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The Social Health of Nevada

Leading Indicators and Quality of Life in the Silver State

Sex Industry and Sex Workers in Nevada

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Las Vegas has long been known as the symbolic center of the commercial sex industry. Nevada is host to the only legal system of prostitution in the United States. From the early legalization of quickie divorce and marriage to the marketing of its large resorts, sexuality has been a key component of Nevada's tourist economy. If trends continue, for good or for ill, the sex industry will be an even larger part of the economy in the future.

The sex industry refers to all legal and illegal adult businesses that sell sexual products, sexual services, sexual fantasies, and actual sexual contact for profit in the commercial marketplace. The sex industry encompasses an exceedingly wide range of formal and informal, legal and illegal businesses, as well as a wide range of individuals who work in and around the industry.

This report will review the context in which sexually oriented commercial enterprises have flourished, discuss general trends in the Nevada sex industry, and make policy recommendations.

Chapter Highlights

- In 2006, global pornography revenues reached \$96 billion; worldwide, 12% of all web sites produce pornography.
- In 2008, the U.S. retail sales in adult entertainment are estimated at more than \$12 billion, with 3000 to 4000 strip clubs employing around 400,000 strippers.
- Las Vegas has around 30 strip clubs, with some 12,000 dancers registered with the Las Vegas Metropolitan police department.
- Nevada is the only state in the country to legalize prostitution; legal brothels exist in 10 of Nevada's 17 counties.
- Overall, the Nevada brothel industry profits are approximately \$35-50 million annually; legal brothels serve 400,000 clients a year.

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The Global Sexual Economy

Sexualization of the Everyday

To understand Nevada's sexual economy, we need to understand larger social and economic trends that spur growth and transformations of the sex industry around the world. We live in an increasingly interrelated and unequal global economy. Dynamic growth drives increasing migration. Technologies such as the Internet and cell phones enhance global communication and data transfers. Consumption, not production, has become the economic engine. We now sell more services and, increasingly, leisure, escape and adventure. Tourism is now the world's largest employer. Work has moved out of factories into homes, where people increasingly hold part-time, independently contracted jobs. Jobs in new service sectors involve selling core aspects of human relations, emotions, connections and performances. Services that were previously components of private personal or familial relationships such as cooking, caring, friendship, and sex, can now be purchased on the market.

In this context, sexually suggestive images and messages have become commonplace in U.S. culture, creating a society some scholars refer to as "pornified."¹ The convergence of the pornographic and the mainstream blurs the line between commercial sex and industries that use sex to sell other products. This trend is evident in television programs, radio talk shows, music videos, commercials and print ads, billboards and magazine covers. For the last several years – the commercial sexualization of everyday life has become ubiquitous and seemingly irrepressible.

These dizzying transformations arise in tandem with dramatic shifts in cultural norms surrounding sexuality. Over the last fifty years, various U.S. surveys show an increased acceptance of women's sexual agency, sex outside of marriage, homosexuality and sexual pleasure in general. For example, the U.S. national General Social Survey shows increasing acceptance of premarital sex, and homosexual sex between 1972 and 2004. Since 2010 Gallup polls show a majority of Americans morally accept same-sex relations.² On the other hand, backlash against the pornification of society is evident as well. Issues like abortion and same sex marriage are wedge issues in political contests. Social movements concerned with migration, for example, join forces with certain feminist groups to fight sexual commerce – often seen as the catalyst for sex trafficking.

In this context, we see two important trends affecting sexual commerce: the rapid growth in the size and scope of the commercial sex industry across the globe and a general mainstreaming of the industry.

Growth in Size and Scope of the Sex Industry

Sexual commerce now encompasses a much wider range of businesses than in the past. The old methods of selling sexual fantasy and sexual services – books, magazines, blue movies, backstreet prostitution and seedy men's clubs – have been supplemented by a range of new commercial sexual products and services. The Internet not only facilitates contact between sexual providers and consumers but also helps foster the creation of a wide array of sexual communities. Consumers now have inexpensive, private access to adult content through the internet, video sales and rentals, cable and pay-per-view services, mobile phones, magazines, clubs and novelty stores. Adult web sites provide

everything from still photographic images to streaming video. Adult content is easily downloaded to smart phones. Some already point to a future where online sex workers can link to remotely controlled sex toys or robots.³ Street prostitution, which was always the smallest segment of the prostitution industry, is moving indoors thanks to the Internet. Indeed the connection between various wellness, dating, and massage services and sexual services are blurring the boundaries around commercial sex.

Statistics on the size of the sex industry are very difficult to get, notably unreliable and should always be read with skepticism. Much of the industry is underground and informal. Because of the stigma and politics surrounding the sex industry, statistics and figures are often hard to come by and are sometimes inaccurate. That said, below are some of the most reliable estimates, even though these should be taken with caution.

