategy does not facilitate long-term change for those involved in the sex trade. Additionally, since many individuals in the sex trade are controlled by a violent pimp/arranger or trafficker, the ISA Work Group also recognizes that many are unable to safely exit this industry and will thus be forced back into prostitution after they have been arrested and released from jail. Having a felony conviction, moreover, creates additional barriers, which further contribute to high recidivism rates. Consequently, the ISA Work Group believes that exclusive reliance on a heightened criminal legal system response directed towards individuals who are involved in the sex trade will not successfully deter future activity, and recommends that the current dependence on a criminal legal system response be re-examined.

## **Recommendations**

Given the need to develop more comprehensive and holistic response strategies, the ISA Work Group makes the following recommendations:

- ***Expand available court-approved treatment options as part of conditional discharge and diversionary sentencing programs.*** At the time this report was written, there were few court-approved services to which defendants could be referred to as part of a conditional discharge for a prostitution-related offense.<sup>53</sup> Furthermore, the conditional discharge or diversionary sentencing programs that currently exist are limited in their service capacity and their target population (e.g., there are extremely limited options for women with children, men, youth, and transgender individuals). Additionally, although substance abuse treatment can be ordered as part of probation, it cannot be ordered in lieu of jail time for a

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<sup>53</sup> Genesis House's Unhooked Program, which was used by the courts as the primary diversionary program for women involved in prostitution, stopped operating in 2006. This program is currently being redeveloped by another organization.

prostitution-related charge. As a result, the ISA Work Group also recognizes the need to enhance existing services and develop new options.

If implemented, the Intersystem Assessment Work Group identified some unanswered service delivery questions, including: (1) how service information would be reported back to the court; (2) how long individuals would be ordered to participate in the court ordered service (i.e., would it be longer or consistent with the time they would have spent in jail?); and (3) how the barriers that many experience when trying to access these court-ordered options (e.g., transportation, childcare, control by a pimp) would be addressed.

- ***Create a standard referral directory of court-approved diversionary programs.*** At the time this report was written, public defenders learned about resources for their clients by word of mouth. A citywide help line, should it be created, could serve this function.
- ***Expand voluntary sentencing options for supportive services in both misdemeanor and felony cases, and continue the practice of dismissing charges after successful completion of these programs.*** The Intersystem Assessment Work Group will conduct legislative advocacy for the *First Offender Probation Bill* (House Bill 1319). This legislation would allow individuals with no previous felony convictions (for certain offenses) to avoid a conviction by being ordered to 24 months of community-based services as determined by the judge. This strategy creates a voluntary program allowing individuals to participate in supportive services in lieu of serving time in jail and receiving a conviction. Under this program model, however, the length of required treatment would be longer than the time served in jail for a felony conviction, which may not be a desirable option for all who are eligible. As a result, the ISA Work Group also will look into creating additional programs with a shorter length of required service.
- ***Create a triage system where defendants would have the option to participate in services for a longer duration of time upon subsequent charges.*** Similar to the issue of alternative sentencing options, individuals brought up on subsequent charges would be given the option to participate in services in lieu of jail time.

Most likely, such services would be for a longer duration of time than the jail/prison sentence would have been.

- ***Enhance discharge planning and develop programs for reintegration back into the community.*** Focus group participants who had been incarcerated at Cook County Jail reported that they did not receive any formal discharge planning at the time of their release, nor were they provided with referrals to community-based services. The Intersystem Assessment Work Group believes that more comprehensive discharge planning would help reduce recidivism for some individuals.
- ***Create a separate court call for prostitution-related cases.*** Currently, prostitution-related misdemeanor cases are heard in the same courtroom and at the same time as other non-prostitution cases. As a result, individuals involved in the sex trade may experience stigma and embarrassment in the courtroom. The ISA Work Group recommends investigating the possibility of creating a separate court call for prostitution-related cases. Such a change also would enable advocates to concentrate their efforts to train judges, state's attorneys, and public defenders on available community-based services.
- ***Enhance legal advocacy for and legal education of individuals in the sex trade.*** Information gathered during the ISA process suggests that individuals involved in the sex trade industry are not always familiar with their legal rights and options. Additionally, many are unaware of the ramifications that a felony conviction could have on their lives. Without this information, many individuals choose to plead guilty instead of going to trial.

Reports from systems personnel during this initiative also suggests that women need to be advised against bringing their children to court and encouraged to make alternative arrangements for their children should they be incarcerated on a prostitution-related offense. Identifying a caretaker in advance, for example, may prevent the placement of their children in protective custody.

Finally, enhanced legal advocacy services would provide assistance to those interested in accessing civil remedies available to individuals involved in the sex trade under the new Predator Accountability legislation. Legal advocates would

also help individuals in the sex trade create safety plans and address their fears should they decide to prosecute their pimp or trafficker.

- ***Explore the possibility of creating a pilot project similar to the collaborative mental health outreach response model described in the Key Findings section with the Chicago Police Department and one or more community partners.*** The goal of such a pilot project would be to prevent the arrest of individuals involved in the sex trade by linking them directly to services if desired. Future discussions on the development of such a pilot project will need to address issues of profiling and stigma, whether referrals to services would be mandatory or voluntary, the training needed for the police department, and the hesitancy among many individuals in the sex trade to trust the police.

## **Recommendation # 2.7**

*Designate federal re-entry funding to provide supportive services to formerly incarcerated individuals who have been involved in the sex trade.*

### **Background Information**

Chicago currently receives federal funding to provide specialized services such as job training and housing for individuals who are re-entering their communities after being incarcerated. Although women are eligible for services created with this funding, no specialized services for women have been developed at this time.

### **Recommendations**

To address the lack of specialized services for women who have been incarcerated in Chicago, the Intersystem Assessment Work Group makes the following recommendations:

- ***Ensure that re-entry funding is used to create specialized education and job-training programs for women who have been incarcerated as a result of their involvement in the sex trade.*** Economic hardship was one of the many barriers focus group participants identified as preventing them from leaving the sex trade industry. With few job skills and limited access to employment opportunities,

many remained dependent on the sex trade for survival. Funding for job training and educational programs will therefore enhance opportunities available to these individuals.

- ***Allocate re-entry funding for the creation of transitional/supportive housing for individuals who have been involved in the sex trade.*** The importance of safe housing options for individuals who have been involved in the sex trade was a need identified in the focus group discussions and cannot be overstated.
- ***Include women who have been involved in the sex trade in the work currently underway around the issue of family reunification.*** Focus group participants reported that when incarcerated it was often difficult to maintain relationships and connections with their children and family members. Creating family reunification services would enable individuals to rebuild or enhance these important relationships upon their release from prison.

## **Recommendation # 2.8**

*Enhance efforts to address the issue of sex trafficking in Chicago.*

### **Background Information**

The U.S. Department of Justice suspects that Chicago has high rates of human trafficking, yet the exact number of individuals trafficked into and out of Chicago's sex trade industry remains unknown. During the Intersystem Assessment initiative, local law enforcement personnel reported coming into contact with both victims of international sex trafficking and U.S. citizens who had been trafficked into Chicago from other states, cities, and within the city limits. As a result, the Intersystem Assessment Work Group recognizes the need to develop a comprehensive response to international and domestic sex trafficking in Chicago.



## Recommendations

The Intersystem Assessment Work Group makes the following recommendations related to the issue of sex trafficking in the city of Chicago and the surrounding metropolitan area:

- ***Enhance supportive services and legal options available to victims of trafficking.*** As previously identified, there are few resources available for international and domestic victims of trafficking. Chicago's primary social service program for victims of trafficking, for example, does not provide 24-hour assistance, nor does it serve U.S.-born victims of trafficking. Additionally, Chicago has limited supportive resources (e.g., housing, job training, and legal assistance) available to and specialized for victims of trafficking.
- ***Create a formalized protocol that would require a standard referral to a social service provider in suspected trafficking cases.*** Such a standardized referral process would help ensure that identified victims of both domestic and international trafficking are made aware of their legal rights and linked to available services. In addition to establishing a formalized referral process among police officers, the ISA Work Group also believes it is important to develop a standardized referral process among health care providers in local hospitals. Such a protocol could be explored as part of the pilot project with public health clinics and hospitals previously discussed in this report.

If this recommendation is implemented, the ISA Work Group recommends that this service provider response be available 24-hours a day. Additionally, a network of service providers and resources, including shelter and housing, would need to be more formally established to ensure that victims can access needed supportive services.

- ***Explore how the definition of trafficking found in the federal and state legislation could be applied to U.S. citizens who are victims of domestic trafficking.*** The ISA Work Group is interested in exploring whether U.S. citizens who have been transported across state lines, between different cities, or those who are held against their will in one city could receive protection under the federal and state legislation, which criminalize human trafficking. Such protection

would allow these individuals to avoid the criminal legal system and become eligible for benefits and services. The ISA Work Group will research whether such an argument is being made in other parts of the country.

## **Recommendation # 2.9**

*Provide practical community-based support and assistance to individuals involved in the sex trade.*

### **Background Information**

Community residents in Chicago have become increasingly concerned about the impact of street-level prostitution on their neighborhoods. Given that most of the community-based response strategies have historically focused on heightening the criminal legal system response, the Intersystem Assessment Work Group believes it is important to educate residents on ways they can help individuals safely exit the sex trade and access needed resources. Such a strategy provides a more holistic response to this issue and acknowledges the real barriers individuals encounter when trying to exit the sex trade industry.

### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to the issue of engaging community partners:

- ***Organize neighborhood residents and community leaders to identify and develop resources for those involved in the sex trade.*** By drawing upon the resources within a particular community area, residents and community leaders, including faith communities, can take a proactive and innovative approach to addressing this issue within their neighborhood. Such innovative strategies could include identifying employment opportunities, housing, childcare, clothing, or transportation resources for individuals involved in the sex trade.
- ***Encourage community residents to distribute resource information on available service options to individuals in the sex trade.*** This strategy could engage CAPS volunteers, faith communities, and community-based organizations.

- ***Use current CAPS volunteer court advocates to advocate for diversion options for individuals involved in the sex trade during misdemeanor and felony hearings.*** As previously mentioned, some community residents have been successful at advocating for harsher penalties (e.g., felony upgrades) for individuals involved in the sex trade. The ISA Work Group recommends that these community residents adopt a more balanced approach that includes advocating for referrals to supportive services.

## **Recommendation # 2.10**

*Expand and develop new prevention initiatives.*

### **Background Information**

Although almost all of the recommendations found in this report focus on intervention, the Intersystem Assessment Work Group also recognizes the importance of identifying prevention strategies. Since there are a variety of paths and circumstances that can lead an individual into the sex trade industry, it is important that prevention activities are vast and inclusive and target individuals from every gender, age, ethnic, religious, and socio-economic group. Local research, furthermore, shows that a significant percentage of individuals involved in the sex trade become involved as minors.<sup>54</sup> Although the Intersystem Assessment initiative focused on adults, the ISA Work Group recognizes that prevention efforts also need to address the different ways youth might enter the sex trade.

### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to enhancing comprehensive prevention initiatives for women, men, youth, and transgender individuals:

- ***Develop a multifaceted public awareness campaign that warns individuals of the risks associated with the sex trade industry.*** Education would focus on the

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<sup>54</sup> Raphael, J. & Shapiro, D.L. (2002). Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago. [www.impactresearch.org](http://www.impactresearch.org).

risks associated with the sex trade, including exposure to violence, chronic health problems, substance abuse, homelessness, and felony convictions.

- ***Develop education and awareness training for youth, which educates them about the realities of the sex trade industry.*** Information provided during the Intersystem Assessment initiative suggested that some youth are drawn into the sex trade industry because of glamorized myths that they have been sold or exposed to by the media or their peers. The ISA Work Group believes it is important that these myths are dispelled and youth are made aware of the realities of the sex trade. Such training could be provided by the school-based health clinics that exist in some of the public schools or integrated into trainings already being provided by domestic violence and sexual assault providers.
- ***Support larger efforts to stop child sexual abuse, sexual assault, and domestic violence.*** Given the high co-occurrence of these issues, the topic of prostitution must be included in larger efforts to prevent violence against women and girls.

## **Recommendation #2.11**

*Ensure that survivors of the sex trade industry inform the development and implementation of the recommendations found in this section.*

The Intersystem Assessment Work Group is committed to ensuring that individuals who have been involved in Chicago's sex trade industry inform the implementation of the specialized services recommended in this report.

### ***Priority Area #3***

#### ***Enhancing Awareness Training and Accountability for Systems Involved in Responding to the Sex Trade Industry***

System training and accountability are areas that deserve further attention. Given these two important findings, the Intersystem Assessment Work Group has identified recommendations to enhance first-responders' ability to more effectively and

appropriately respond to individuals who are involved in Chicago's sex trade industry. The recommendations presented in this section reflect the current need to both enhance general awareness among first responders and other helping professionals, as well as hold systems accountable for the way in which they respond to such cases. It is believed that a more thorough understanding of the dynamics of the sex trade will alter long-held attitudes and beliefs and ultimately ensure that system-level response strategies are respectful and reflect a concern for the overall safety and well being of individuals in the sex trade. It is also believed that such increased sensitivity to this issue will reduce the incidents of mistreatment that individuals in the sex trade have experienced historically from first responders in this and every other city in the country. Finally, training first responders will increase their ability to make appropriate referrals to community-based services.