- In 2006, global pornography revenues reached \$96 billion.⁴
- According to a 1998 report from the only 4 countries that report statistics – Indonesia, Malaysia, the Philippines and Thailand, nearly a million people work in jobs providing sexual services, generating between 4-13% of GDP in these countries⁵
- 12% of the total number of web sites worldwide produce pornography⁶
- The global market for mobile adult content grew by 36% in 2008 to reach an estimated \$2.2 billion in revenues⁷

Statistics on size in the United States include the following:

- In 2008, retail sales in adult entertainment were estimated at more than \$12 billion.⁸
- Estimated 3-4,000 strip clubs operate from coast-to-coast in the U.S., employing some 400,000 strippers and generating annual strip club revenue between \$1 and \$2 billion.
- In 2008, two of the largest lap dancing club chains in the U.S. reported earnings around \$60 million each.⁹
- In 2006, 12% of all internet websites contain pornography.¹⁰
- ExtremeTech estimates that porn makes up 30% of data transferred across the internet. XVideos, the largest porn site on the internet, is three times the size of ESPN. YouPorn is six times larger than Hulu.¹¹

Mainstreaming

Governments have increasingly designed policies to remove regulations seen as reducing market competition to allow business to flourish. The sex industry has benefitted directly from this, as it becomes increasingly durable, profitable, and respectable. Strip clubs, sex toy shops, and porn stores are moving from seedy alleys

and dusty highway hangouts into more public view. Complete with logos and propelled by well-researched marketing campaigns, brand name adult stores and chain strip clubs have become a fixture in many U.S. cities and communities, especially in the last 15 years or so. The result is a trend toward mainstreaming and what some refer to as the McDonaldization of sex in America.¹²

As the adult industry becomes more widespread, businesses and workers increasingly employ standard models of commerce, marketing, and advertising including:

- Traditional business forms such as corporate structures, chains, franchises, and traditional forms of financing.
- Horizontal integration, where a sexual business owns non-sexual businesses, such as a brothel that also owns a restaurant.
- Vertical integration where sex industry businesses work with non-sex industry businesses for marketing, advertising, distribution, manufacturing, or other business services, such as pay-per-view porn in hotel rooms.
- Establishing traditional business associations, including the AVN Media Network, the Association of Club Executives, and in Las Vegas, the Sin City Chamber of Commerce.
- Mainstreamed marketing where the look, feel, product, image mimics aspects of non-sexual products and services, such as retail outlets that look like traditional storefronts or other night-time leisure venues, packaging that is non-sexual, labels for services that make these appear less transgressive.
- Expanding marketing to new audiences. In many adult content markets, women are the fastest growing group of consumers.

Sex Workers

Workers in the sex industry are often referred to as “sex workers.” Some use the term “sex worker” to refer only to prostitutes. Industry analysts increasingly use sex worker to refer to any worker who sells sex or erotic services, including strip dancers, prostitutes, peep show workers, dominatrixes, adult film actors, and a wide variety of ancillary and support workers in both the real and virtual worlds.

Sex workers represent the gamut of gender identities, sexual orientations, races, classes, ages, religions, ethnicities, and geographical locations. Generalizations are difficult across so many kinds of work. Research finds that even within prostitution, there is diversity in the conditions of work, circumstances and resources of workers. Research finds that sex workers enter the industry for various reasons: some have financial concerns with few opportunities available; others choose the work over a wide range of less attractive options.¹³ Understanding the scope of sex work entails recognizing the wide variety of contexts, conditions, and resources affecting those in it.

Most sex workers, particularly in legal industries, work flexibly, as independent contractors rather than employees. Like any other service industry job, sex workers can be exploited by their customers, other workers, bosses, or economic situations. Others find the work sexually, emotionally, and/or economically liberating. The resources one brings into their work greatly affect the amount of control over working conditions. As is the case with any service industry workers, no one work-related narrative applies to all.

One of the most important points to understand as we contextualize the sex industry is that sexual commerce is and has been a critical and sorely understudied component of contemporary consumer culture. In the last several years there has been a great expansion of research on the sex industry. Much of this work is looking beyond sex workers as deviants or victims, focusing more broadly at the work, the industry and its relation to contemporary politics and economics

Nevada's Sex Industry: Legal Businesses

As a testament to the mainstreaming of the sex industry, Nevada has a number of business associations across the state that deal with adult businesses. Two of the most notable include the Nevada Brothel Association, housed in Reno, and the Sin City Chamber of Commerce in Southern Nevada. The Sin City Chamber was founded in 2004 as a reaction to the exclusion of adult business by mainstream chambers of commerce. They now have around 500 members, including gay and adult entertainment business communities as well as mainstream businesses.

Even with Nevada's sexual symbolism, no entities keep reliable statistics on the sex industry. All statistics presented here are informed estimates, and readers should be cautious about any numbers presented here, or elsewhere for that matter, insofar as they describe the sex industry as a whole.

The data gathered below focus more on Las Vegas because of its symbolic association with the sex industry. There are cities in the United States with more strip clubs, adult bookstores, porn shops, and pornographic production. However, because of Las Vegas' reputation as "sin city" and its current marketing campaign, which brags, "What happens in Vegas, stays in Vegas" – Las Vegas is recognized globally as a hyper-sexualized city. In short, Las Vegas is the symbolic center of the sex industry in the United States.

Strip Clubs

Strip clubs are centered in the tourist areas of the state. In Reno, there are approximately 10 strip clubs. There are few if any clubs in the rural areas, likely because of the legal brothels.

Facts about the Las Vegas strip club industry:

- Las Vegas has around 30 strip clubs.

- Approximately 12,000 dancers are registered with the Las Vegas Metropolitan police department, who issue work cards for these and other non-sex industry employees.
- 2,500 dancers work on an average day.
- Slow days in Las Vegas strip clubs are Tuesdays and Wednesdays; on weekends, during large conferences and most holidays, the number of dancers can reach 3,500-4000 performers
- Approximately one-third to one-half the dancers travel to Las Vegas to work and then return home in other cities.
- The age of dancers varies considerably, from underage girls working illegally (around 80 known) to 50+ year-old entertainers of all genders. The average age of an erotic dancer is about 24, up 1.5 years over the past five years. The largest growth sector includes dancers over 55 with several 65+ aged performers. 14

Outcall Referral Agencies

There are numerous outcall entertainment agencies that operate in Las Vegas and Reno as phone referral services, sending dancers to dance at a customer's location. These referral services charge a fee to connect customers with dancers. Dancers are, again, independent contractors working with legal referral agencies, as opposed to those independent workers who advertise their services on websites like Craigslist or Eros. The amount paid to the dancer and services provided are considered tips, negotiated entirely between the entertainer and customer. Many community leaders, law enforcement officers, and other professionals assume that after the legal dancing and stripping, the outcall performers may negotiate with the customer to sell illegal sex acts. Outcall dancers earn anywhere from \$50 to several thousands, and on rare occasions, even tens of thousands of dollars per performance, depending on the client, the services provided, and the amount of time spent.

- In the 2010 Las Vegas phonebook alone, there are 31 full pages of ads for Entertainers, containing approximately 860 listings. There are about six major businesses that own 90-95% of all these ads; the remaining ads are independent entertainers and smaller businesses. All advertisers must show a business license before being allowed to place an ad, thus discouraging independents to operate without proper licensing.
- At any given time there are approximately 1,200 outcall dancers Las Vegas, many of whom work on a circuit between Vegas and other large cities, especially Los Angeles.
- At any given time there are about 150-200 outcall entertainers working, with numbers rising to 500 or more on weekends, holidays and during special events like large conventions and major fights.

- Approximately 10-15% of dancers advertised in the Las Vegas phonebook are male, transsexual, or transgender performers. This contrasts sharply with online agencies that cater to male, transsexual, or transgender providers.
- Prices for outcall exotic dancers coming to the customer's room or home range from \$250-\$450 per hour.¹⁵

Private Sex Clubs

Sex clubs include private clubs and spas requiring an entrance fee and/or membership. These clubs market themselves to different audiences, including gay men, couples, and queer individuals.

- There are eight major clubs in Southern Nevada in addition to numerous privately held events. Some of the more visible clubs include Couples Oasis, Red Rooster (one of the nation's oldest, in a private home), Rendezvous' Red Rooster 3 (a separate entity), Fantasy Swingers Club, and The Green Door. All serve a general, heteronormative clientele, charging less, if anything, for women, and more for men. Reno has a few sex clubs, including Pokher Knights.
- Power Exchange in Las Vegas, a franchise from San Francisco, markets itself as a pan-sexual adult club. It serves a range of genders, providing a more queer-friendly option. It still charges more for men dressed as men.
- Hawks Gym and Entourage Spa and Health club are private social clubs for men only in Las Vegas. Steve's Bath House and Gym operates in Reno.

Legal Brothels

Nevada is the only state in the country to legalize prostitution. Legal brothels exist in 10 of Nevada's 17 counties. All of these brothels are in the rural areas of the state, and constitute the majority of sexualized businesses in these small towns.

State law prohibits prostitution in counties with populations exceeding 400,000, which includes only Clark County, where Las Vegas resides. Currently, county regulation bans brothels in Douglas, Washoe, Lincoln, and Pershing Counties, as well as in Carson City. Eureka County is the only county that has no specific ordinance prohibiting or providing for legal brothels. All other counties in Nevada have one or more legal brothels.

There are 36 available brothel licenses across Nevada, of which approximately 28-30 are utilized. Counties with legal prostitution earn thousands to hundreds of thousands annually in brothel work card, application, licensing, and liquor license fees.

See Table 1 for details.

Table 1: Nevada County Brothel Laws and Income (2007)