Also included in this section are recommendations that clearly state that Chicago will not tolerate personal abuses and mistreatment among first responders, and individuals who perpetrate such abuses will be held accountable. By making the process of reporting personal abuses easier and safer for victims, it is our hope that individuals will feel more empowered to come forward and advocate for their rights.

### **Recommendation # 3.1**

*Institutionalize the inclusion of awareness training to all first-responders and systems that frequently come in contact with individuals involved in Chicago's sex trade.*

### **Background Information**

One of the Intersystem Assessment's key findings was the recognition that few first responders receive specialized training on issues related to the sex trade industry. The Intersystem Assessment Work Group believes that enhanced awareness training to first-responders will help ensure a more sensitive response to individuals involved in the sex trade, and facilitate a more effective way to refer individuals to appropriate community-based support resources.

## **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to institutionalizing awareness training to all systems that come into contact with individuals involved in the sex trade.

- ***Develop a standard educational training curriculum.*** Such a curriculum would include information on the reasons individuals become involved and remain in the sex trade industry, barriers to getting out, exposure to violence, and information on available resources. The ISA Work Group believes that individuals who have been involved in the sex trade should help create this curriculum and assist in providing the training. Systems to be trained would include police officers, hospital/medical staff, correctional officers, public defenders, prosecutors, substance abuse treatment providers, domestic violence and sexual assault advocates, mental health workers, homeless service providers, youth service providers, and Emergency Medical Technicians (EMTs). Developing a standardized training curriculum would provide consistent messages regarding the lived experiences of those involved in the sex trade, and would facilitate the identification of appropriate response strategies. The Intersystem Assessment Work Group will work towards formulating the strategy and mechanism for delivering such training.
- ***Identify new opportunities for training within systems and incorporate information on the sex trade industry into already existing training protocols.*** Educational and awareness training should be formally integrated into existing in-service trainings for all first responders including government departments and social service providers. When appropriate, groups that already provide awareness and educational training to first responders should integrate aspects of this topic into their existing presentations.
- ***Integrate an educational component into professional certification requirements.*** Training on this issue should be provided in medical schools and police training academies, and should be part of the licensing and certification

requirements for social workers, domestic violence providers, sexual assault advocates, and substance abuse treatment counselors.

- ***Implement on-going training that can be adapted to different training structures and models.*** In-service training should be held regularly to account for staff turnover. Additionally, different training models, such as roll call trainings, streaming videos, and “train the trainer” sessions should be explored and developed in order to best facilitate the delivery of this training over time.

### **Recommendation # 3.2**

*Enhance methods to promote system-level accountability when responding to individuals involved in the sex trade industry.*

#### **Background Information**

Members of the Intersystem Assessment Work Group believe that individuals involved in the sex trade have the right to be treated in a respectful and ethical way by the systems with which they come in contact. Although there is no formal way to collect data on how often instances of system-level mistreatment and abuse occur, it should be noted that none of the systems involved in the Intersystem Assessment initiative denied that poor and unethical responses by personnel employed by their department or organization sometimes occur. Moreover, each of the systems participating in this initiative expressed the desire to ensure that such acts do not go unpunished.

#### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to system accountability among first-responders and helping professionals:

- ***Hold systems accountable for the mistreatment of individuals involved in the sex trade.*** Systems will hold their employees responsible for the ways in which they treat and respond to individuals involved in the sex trade industry. The ISA Work Group acknowledges that this recommendation may require a shift in personal beliefs and attitudes towards individuals in the sex trade, and believes

that the enhanced awareness training previously recommended will help facilitate such a shift.

- ***Explore and address barriers to using a system's current grievance filing procedures.*** Procedures for filing grievances across all systems (e.g., hospitals, police, corrections, social service organizations) should be further explored to identify logistical barriers that may prevent the filing of complaints or grievances. Once identified, each individual system should work to address these barriers and make their process more accessible and responsive to individuals involved in the sex trade.
- ***Provide education on the procedures for filing grievances within different systems.*** Individuals in the sex trade should be informed of the process for filing grievances against employees within different systems. Such education will help to ensure that individuals know how to advocate for their right to be treated fairly and with respect and may encourage them to report illegal or coercive actions.

### **Recommendation # 3.3**

*Explore strategies for providing physical protection for individuals who file reports against their pimps, traffickers, or police or correctional officers.*

#### **Background Information**

Individuals involved in the sex trade are often reluctant to report mistreatment or abuses from pimps, traffickers, or first responders, because they fear for their personal safety. Consequently, many of these crimes go unreported and are not prosecuted. The Intersystem Assessment Work Group acknowledges the real safety concerns that individuals in the sex trade face if they come forward to report these abuses and recommends that strategies for protection be explored and developed.

#### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to providing physical protection and addressing the safety concerns for



individuals who file reports against their pimps, traffickers, or police or correctional officers:

- ***Provide legal advocacy assistance for individuals involved in the sex trade who file grievances against their pimps/arrangers, traffickers, or police or correctional officers.*** Information provided through this process suggests that individuals who can do safety planning with an advocate might ultimately feel safe enough to file a grievance and work with the prosecution.
- ***Provide education on ways to file anonymous reports.*** Advocates, police officers, and service providers can encourage individuals who are afraid for their safety to file anonymous reports of system-level misconduct and abuse. Although anonymous reports are difficult to investigate, they have the potential to lead to some further course of action.
- ***Have advocates follow-up with the police department or department of corrections when reports are made against officers.*** Although filing a report against a police or correctional officer might ultimately be too dangerous for an individual involved in the sex trade, advocates who work in the community may be in a better position to pressure the police department and department of corrections to investigate particular officers. For example, information provided during this initiative suggests that some service providers are aware of individual officers who misuse their power and take advantage of their position.
- ***Explore the possibility of using the victim witness protection program or a similar program for individuals who help prosecute their pimps, traffickers, or police or correctional officers.*** It is the hope that if individuals have reason to believe they will be provided with physical protection, they may be more willing to follow through with prosecution. Additionally, securing physical protection for individuals in the sex trade and victims of trafficking might ultimately help them access benefits and resources they could be entitled to including the civil remedies available through the new Predator Accountability Act.
- ***Enforce penalties for retaliation.*** Police officers and other systems personnel should face strict penalties if it is proven that they retaliated against an individual who brought charges against them.

### **Recommendation # 3.4**

*Host trainings for the judiciary, and present the findings from the Intersystem Assessment report.*

#### **Background Information**

One of the systems not involved in the Intersystem Assessment initiative was the judiciary. Since judges play an important role in the overall response to the sex trade, it is imperative to include a representative from this system in future implementation work. Additionally, it is important that recommendations found in this report pertaining to sentencing options receive judicial buy-in.

#### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendations related to securing judicial involvement:

- ***Present information from this Intersystem Assessment report to the judiciary.***  
By introducing this report, the Intersystem Assessment Work Group hopes to obtain support from the judiciary to implement some of the alternative sentencing options discussed in previous sections. Included in such a presentation will be an overview of the common life experiences of those involved in the sex trade, which could provide an educational opportunity for some members of the judiciary.
- ***Conduct research to review the sentencing options and outcomes related to prostitution cases from both branch court and administrative adjudication.***  
Research should be done to determine the effectiveness of current sentencing options in reducing recidivism for both customers and individuals involved in the sex trade industry. Depending on the outcome of such findings, judges might be more willing to experiment with different types of sentencing programs such as the Johns' School or other diversionary options for those involved in the sex trade.

### **Recommendation # 3.5**

*Develop and implement training for law enforcement and other first-responders on identifying victims of international and domestic trafficking.*

#### **Background Information**

At the time this initiative was started, neither the local law enforcement systems nor the social service community in Chicago received institutionalized training on how to identify victims of trafficking. As a result, trafficking victims were frequently arrested and were not always given access to the support and amnesty afforded under the federal and new state legislation.

#### **Recommendations**

The Intersystem Assessment Work Group makes the following recommendation related to developing and implementing training on identifying victims of trafficking:

- ***Collaborate with both the Chicago Police Department's and the Illinois Department of Human Service's efforts to develop and implement training for first responders.*** Representatives from the Intersystem Assessment Work Group will serve on the two established task forces discussed in Appendix F, and will help inform the training content. Additionally, the Intersystem Assessment Work Group will try to facilitate the coordination of these two (and other previously identified) training agendas.

## **Section 4**

### **Conclusion and Next Steps**

This report illustrates Chicago's current response to the sex trade industry, describes how current response strategies could be enhanced, and identifies where new response strategies are needed. The recommendations discussed above reflect the complexity of this issue and the tensions that arise in our response strategies when individuals are both victims and perpetrators of crime. Local and national research illustrates the far-reaching impact of the sex trade industry on individuals, families, and communities, and proves that this issue can no longer be ignored or dismissed as a victimless crime. Individuals who are involved in the sex trade are members of our communities and deserve access to options and resources that help increase their overall safety, well being, and ability to exit the sex trade industry safely. Although the recommendations presented in this report are extensive, the Intersystem Assessment Work Group believes that Chicago is well positioned to enhance its current response to the issue of prostitution.

Key findings and recommendations found in this report are relevant to a broad spectrum of government departments and community-based not-for-profit organizations, and the implementation of these recommendations will require a coordinated and strategic implementation plan. At a June 2005 press conference, Mayor Richard M. Daley charged the Intersystem Assessment Work Group with overseeing the implementation of these recommendations. Given this charge, the Mayor's Office on Domestic Violence will continue coordinating this initiative and supporting the efforts of the Intersystem Assessment Work Group as it strives to implement these recommendations in a thoughtful, strategic, and collaborative way.

# Appendices

## Intersystem Assessment on Prostitution in Chicago

### Appendix A

#### Intersystem Assessment Work Group Members

City of Chicago Mayor's Office on Domestic Violence  
Chicago Police Department Vice Control Section  
City of Chicago Corporation Council  
Office of Emergency Management and Communication (911 Center)  
Cook County Sheriff Department of Women's Justice Services  
Cook County State's Attorney's Office  
Cook County Public Defenders Office  
Cook County Sheriff's Police  
John Stroger (formerly Cook County) Hospital  
Chicago Coalition for the Homeless/Prostitution Alternatives Roundtable (PART)  
Genesis House  
Chicago Abused Women's Coalition's Hospital Crisis Intervention Project  
Young Women's Empowerment Project  
DePaul University Schiller DuCanto & Fleck Family Law Center  
Chicago Crime Commission  
Heartland Alliance  
Haymarket Substance Abuse Treatment Program  
Survivors of Prostitution

## **Intersystem Assessment on Prostitution in Chicago**

### **Appendix B**

#### **Intersystem Assessment Work Group Guiding Principals**

- Prostitution is illegal in Cook County
- Women, men, transgender persons and youth who are involved in the sex trade are often victims of crime
- Community residents have a vested interest in this issue
- Individuals who are involved in the sex trade industry have a complex combination of service needs
- Any strategies developed to address this complex issue must include the development of services balanced with a criminal justice response
- This Intersystem Assessment is not an evaluation of an individual system's response or an agency's performance
- This Intersystem Assessment is a collaborative process
- This Intersystem Assessment will be guided by the experience of individuals who have been involved in the sex trade industry

## **Intersystem Assessment on Prostitution in Chicago**

### **Appendix C**

#### **System Interview Talking Points**

##### **Organization/agency/department response strategies**

1. Please describe your organization/agency/department's different points of contact with individuals who are involved in the sex trade industry.
2. Chart your organization/agency/department's response strategies from each of these different points of contact.
3. While charting your response strategies please:
  - Explain the rules/policies/procedures/protocols that guide the various responses.
  - Point out the critical decision making points or points in which one has to exercise discretion. Discuss what factors influence those decisions.
  - Explain your system of accountability when policies or procedures are violated.
  - Explain where your "hand offs" or referrals to another system take place, and describe which systems you work closely with.

##### **Philosophy of services or mission/mandate as it relates to individuals who are involved in the sex trade industry**

1. Please describe your guiding mission/mandate or philosophy of service as it relates to the issue of prostitution. Include laws that direct your mission or funding requirements that restrict or guide your agency/organization/department's response.
2. Please identify your agency's resource commitment and the inadequacies and limitations of those resources, if any. Please include information on your staffing levels.
3. Please describe any training your organization/agency/department receives on the issue of prostitution.
4. Please provide an overview of what statistical information is collected by your organization/agency/department as well as what information you would like to collect but are not.

### **Challenges/barriers/needs**

1. Please describe any weaknesses, challenges, limitations, and barriers that your agency/organization/department experiences when responding to individuals who are involved in the sex trade industry.
2. Please provide your suggestions for enhancements including thoughts on any vital partnerships or future training needs.

### **Documents**

- Please provide copies of any general orders, policies, bylaws, and directives that govern your agency/organization/department's response to this issue.
- Please provide any statistical reports that might be relevant or helpful to our analysis. Include any process mapping or incident/crime maps.
- Please provide training materials as appropriate.
- Please provide relevant laws or sites for relevant laws as well as restrictions in service and/or funding that may affect the scope of your agency/organization/department's response.