| COUNTIES | CURRENTLY OPERATING BROTHELS | WITHIN 1-HOUR DRIVE OF MAJOR METRO AREA | POPULATION PER SQUARE MILE, 2006* | COUNTY LAW PROHIBITS IN UNINCORPORATED AREAS | TOWNS WITH LICENSING ORDINANCES | TOTAL YEARLY INCOME FROM LICENSE FEES, ROOM AND LIQUOR TAXES | TOTAL YEARLY INCOME FROM WORK CARDS |
|--|---|---|-----------------------------------|--|---------------------------------|--|-------------------------------------|
| Carson City | prohibited by county law | Yes | 386.6 | yes | | | |
| Clark | prohibited by state law | Yes | 224.7 | yes | | | |
| Douglas | prohibited by county law | Yes | 64.7 | yes | | | |
| Washoe | prohibited by county law | Yes | 62.5 | yes | | | |
| Lincoln | prohibited by county law | No | 0.4 | yes | | | |
| Pershing | prohibited by county law | No | 1.1 | yes | | | |
| Eureka | no written ordinance | No | 0.4 | | | | |
| Churchill | none open | Yes | 5.1 | | | \$0 | \$0 |
| Elko | 2 in Carlin | No | 2.7 | yes | Carlin | \$3,000 | \$1200 |
| | 4 in Elko | No | | | Elko | \$12,960 | \$7800 |
| | 2 in Wells | No | | | Wells | \$10,600 ² | \$7,500 ¹ |
| Esmeralda | none open | No | 0.2 | | | \$0 | \$0 |
| Humboldt | 3 in Winnemucca (including 1 closed for renovation) | No | 1.8 | yes | Winnemucca | \$25,500 | \$2,600 ¹ |
| Lander | 2 in Battle Mountain | No | 1.0 | | | \$1200 | \$1100 ¹ |
| Lyon | 4 outside Carson City | Yes | 25.7 | | | \$327,500 | \$26,300 |
| Mineral | 2 in/near Mina (including 1 unopened) | No | 1.3 | | | \$4560 | \$1525 ³ |
| Nye | 4 near Pahrump | Yes | 2.4 | | | \$114,375 | \$34,938 |
| | 1 near Beatty | No | | | | | |
| Storey | 2 in Sparks | Yes | 15.7 | | | \$160,000 | \$18,750 |
| White Pine | 2 in Ely | No | 1.0 | yes | Ely | \$1,490 | \$1,275 |
| <p>1 Income from prostitutes' work cards are estimated as the county issues the same work cards as for other workers. 2 Income from license fees, room and liquor taxes estimated and do not reflect additionally merchandise fees determined on sales volume. 3 Estimated total based on 35 work cards issued, an unknown number were renewals (\$15) and the remaining were new issues (\$65). Calculated 15 as renewals. * Determined using data on 2006 Nevada County Demographics, from US Census Bureau State & County QuickFacts, http://quickfacts.census.gov/qfd/states/32000.html. Last Revised: Friday, 25-Jul-2008</p> <p>Source: Brents, Barbara G., Crystal Jackson, and Kathryn Hausbeck. 2010. <i>The State of Sex: Tourism, Sex and Sin in the New American Heartland</i>. New York: Routledge, p. 240.</p> | | | | | | | |

- Nevada brothels employ between 1 to 50 legal prostitutes (and even more in a few cases).
- Ages of the sex workers range from 18 to 50 and older. Although some cases of underage prostitution have been reported in the brothels, such cases are anomalies.
- Brothel workers are all female, with the small exception of The Shady Lady, which employed the first and only male prostitute briefly in 2010.
- The women are independent contractors negotiating contracts with management for length of time working, shifts, etc.
- Women usually live in the brothel where they work for periods stretching from two weeks to over a month at a time. Workers in Northern Nevada brothels can choose to work shifts and not live at the brothel.¹⁶

Legal prostitutes pay for and undergo mandatory health checks prior to becoming licensed each time they enter a brothel to work. They also have mandatory weekly pap smears and monthly blood tests for sexually transmitted infections. Condoms are mandatory in the Nevada brothels.

Legal sex workers report less violence and a heightened sense of security working in the brothel industry than plying their trade illegally in other venues. This is because of both the legality of the occupation and the safety of working in the confined community space of a brothel.¹⁷

Women working as legal prostitutes pay taxes, work card fees, “house” fees, and room and board expenses within the brothel. They typically earn 40-50% of what they bring in by servicing customers, while the remainder goes to the brothel owner. Workers also usually tip cleaning and food service staff.

- Customers are primarily male identified, women and couples are sometimes welcome.
- Owners have paid anywhere from \$135,000 to upwards of \$5 million to purchase brothels in recent years.
- Overall, the Nevada brothel industry profits are approximately \$35-50 million annually.
- Legal brothels serve 400,000 clients a year.¹⁸

Additional Sexual Entertainment in Nevada

In Las Vegas, there are approximately 20 adult stores selling a range of products from lingerie to videos and DVDs to sex toys and novelties. Numerous traditional and internet adult video production companies operate in Southern Nevada.

- There are 12 licensed adult motion picture theaters in Las Vegas.
- Three licensed Internet adult entertainment and adult sales businesses.
- A thriving BDSM (or S & M, sadomasochism) subculture

Nevada’s Sex Industry: Illegal Prostitution

Despite popular perceptions, prostitution is illegal in Las Vegas and Reno. Illegal prostitution takes a variety of forms. While the majority of sex workers are female, there is a significant minority who are male or transgendered, providing services to individuals of various genders, ages, races and social classes. Table 2 summarizes the various types of illegal prostitution in Nevada.