### **List of System Presenters**

Chicago Police Department Vice Control Section  
Chicago Police Department Patrol Division  
Chicago Police Department Internal Affairs Division  
City of Chicago Corporation Council  
City of Chicago Office of Administrative Hearings  
Chicago Alternative Policing Strategy (CAPS) Implementation Office  
Office of Emergency Management Communications (911 Center)  
Cook County State's Attorney's Office  
Cook County Public Defender's Office  
Cook County Department of Corrections  
Cook County Sheriff's Police  
Illinois Department of Children and Family Services  
John Stroger (formerly Cook County) Hospital  
Genesis House  
Cermak Health Services  
Chicago Abused Women's Coalition Hospital Crisis Intervention Project  
Chicago Continuum of Care  
The Partnership to End Homelessness  
Haymarket Substance Abuse Treatment Program  
Chicago Metropolitan Battered Women's Network/Chicago Domestic Violence Help  
Line  
Heartland Alliance  
Rape Victim Advocates



## **Intersystem Assessment on Prostitution in Chicago**

### **Appendix D**

#### **Description of Current Specialized Service Providers**

Through our process, the Intersystem Assessment Work Group identified four Chicago-area programs that specialize in providing services to individuals involved in prostitution. Although there are other social service programs within the city that offer some onsite services to individuals such as Prostitution Anonymous groups, those programs don't exclusively serve individuals impacted by the sex trade.

##### **Genesis House**<sup>1</sup>

Genesis House is dedicated to offering hospitality to all women caught up in the system of prostitution. The organization provides an environment where women can make a free choice regarding their lifestyle, and assists those who choose to leave prostitution by offering appropriate services and support. Genesis House provides peer outreach on the street and in the jail, crisis intervention, drop-in services, case management, individual and group counseling, education, legal advocacy and an alternative sentencing program called the Unhooked Program. Genesis House also runs a Mobile Street Outreach Vehicle and an 8-bed, 12-18 month residential treatment facility. During the Intersystem Assessment initiative, Genesis House also established the Amend Program, which provides education to customers who have been arrested for a prostitution-related offense.

##### **The Young Women's Empowerment Project**

The Young Women's Empowerment Project (YWEP) is dedicated to offering safe, respectful, free of judgment spaces where girls and young women ages 12 to 23 who are impacted by the sex trade and street economies can recognize their goals, dreams and desires. The Young Women's Empowerment Project provides peer outreach and education, and runs a girl leadership program.

##### **Heartland Alliance- The National Immigrant Justice Center (NIJC)**

Through their Trafficking Project, the NIJC assists victims of international human trafficking (including victims of international sex trafficking) by helping them apply for available legal remedies and certification to receive public benefits. Clients of the NIJC are also provided with case management and referrals to supportive community-based services. The NIJC conducts outreach and participates in trafficking-related advocacy and training throughout the Midwest.

##### **Emmaus Ministries**

Emmaus Ministries is a faith-based organization dedicated to working with men who are involved in or who are at risk of becoming involved in prostitution. The program has different ministries, which provide outreach, education, spiritual counseling, and drop-in services for meals, clothing, showers and a safe environment off of the streets.

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<sup>1</sup> In May 2006, Genesis House went out of business. At the time this report was ready to be released, many of the services previously being provided by this agency were no longer operating or were being reorganized under another community-based organization.

## **Intersystem Assessment on Prostitution in Chicago**

### **Appendix E**

#### **Description of Current Chicago-area Crisis Lines**

##### **The City of Chicago Domestic Violence Help Line**

The City of Chicago Domestic Violence Help Line is a private-public collaboration between the City of Chicago Mayor's Office on Domestic Violence and the Chicago Metropolitan Battered Women's Network. The Help Line operates 24 hours a day, 7 days a week, and is a toll free, multi-lingual, confidential service that functions as a clearinghouse for all domestic violence services in the metropolitan area. The City of Chicago Domestic Violence Help Line is staffed by trained domestic violence advocates who are employed by the Chicago Metropolitan Battered Women's Network. Callers to the Help Line are provided with general information on domestic violence, education on available options, and direct three-way referrals to community-based services. The Help Line maintains an up-to-date database of all the domestic violence resources (including shelter, counseling, legal advocacy, and children's services) in the greater metropolitan Chicago area, which can be immediately searched to locate the most appropriate service for each individual caller.

##### **Chicago Rape Crisis Hotline**

The Chicago Rape Crisis Hotline is a project of the Chicago YWCA. The Rape Crisis Hotline operates 24 hours a day, 7 days a week. The Hotline is staffed by advocates who have received 52-hours of sexual assault crisis intervention training. The Hotline is a toll-free, confidential number where survivors of sexual assault and their significant others can call to receive non-judgmental support and immediate assistance in the form of crisis intervention, referrals and general information.

## **Intersystem Assessment on Prostitution in Chicago**

### **Appendix F**

#### **Description of Current Human Trafficking Collaborations**

##### The Chicago Regional Human Trafficking Task Force

The Chicago Regional Human Trafficking Task Force (CTTF) was created out of a federal grant awarded to the Chicago Police Department from the U.S. Department of Justice. The mission of the CTTF is to maintain a collaboration of local, state, and federal law enforcement agencies, state agencies, and non-governmental organizations to:

- (1) Identify and implement strategies to identify victims of human trafficking and slavery,
- (2) Create and implement proactive strategies for law enforcement to investigate, apprehend and prosecute those engaged in human trafficking,
- (3) Create and implement protocols for information sharing and referral for services between agencies, and
- (4) Promote a victim-centered approach in responding to human trafficking and slavery.

##### The State of Illinois Anti-Human Trafficking Rescue and Restore Coalition

The objectives of the Illinois Rescue and Restore Coalition are to (1) train “first responders” to help identify and assist possible victims, (2) raise the profile of the issue of human trafficking among state agencies, non-profit organizations, and community residents, and (3) blanket the state with posters, brochures, and fact sheets with information on the national human trafficking hotline developed by the U.S. Department of Health and Human Services.

As part of this initiative, five state agencies including the Illinois Department of Human Services, the Illinois State Police, the Illinois Department of Labor, the Illinois Department of Public Health, and the Illinois Department of Children and Family Services will train their staff and community partners on how to identify and assist victims of human trafficking.