Table 2. Characteristics of Types of Illegal Prostitution

| | BUSINESS LOCATION | PRICES CHARGED | THIRD PARTY PROFIT | RISK OF VIOLENT VICTIMIZATION | PUBLIC VISIBILITY |
|--|---|------------------|--------------------|-------------------------------|-------------------|
| HIGH END ESCORTS | Independent; online; to private premises/hotel | High | Low to none | Low | None |
| HOUSE WORKER | Unofficially contracted by casino, bar, or nightclub for preferred customers | High | Moderate | Low | None |
| OUTCALL REFERRAL | Legal escort agency; contractors sell sex illegally at private premises/hotel | Moderate to high | Moderate | Low to moderate | Very low |
| ILLEGAL BROTHEL WORKER | Brothel | Moderate | Moderate | Very low | Low |
| MASSAGE PARLOR WORKER | Massage parlor | Moderate | Moderate | Very low | Low |
| BAR OR CASINO WORKER | Bar/casino contact; sex elsewhere | Moderate | Low to moderate | Low to moderate | Moderate |
| STREETWORKER | Street contact; sex in cars, alleys, parks, etc | Low | High | Very high | High |
| <p><i>Note:</i> The brothels and massage parlors depicted here do not include those who have been trafficked against their will or otherwise forced into prostitution, whose experiences differ from those who have entered this work consensually.</p> <p>Exploitation by third parties means third party receipt of at least some of the profits Risk of violent victimization refers here to victimization of prostitute, not the customer.</p> <p><i>Source:</i> Adopted from Weitzer, Ronald. Sex for Sale: Prostitution, Pornography and the Sex Industry, Routledge 2010. P. 8</p> | | | | | |

This general typology illustrates that there is a hierarchy among prostitutes regarding level of visibility and danger. Even within these categories, the venues where prostitutes advertise, where they provide services, the amount of control over work conditions and the amount of income varies. The gender of the workers also varies greatly. One important trend today is that a wide variety of sex workers advertise their services on adult web pages. There are many sites that facilitate sexual commerce, whether overtly or not. For example, *Craigslist* offers an “adult” section among links to other services and products while sites like *Eros* tote the slogan, “All things erotic.” There are many “online dating” and Internet escort agencies advertised in *BackPage*, *MyRedBook*, *NaughtyReview*, *CityVibe*, *Men4Rent*, *RentBoy*, *Eros*, *SugarDaddie*, *TheEroticReview*, *P411*, *Date-Check*, *RoomService2000*, *TheProviderReport*, and *Craigslist*. Some, like *RentBoy*, cater to male sex workers while sites like *SugarDaddie* cater to female providers. Many sites, like *BackPage*, allow providers and customers to search specific genders and orientations. For example, a couple may search for a male escort who specializes in providing illicit sexual services to male/female couples while a female provider may specify that she sells services to female clients only. Transgender sex workers may advertise their services to people of all genders and orientations as well.

Advertising online means that providers and customers develop ways of covertly negotiating prices and services. Sex worker Amanda Brooks, for example, publically states that what she sells is time while “...the sex is free.” Likewise there has been concern that web sites such as *Craigslist* and *BackPage* facilitate underage sex workers or traffickers in addition to consensual workers. The proposed closing of *BackPage*, for example, elicited much protest from sex worker rights organizations that claimed it would force consensual sex workers underground while fueling the market for sex slavery.

Below are arrest statistics for sex work in Nevada.

Table 4: FBI Arrest Statistics for Prostitution/Commercialized Vice 2009

| | Count | | Rate per 100,000 persons | |
|-------------------------------------|-------------|------------------------|--------------------------|------------------------|
| | All persons | Juveniles under age 18 | All persons | Juveniles under age 18 |
| United States | 71,400 | 1,400 | 23 | 4 |
| Clark County | 4484 | 73 | 236 | 35 |
| Washoe County | 77 | 3 | 19 | 7 |
| Nye County | 1 | 0 | 2 | 0 |
| All other counties | 0 | 0 | 0 | 0 |
| Los Angeles County (for comparison) | 4856 | 99 | 49 | 9 |

Source: Puzanchera, C., Adams, B., and Kang, W. (2012). "Easy Access to FBI Arrest Statistics 1994-2009" Online. Available: <http://www.ojdp.gov/ojstatbb/ezaucr/>. See also <http://www.fbi.gov/about-us/cjis/ucr/ucr>

Sex Trafficking

While there is a wide range of reasons for entering prostitution, there is considerable concern for those individuals who are forced to sell sex against their will. This issue is particularly urgent in Nevada, whose reputation as a sexual playground is seen to exacerbate the problem.

Two populations are of concern. One group includes migrants who may be pulled into a black market for sex that transports foreign nationals through coercion or deceit to the U.S. or other western countries. Another group involves teenagers lured into prostitution by pimps and third parties. The situation for those who are victimized and suffering is quite dramatic. These individuals are most vulnerable to exploitation because they have little social power, and are least likely to be able to ask for help. The Trafficking Victims Protection Act (TVPA) in the United States was intended to facilitate prosecution of traffickers and protection for victims, particularly for foreign nationals, by providing special visas to those found to be victims of trafficking. The U.S. State Department's definition of trafficking includes any commercial sex act that is induced by force, fraud, or coercion, and it covers any person under 18 found to perform commercial sex.

The Act helped spur efforts to curb trafficking across the country, but its effectiveness has been questioned. Few have benefited from the program. Service agencies that receive funding under the TVPA are required to pledge that they will not facilitate any prostitution. Many groups argue that this increases the vulnerability of sex workers to violence, prevent health care workers from accessing sex workers, force programs to abandon needle exchange and other harm reduction programs, or engage in other actions that increase the risk of transmission among highly vulnerable populations.

The inclusion of all juvenile prostitutes as trafficked has also presented problems. While there are many reports that show thousands of underage people engage in sex for money or shelter, and there is no doubt that this population is extremely vulnerable and in need of assistance. However it is also clear that we need to distinguish between juveniles who are forced into the sex industry by the sex slavery black market and juveniles who are homeless or living in abject poverty with no other recourse but to sell sexual services. The problems these two groups face are equally serious, but different in nature. Research in the United States points out that a minority of sex workers of any age fit the "forced by a third party" trafficking profile. Tying assistance to the identification of a pimp is often counterproductive. The issue has become highly politicized, resulting in little understanding of the depth or breadth of the trafficking problem. As a result, policies often fail to help the victims who need it most.

There are no reliable estimates of the number of trafficked individuals in the U.S. or across the globe. Inaccurate figures continue to circulate, claiming that between 600,000 and four million women and children are trafficked for the purposes of sex each year. In 2005, the U.S. State Department claimed that between 600,000 and 800,000 people were trafficked across international borders each year, for the purposes of sex slavery, with 14,500 to 17,500 trafficked into the U.S., but these figures quickly came under criticism. In 2006, the U.S. Government Accountability Office cast doubt on these figures, citing weak methods, gaps and discrepancies, concluding that country

data are generally not reliable or comparable. There is also inconsistency in definitions of trafficked victims.

Between January 2008 and June 2010, there have been only 527 confirmed victims of trafficking through the United States. The vast majority of these are U.S. citizens, and only 21 foreign nationals received the special visa's that were the focus of the TVPA.¹⁹

As more research is done, the picture of who is trafficked turns out to be different than expected. A methodologically sophisticated two-year census of New York City's underage prostitution population conducted by John Jay and New York's Center for Court Innovation found the following of New York City's underage prostitutes:²⁰

- Half of underage prostitutes were boys
- 16% involved a pimp or third party manager
- 45% entered prostitution through friends
- Average age of entry is 15 years
- 11% of the girls and 40% of the boys said that they had served at least one female client
- Almost 70% of the kids said they had sought assistance at a youth-service agency at least once
- 95% said that the primary reason they exchanged sex for money was for financial reasons

It is clear that trafficking as we currently conceive it affects only a minority of those working in the industry. There are two consequences. First, efforts to help those who need help most are often misdirected or ineffective. Second, focusing exclusively on teenage girls as controlled by coercive male pimps will miss a significant portion of those who may need a broad range of assistance. Rather than seeing sex workers as all victims with identical needs, we need to understand the sex industry in more nuanced ways, particularly in the context of broader social changes discussed above.

An executive summary of human trafficking put forth by the non-profit Center for Health and Gender Equity concludes that “conflating human trafficking with prostitution results in ineffective anti-trafficking efforts and human rights violations because domestic policing efforts focus on shutting down brothels and arresting sex workers, rather than targeting the more elusive traffickers”.²¹

Trafficking and Juvenile Prostitution in Nevada

In reaction to a report by the US Justice Department naming Las Vegas as one of 17 US cities likely to have trafficking in 2004, Nevada established a working group on human trafficking and modern slavery with representatives from the U.S. Attorney's Office, the

Attorney General's Office, the District Attorney's Office, the FBI, ICE, the Department of Labor, the Las Vegas Metropolitan Police Department, and representatives of UNLV along with various social service agencies and non-governmental organizations, to study and address this issue.

In Clark County, arrests for juvenile prostitution have declined significantly in recent years. Between 1999 and 2003, there were 752 arrests for juvenile prostitution and related offenses. During the same time frame, the age of arrest ranged from 11 (one case) to 19, with the modal age of 17, and median age of 16. Between 2005 and 2009 the arrest figures had declined to 295. Detectives have started standard screenings for juvenile offenders to look for children displaced by abuse and coerced prostitution. However the options for juveniles arrested as prostitutes remain limited. Juveniles remain channeled into a delinquency system instead of into a social service system. With recent budgetary cutbacks it remains difficult to provide vulnerable populations the help they need.

Policy Suggestions

Predictions about the future of the sex industry in Nevada are problematic, given the unstable political and social climate as well as the stigmatized nature of the work. However, if current global, economic, and cultural and economic trends continue, it is safe to say that the international, national, and regional sex enterprises will be a growing industry in years to come. We can forecast that the industry will become more technologically sophisticated, more mainstream, and more bureaucratized, increasingly resembling non-adult industry businesses.

To face the future effectively, we need to know the present much better than we currently do. Gathering data on the nature, extent, and impact of the commercial sex industries in Nevada is extremely difficult, which limits our ability to understand workers, customers and businesses in this segment of the entertainment market. Much of what we know is incomplete and based on approximations, which has to do with the social stigma attached to this occupation, with the systematic devaluing of sex work and economic imperatives that make many of these businesses operate on a cash-and-tip basis, and political interests.