## Intersystem Assessment on Prostitution in Chicago

**TABLE 1**  
**Chart of Relevant Municipal and State Offenses**

Code and Title	Description	Who Can be Arrested or Charged <sup>1</sup>	Available Penalties
Chicago Municipal Code 8-8-050  Soliciting	Any person who by any overt acts in or upon the public ways or in any hotel, motel or other public place of accommodation or on public conveyances or in any establishment licensed to sell alcoholic beverages, offers to perform or who solicits for another person to perform any act of prostitution.	- Individual involved in the sex trade  - Customer	Maximum fine of \$1,500 for the 1 <sup>st</sup> offense and up to \$3,000 for a second or subsequent offense.  Maximum of up to 6 months in jail.
Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
Chicago Municipal Code 8-8-060  Street Solicitation For Prostitution	Any person who remains or wanders about in a public place and repeatedly beckons to, or repeatedly attempts to engage passers-by in conversation, or repeatedly interferes with the free passage of other persons, or repeatedly stops or attempts to stop motor vehicles for the purposes of prostitution, soliciting for a prostitute, or pandering.	- Individual involved in the sex trade  - Customer	Maximum fine of \$1,500.  Maximum of up to 6 months in jail.  100 hours of community service.  Vehicle Impoundment, which has a separate fee of \$1,000 plus towing and storage costs.

<sup>1</sup> Given sufficient probable cause and evidence.

<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ILCS 5/11-14-A  Prostitution	Any person who performs, offers or agrees to perform any act of sexual penetration (as defined in Section 12-12 of this Code) for any money, property, token, object, or article or anything of value, or any touching or fondling of the sex organs of one person by another person for the purposes of sexual arousal or gratification commits an act of prostitution.	- Individual involved in the sex trade	Class A Misdemeanor: Less than 1 year of jail time and a maximum fine of up to \$2,500.  Class 4 Felony upgrade option for a person convicted of a second or subsequent violation of this section, or of any combinations of such number of convictions under this section and sections 11-15, 11-17, 11-18, 11-18.1 and 11-19.  Class 4 Felony for violating this section within 1,000 feet of a school.  Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.
<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ILCS 5/11-14.1  Solicitation of a sexual act	Any person who offers a person not their spouse any money, property, token, object, or article or anything of value to perform any act of sexual penetration (as defined in Section 12-12 of this Code) or any touching or fondling of the sex organs of one person by another person for the purpose of sexual arousal or gratification commits the offense of solicitation of a sexual act.	- Individual involved in the sex trade  - Customer	Class B Misdemeanor: Maximum fine of \$1,000 and up to 6 months of jail for a misdemeanor conviction.  No felony conviction option under this statute.

<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
<p>720 ILCS 5/11-15</p> <p>Soliciting for a prostitute</p>	<p>Any person who performs any of the following acts commits soliciting for a prostitute: (1) solicits another for the purpose of prostitution, or (2) arranges or offers to arrange a meeting of persons for the purpose of prostitution, or (3) directs another to a place knowing such direction is for the purposes of prostitution.</p>	<ul style="list-style-type: none"> <li>- Individual involved in the sex trade</li> <li>- Customer</li> <li>- Pimp/Arranger</li> </ul>	<p>Class A Misdemeanor: Less than 1 year of jail time and a maximum fine of up to \$2,500.</p> <p>Class 4 Felony upgrade option for a person convicted of a second or subsequent violation of this section, or of any combinations of such number of convictions under this section and sections 11-14, 11-17, 11-18, 11-18.1 and 11-19.</p> <p>Class 4 Felony for violating this section within 1,000 feet of a school.</p> <p>The arresting officer may impound any vehicle used by the person violating this statute.</p> <p>Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.</p>
<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
<p>720 ILCS 5/11-15.1</p> <p>Soliciting for a juvenile prostitute</p>	<p>Any person who violates any of the provisions of Section 11-15 (a) of this act commits soliciting for a juvenile prostitute where the prostitute for whom such person is soliciting is under 16 years of age or is a severely or profoundly mentally retarded person.</p>	<ul style="list-style-type: none"> <li>- Customer</li> <li>- Pimp/Arranger</li> </ul>	<p>Class 1 Felony: 4-15 years of prison and a maximum fine of \$25,000.</p> <p>Non-probationable offense.</p>

Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
720 ILCS 5/11-16  Pandering	Any person who performs any of the following acts for any money, property, token, object, or article or anything of value commits pandering: (1) compels a person to become a prostitute, or (2) arranges or offers to arrange a situation in which a person may practice prostitution.	- Pimp/Arranger  - Customer	Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.  A person who violates this Section within 1,000 feet of a school commits a Class 3 Felony.  Class 3 Felony: 2-5 years of prison and a maximum fine of \$25,000. Probationable offense.
Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
720 ILCS 5/11-17  Keeping a place of prostitution	Any person who has or exercises control over the use of any place for the practice of prostitution or who performs any of the following acts: (1) knowingly grants or permits the use of such place for the purpose of prostitution, (2) grants or permits the use of such place under circumstances from which they could reasonably know that the place is/to be used for purposes of prostitution, or (3) permits the continued use of a place after becoming aware that the place is used for prostitution.	- Pimp/Arranger	Class A Misdemeanor: Less than 1 year of jail time and a maximum fine of up to \$2,500.  Class 4 Felony upgrade option for a person convicted of a second or subsequent violation of this section, or of any combinations of such number of convictions under this section and sections 11-14, 11-15, 11-18, 11-18.1 and 11-19.  Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.

Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
<p>720 ILCS 5/11-17.1</p> <p>Keeping a place of juvenile prostitution</p>	<p>Any person who knowingly violates any of the provisions of Section 11-17 of this Act commits keeping a place of juvenile prostitution when any prostitute in the place of prostitution is under 16 years of age.</p>	<p>- Pimp/Arranger</p>	<p>Class 1 Felony: 4-15 years of prison and maximum fine of \$25,000.</p> <p>A Class 1 Felony is a probationable offense.</p> <p>A person convicted of a second or subsequent violation of this Section is guilty of a Class X Felony.</p> <p>Class X Felony: 6-30 years of prison and a maximum fine of \$25,000.</p> <p>A class X Felony is a non-probationable offense.</p> <p>Any persons convicted under this Section is subject to the forfeiture provisions of Section 11-20.1A.</p>



<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ICLS 5/11-18  Patronizing a prostitute	Any person who performs any of the following acts with a person not their spouse (1) engages in an act of sexual penetration (defined in Section 12-12) with a prostitute, (2) enters or remains in a place of prostitution with the intent to engage in an act of sexual penetration (as defined in Section 12-12) of this code.	- Customers	Class A Misdemeanor: Less than 1 year of jail time and a maximum fine of up to \$2,500.  Class 4 Felony upgrade option for a person convicted of a second or subsequent violation of this section, or of any combinations of such number of convictions under this section and sections 11-14, 11-15, 11-17, 11-18.1 and 11-19.  A person who violates this section within 1,000 feet of a school commits a Class 4 Felony.  Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.
<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ILCS 5/11-18.1  Patronizing a juvenile prostitute	Any person who engages in an act of sexual penetration (as defined in Section 12-12) with a prostitute under 17 years of age.	- Customers	Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.
720 ILCS 5/11-19  Pimping	Any person who receives any money, property, token, object, or article or anything of value from a prostitute, not for lawful consideration, knowing it was earned in whole or in part from the practice of prostitution.	- Pimps/Arrangers	Class A Misdemeanor: Less than 1 year of jail time and a maximum fine of up to \$2,500.  Class 4 Felony upgrade for a person convicted of a second or subsequent violation of this section, or 11-14, 11-15, 11-17, 11-18, and 11-18.1.  Class 4 Felony for violating this section within 1,000 feet of a school.  Class 4 Felony: 1-3 years of prison and maximum fine of \$25,000. Probationable offense.