Generate More Data

The absence of systematic and reliable information about the commercial sex industry in Nevada threatens to erode public confidence and undermine community wellbeing. It also breeds injustice in the industry that has been historically ripe with oppression and exploitation. Hence, the need to intensify data gathering and promote systematic inquiry to ensure the livelihood, safety, and wellbeing of sex workers and victims of sex trafficking. Research on these very diverse populations will help us understand:

- Forces that affect supply/demand in sex industry
- The characteristics of specific segments in the sex industry

- The life situations, experiences, choices, and needs of the wide variety of populations who are sex workers, including men and transgendered individuals
- The relationship between structural constraints and personal agency (aspirations, motives) of “sex workers”
- The economic impact of the sex industries on local communities
- The effect that the legal environment and police practices have on existing social problems
- Policy options and reforms that have been implemented across the globe, including learning from other legal systems including New Zealand, Australia, Germany.
- Statistics on economic impact of sex businesses in the same way as we collect this data for other businesses
- Surveys of Nevada tourists should also gather data on legal sexual consumption, visits to strip clubs, sex clubs and legal brothels

To achieve necessary reforms in the domain of sex industry and help sex workers to carry on in a safe environment, we need to do the following:

Overall Considerations:

- Employ a human rights approach that empowers people of all genders.
- Seek innovative policy solutions that address persistent patterns of inequality, exploitation and unequal treatment.
- Understand the differences among various types of sex workers, legal and illegal, and avoid mistaken assumptions and stereotypes.
- Understand the complexities and differences between different segments of the sex industries and the labor practices therein.
- Offer broad-based sexuality education programs that can help teens and adults deal with hyper-sexualized trends in contemporary culture in a way that promotes empowerment, and mutual respect.
- Provide healthcare, condoms, and other support programs to sex workers so that those who remain in the business, legally or otherwise, are safe, supported and empowered. End all “condoms as evidence” policy.

- Establish a statewide clearinghouse of data, resources and assistance to sex workers, customers/clients, researchers, policy makers and the community at large.

For Vulnerable Populations:

- Favor approaches that rely more on social service institutions and less on the criminal justice system.
- Develop and fund additional health education programs, intervention strategies, and preventive care measures protecting sex workers.
- Empower families to be able to provide care and education for children.
- Place top priority on protection from violence, civil rights protections in particular, and the provision for mental health and/or substance abuse treatment for health policy advocates to reduce risk taking among sex workers.

For Legal Workers

- Institute labor protection regulations and pass rights statutes for sex workers that are comparable to other interactive service industry workers.
- Work with the Department of Labor, the State Attorney General's Office, Unions and other governmental and non-governmental organizations to ensure that sex workers receive the same workplace protections, occupational health and safety laws, and employee benefits as other non-sex industry laborers.
- Prosecute vigorously where employment and labor laws are violated in the legal sex industry.

Sexual Coercion and Juvenile Prostitution

- Continue to support organized, state-wide efforts to address both labor and sex trafficking and modern manifestations of human slavery, which include supporting reform laws that remove convictions of prostitution in cases where the accused is found to be a victim of sex trafficking.
- Support, fund, and empower law enforcement and social service agencies to combat sex trafficking, while bearing in mind that trafficking does not define all prostitution.
- Approach juvenile prostitution in a way that can weed out abusive pimps and predators but can also provide services for other underage sex workers, allowing them to define their own needs.
- Work with non-profit organizations that include sex workers on problems of underage prostitution.

Consider Alternative to Criminalizing Prostitution

- Examine policies in other countries such as New Zealand, Australia, and Germany with an eye to determining what might work in Nevada.
- Enlist the help and support of sex worker organizations, especially the Sex Worker Outreach Project – Las Vegas and the Desiree Alliance.

The most important condition for undertaking the research, community dialogues, and policymaking outlined above is adoption of a human rights-centered perspective. This means acknowledging the complexity of issues related to the sex industry and resisting any over-simplified and poorly informed efforts based on stereotypes or soap boxes, which make better political headlines than practical policy. To do so would make Nevada a national leader in addressing issues that reach far beyond our state lines and into every community in the nation.

Conclusion

In both legal and illegal form, the sex industry is present in every state in the country. Yet, it is only in Nevada that sex industry is legalized in the form of brothel prostitution. While prostitution is illegal in Las Vegas, the city is internationally recognized as a highly sexualized tourist destination with a flourishing market in commercial sexual entertainment and services.

If the Nevada sex industry affects the state's social health and its quality of life, it doesn't do so in a uniform way. The growth of the sex industry in the Silver State has a negative impact where it condones exploitation, oppression, crime, and continued stereotyping and stigmatization of women. The abundance of sexually charged entertainment can have a positive impact when sex workers have a range of viable economic options, when they can control their working conditions, when they have effective means of dealing with coercion and exploitation, and when Nevada's tourism-based economy cultivates arenas of safe sexual expression and enjoyment.

The sex industry is a growing and highly visible component of our state economy and culture. A nuanced conversation about sex work will allow us more fruitful and humanistic understandings of this complicated and marginalized population. To change the negative attitudes that lead to harmful laws and policies, it is essential to increase public understanding about the lives, hopes, and accomplishments of sex workers and to support human-rights-based programming and partnerships with sex workers.

There is little reason to think that the broader trends toward more sexualized everyday culture will play out differently in Nevada than in other parts of the country and the world. Las Vegas will continue to ride these cultural trends and benefit economically from the current trends. This presents an opportunity for the Silver State to move to the forefront of the national debate about these cultural shifts and lead the nation and the world in developing policies, programs, and practices that confront head-on the dangers and pitfalls associated with a growing, and most likely inevitable, sex industry in ways

that minimize risk and exploitation and maximize safety and empowerment.

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Community Resources

Nevada Resources for Sex Workers

ACLU of Nevada <http://www.aclunv.org/>

Crisis Call Center Hotline <http://www.crisiscallcenter.org/>
PO Box 8016 Reno, NV 89507 775-784-8085
Crisis Hotline: 800-992-5757

Gender Justice Nevada <https://www.facebook.com/genderjusticenevada>

Gay and Lesbian Community Center of Southern Nevada
<http://www.thecenterlv.com/>

Gay Reno – resources for the LGBT community <http://www.gay-reno.com>

Nevada Coalition Against Sexual Violence: <http://www.ncasv.org/>

Nevada Network Against Domestic Violence: South Rock Blvd Suite 7,
Reno, NV 89502 775-828-1115 or 800-230-1955
State-wide Crisis Hotline: (800) 500-1556
Web: <http://www.nnadv.org>
Listing of all local programs serving domestic violence in Nevada see link
on this page <http://www.nnadv.org/members.html>

Nevada Partnership for Homeless Youth: <http://nphy.org/>

Nevada Child Seekers: <http://www.nevadachildseekers.org/>

**Nevada Department of Business and Industry, Department of Labor
Commissioner** <http://www.laborcommissioner.com/>

Planned Parenthood Reno <http://www.plannedparenthood.org/mar-monte/>
455 West Fifth St.
Reno, NV 89503
Phone: 775-321-8711
Fax: 775-688-5599

Planned Parenthood of Southern Nevada
<http://www.plannedparenthood.org/rocky-mountains/>
3220 West Charleston Boulevard
Las Vegas, NV
(702) 878-7776

Rape Crisis Center 24 Hour Hotline – 702-366-1640
Rural Area – (Mesquite, Bunkerville etc..) 1-800-752-4528

Tri-State Area – (Laughlin, NV Bullhead City, AZ, Needles, CA etc..) 1-800-553-7273, <http://www.therapeccrisiscenter.org>

State of Nevada Department of Health and Human Services
<http://dhhs.nv.gov/>

State of Nevada Health Division : <http://health.nv.gov/>

Clark County Health District:
<http://www.southernnevadahealthdistrict.org/index.php>

Washoe County Health District:
<http://www.co.washoe.nv.us/health/>

Sin City Alternative Professionals' Association: <http://www.scapa-lv.org/>

Sex Worker Outreach Project Las Vegas <http://swoplasvegas.com/>

WestCare: <http://www.westcare.com/slnevada.jsp>

Crisis Line: 702.385.3332

Phone: 702.385.2020

Safe Place Hotline: 866.827.3723

Hotline for Youth Services: 702.385.3332

Women's Health Resources: <http://www.womenshealth.gov/>

Washoe Legal Services <http://www.washoelegalservices.org/>

299 South Arlington Avenue

Reno, NV 89501

Phone: (775) 329-2727

Fax: (775) 324-5509

Human Trafficking Information and Resources

US Department of State Office to Monitor and Combat Trafficking in Persons: <http://www.state.gov/j/tip/index.htm>

US Department of Health and Human Services Rescue and Restore Campaign: <http://www.acf.hhs.gov/trafficking/>

Anti Trafficking League Against Slavery (ATLAS) Task Force

Crimes Against Youth & Family Bureau

Las Vegas Metro Police Dept.

4750 W. Oakley Blvd.

Las Vegas, Nevada 89102

Phone: 702.828.0237

Network for Emergency Trafficking Services

Salvation Army, Family Services
1581 N. Main Street
Las Vegas, Nevada 89101
Phone: 702.649.8240

Global Prostitution Reform

Sex Worker Outreach Project swop-usa.org
1996 San Francisco Prostitution Task Force Final Report:
<http://www.bayswan.org/1TF.html>

UNAIDS Guidance Note on HIV/AIDS and Sex Work, Joint United Nations Programme on HIV/AIDS, 2009 (updated April 2012)
http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf

The Canadian Guild for Erotic Labour, a national organization of workers and allies who have come together to support and promote labour rights and labour organizing for women, men and transsexual/transgendered workers engaged in erotic labour in Canada. <http://cge10.tripod.com/>

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New Zealand Office of Safety and Health guidelines for sex workers
<http://www.osh.dol.govt.nz/order/catalogue/235.shtml>

Resources for Sex Workers – national and international

Support And Advice For Escorts: <http://www.saafe.info/index.htm>

Prostitute’s Education Network: <http://www.bayswan.org/>

Sex Workers’ Best Practices Policy Project:
<http://www.bestpracticespolicy.org/index.html>

Sex Workers Outreach Project, human rights, education and advocacy:
<http://www.swopusa.org/>

Sex Workers Project, New York human rights and sex worker advocacy:
<http://www.sexworkersproject.org/>

Spread, magazine for sex workers and advocates:
<http://www.spreadmagazine.org/>

Bound, Not Gagged blog <http://depthroated.wordpress.com/>

Sex Workers' Rights Advocacy Network in Central and Eastern Europe and
Central Asia <http://swannet.org/>

COYOTE www.walnet.org/csis/groups/coyote.html

Desiree Alliance www.desireealliance.org

International Sex Worker Foundation for Art, Culture, and Education
www.iswface.org

Network of Sex Work Projects www.nswp.org

Sex in the Public Square <http://sexinthepublicsquare.org>

Sex Workers Internet Radio Lounge (SWIRL)
<http://emedia.art.sunysb.edu/swirl/home.html>

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