<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
<p>720 ILCS 5/11-19.1</p> <p>Juvenile pimping and aggravated juvenile pimping</p>	<p>If a person knowingly received any form of consideration derived from</p> <p>A. the practice of prostitution in whole or in part and (1) the prostitute was under the age of 16 years, or (2) the prostitute was a severely or profoundly mentally retarded person</p> <p>B. If the prostitute was under the age of 13 years.</p>	<p>- Pimp/Arranger</p>	<p>A person who commits a violation of subsection A is guilty of a Class 1 Felony.</p> <p>Class 1 Felony: 4-15 years of prison and maximum fine of \$25,000. Non-probationable offense.</p> <p>A person who commits a violation of subsection B is guilty of a Class X Felony.</p> <p>Class X Felony: 6-30 years of prison and maximum fine of \$25,000. Non-probationable offense.</p>
<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
<p>720 ILCS 5/11-19.2</p> <p>Sexual exploitation of a child</p>	<p>A person who confines a child under 16 or a severely or profoundly mentally retarded person against their will by the infliction or threat of infliction of great bodily harm, disability or disfigurement or by administering without consent or by threat or deception and for other than medical purposes any alcohol or drugs and (1) compels the individual to become a prostitute, or (2) arranges a situation in which the individual may practice prostitution, or (3) receives money, etc. from the individual knowing it was obtained from the practice of prostitution.</p>	<p>- Pimp/Arranger</p>	<p>Class X Felony: 6-30 years of prison and maximum fine of \$25,000. Non-probationable offense.</p> <p>Any person convicted under this Section is subject to the forfeiture of provision of Section 11-20.1A of this Act.</p>

Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
720 ILCS 5/10A-10A  Involuntary servitude	Knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to forced labor or services by (1) causing or threatening to cause physical harm, (2) physically restraining or threatening to restrain, (3) abusing or threatening to abuse the law or legal process, (4) knowingly destroying, concealing, removing confiscating or possessing any actual or purported passport or other immigration document, (5) using intimidation, or threatening to cause financial harm through financial control.	- Pimp/Arranger  - Trafficker	1. Class X Felony: 6-30 years of prison and maximum fine of \$25,000. Non-probationable offense. 2. Class 1 Felony: 4-15 years of prison and maximum fine of \$25,000. Non-probationable offense. 3. Class 2 Felony: 3-7 years of prison and maximum fine of \$25,000. Probationable offense. 4. Class 3 Felony: 2-5 years of prison and maximum fine of \$25,000. Probationable offense. 5. Class 4 Felony: 1-3 years in prison and maximum fine of \$25,000. Probationable offense.  Restitution and trafficking victim services are available through the Illinois Department of Human Services.
Code and Title	Description	Who Can be Arrested or Charged	Available Penalties
720 ILCS 5/10A –10B  Sexual servitude of a minor	Knowingly recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, provide, or obtain by any means another person under 18 years of age, knowing that the minor will engage in commercial sexual activity, a sexually-explicit performance, or the production of pornography, or causes or attempts to cause a minor to engage in the above mentioned activities.	- Pimp/Arranger  - Trafficker	1. When the minor is between 17 – 18 years, not involving overt force or threat, the defendant is guilty of a Class 1 Felony. Class 1 Felony: 4-15 years of prison and maximum fine of \$25,000. Non-probationable offense.  2. When the minor is younger than 17 years, not involving overt force or threat, the defendant is guilty of a Class X Felony. Class X Felony: 6-30 years of prison and maximum fine of \$25,000. Non-probationable offense.  3. When the violation involved overt force or threat, the defendant is guilty of a Class X Felony.

<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ILCS 5/10A-10C  Trafficking of persons for forced labor or services	Knowingly (1) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means another person intending or knowingly that the person will be subjected to forced labor or services, or (2) benefits financially or by receiving anything of value from participation in a venture which has engaged in an act described in previous sections.	- Pimp/Arranger  - Trafficker	Class 1 Felony  Class 1 Felony: 4-15 years of prison and maximum fine of \$25,000. Non-probationable offense.  Restitution and victim services are available through the Illinois Department of Human Services.
<b>Code and Title</b>	<b>Description</b>	<b>Who Can be Arrested or Charged</b>	<b>Available Penalties</b>
720 ILCS 5/10A-15  Forfeitures	A person who commits the offense of involuntary service, involuntary servitude of a minor, or trafficking of persons for forced labor or services under Section 10A-10 shall forfeit to the State of Illinois any profits or proceeds and any interest or property they have acquired or maintained in violation of Section 10A-10 that the court determines, after a hearing, to have been acquired as a result of maintaining a person in involuntary servitude or participating in trafficking in persons for forced labor and services.		

## Intersystem Assessment on Prostitution in Chicago

**Table 2**  
**Total Prostitution-Related Arrests and Convictions for 2003, 2004, and 2005<sup>1</sup>**

### 2003 Arrest Data

	# Misdemeanor prostitution-related arrests	# Felony prostitution-related arrests	Total # of prostitution-related arrests	% of misdemeanor arrests	% of felony arrests	# prostitution-related city ordinance arrests	Total # of arrests (misdemeanor, felony, city ordinance violations)	% of misdemeanor arrests from total number of arrests	% of felony arrests from total number of arrests	% of city ordinance arrests from total number of arrests
Male <sup>2</sup>	1,776	32	1,808	98.2%	1.8%	631	2,439	72.8%	1.3%	25.9%
Female	2,836	428	3,264	86.9%	13.1%	1,364	4,628	61.3%	9.2%	29.5%
Total	4,612	460	5,072	90.9%	9.1%	1,995	7,067	65.3%	6.5%	28.2%

### 2003 Conviction Data

	# Misdemeanor prostitution-related convictions	# Felony prostitution-related convictions	Total # of prostitution-related convictions	% of misdemeanor convictions	% of felony convictions	# prostitution-related city ordinance convictions	Total # of convictions (misdemeanor, felony, city ordinance violations)	% of misdemeanor convictions from total number of convictions	% of felony convictions from total number of convictions	% of city ordinance convictions from total number of convictions
Male	168	12	180	93.3%	6.7%	10	190	88.4%	6.3%	5.3%
Female	890	266	1,156	77.0%	23.0%	21	1,177	75.6%	22.6%	1.8%
Total	1,058	278	1,336	79.2%	20.8%	31	1,367	77.4%	20.3%	2.3%

<sup>1</sup> Data provided by the Chicago Police Department and the Circuit Court of Cook County

<sup>2</sup> The male arrests and convictions for 2003, 2004, and 2005 include male customers and men and transgender persons who are involved in the sex trade industry.

## 2004 Arrest Data

	# Misdemeanor prostitution-related arrests	# Felony prostitution-related arrests	Total # of prostitution-related arrests	% of misdemeanor arrests	% of felony arrests	# prostitution-related city ordinance arrests	Total # of arrests (misdemeanor, felony, city ordinance violations)	% of misdemeanor arrests from total number of arrests	% of felony arrests from total number of arrests	% of city ordinance arrests from total number of arrests
Male	2,053	57	2,110	97.3%	2.7%	416	2,526	81.3%	2.2%	16.5%
Female	3,420	689	4,109	83.2%	16.8%	1,289	5,398	63.3%	12.8%	23.9%
Total	5,473	746	6,219	88.0%	12.0%	1,705	7,924	69.1%	9.4%	21.5%

## 2004 Conviction Data

	# Misdemeanor prostitution-related convictions	# Felony prostitution-related convictions	Total # of prostitution-related convictions	% of misdemeanor convictions	% of felony convictions	# prostitution-related city ordinance convictions	Total # of convictions (misdemeanor, felony, city ordinance violations)	% of misdemeanor convictions from total number of convictions	% of felony convictions from total number of convictions	% of city ordinance convictions from total number of convictions
Male	147	24	171	86.0%	14.0%	1	172	85.5%	14.0%	0.5%
Female	997	387	1,384	72.0%	28.0%	11	1,395	71.5%	27.7%	0.8%
Total	1,144	411	1,555	73.6%	26.4%	12	1,567	73.0%	26.2%	0.8%

## 2005 Arrest Data

	# Misdemeanor prostitution-related arrests	# Felony prostitution-related arrests	Total # of prostitution-related arrests	% of misdemeanor arrests	% of felony arrests	# prostitution-related city ordinance arrests	Total # of arrests (misdemeanor, felony, city ordinance violations)	% of misdemeanor arrests from total number of arrests	% of felony arrests from total number of arrests	% of city ordinance arrests from total number of arrests
Male	1,053	33	1,086	97.0%	3.0%	1,160	2,246	46.9%	1.5%	51.6%
Female	1,745	917	2,662	65.6%	34.4%	917	3,579	48.8%	25.6%	25.6%
Total	2,798	950	3,748	74.7%	25.3%	2,077	5,825	48.0%	16.3%	35.7%

## 2005 Conviction Data

	# Misdemeanor prostitution-related convictions	# Felony prostitution-related convictions	Total # of prostitution-related convictions	% of misdemeanor convictions	% of felony convictions	# prostitution-related city ordinance convictions	Total # of convictions (misdemeanor, felony, city ordinance violations)	% of misdemeanor convictions from total number of convictions	% of felony convictions from total number of convictions	% of city ordinance convictions from total number of convictions
Male	68	11	79	86.1%	13.9%	13	92	73.9%	12.0%	14.1%
Female	247	381	628	39.3%	60.70%	17	645	38.3%	59.1%	2.6%
Total	315	392	707	44.6%	55.4%	30	737	42.7%	53.2%	4.1%

### 2003 Arrest and Conviction Data for Charges Related to Pimping and Pandering<sup>3</sup>

Charge	Class and Type	# of male arrests	# of female arrests	# of total arrests	# of male convictions	# of female convictions	# of total convictions
720 ILCS 5.0/11-15.1 Soliciting for a Juvenile Prostitute	Class 1 Felony	0	1	1	N/A	0	0
720 ILCS 5.0/11-16 Pandering	Class 3 Felony	1	0	1	0	N/A	0
	Class 4 Felony	4	1	5	0	1	1
720 ILCS 5.0/11-17 Keeping a Place of Prostitution	Class A Misdemeanor	17	3	20	0	0	0
	Class 4 Felony	1	0	1	1	N/A	1
720 ILCS 5.0/11-19 Pimping	Class A Misdemeanor	7	0	7	0	N/A	0
5.0/11-19.2 Sexual Exploitation of a Child	Class X Felony	4	0	4	1	N/A	1
<b>TOTAL</b>		<b>34</b>	<b>5</b>	<b>36</b>	<b>2</b>	<b>1</b>	<b>3</b>

<sup>3</sup> The arrest and conviction data for charges related to pimping and pandering were also included in the 2003, 2004, and 2005 total prostitution-related arrests and conviction data presented in the previous tables.



### 2004 Arrest and Conviction Data for Charges Related to Pimping and Pandering

Charge	Class and Type	# of male arrests	# of female arrests	# of total arrests	# of male convictions	# of female convictions	# of total convictions
5.0/11-15.1 Soliciting for a Juvenile Prostitute	Class 1 Felony	1	0	1	0	N/A	0
5.0/11-16 - Pandering	Class 4 Felony	13	3	16	3	2	5
5.0/11-17 Keeping a Place of Prostitution	Class A Misdemeanor	15	2	17	0	0	0
	Class 4 Felony	1	0	1	0	N/A	0
5.0/11-19 Pimping	Class A Misdemeanor	17	0	17	1	N/A	1
	Class 4 Felony	1	1	2	0	0	0
5.0/11-19.2 Sexual Exploitation of a Child	Class X Felony	7	0	7	4	N/A	4
<b>TOTAL</b>		<b>55</b>	<b>6</b>	<b>61</b>	<b>8</b>	<b>2</b>	<b>10</b>

### 2005 Arrest and Conviction Data for Charges Related to Pimping and Pandering

Charge	Class and Type	# of male arrests	# of female arrests	# of total arrests	# of male convictions	# of female convictions	# of total convictions
5.0/11-15.1 Soliciting for a Juvenile Prostitute	Class 1 Felony	0	1	1	N/A	0	0
5.0/11-16 - Pandering	Class 4 Felony	3	0	3	1	N/A	1
5.0/11-17 Keeping a Place of Prostitution	Class A Misdemeanor	4	3	7	0	0	0
5.0/11-19 Pimping	Class A Misdemeanor	9	1	10	1	0	1
5.0/11-19.2 Sexual Exploitation of a Child	Class X Felony	1	0	1	0	N/A	0
<b>TOTAL</b>		<b>17</b>	<b>5</b>	<b>22</b>	<b>2</b>	<b>0</b>	<b>2</b>