

RESEARCHING FOSTA/SESTA AND THE PROFESSIONAL AND PERSONAL IMPACT
ON SEX WORKERS

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ABSTRACT

The purpose of this research study is to identify the ways in which recently passed anti-sex-trafficking laws, Fight Online Sex Trafficking Act (FOSTA) and Stop Enabling Sex Traffickers Act (SESTA) affect the community of consensual sex workers. Due to the well-documented history of statistical violence against sex workers, the goal of this research is to explore appropriate methods to better support this marginalized community while approaching it through a phenomenological lens. Conducting qualitative interviews with sex workers who operate in a diverse range of sex work services, four significant themes were identified regarding the ways in which they endorsed being affected by FOSTA/SESTA. The effects of FOSTA/SESTA reported in these interviews were discovered to be (a) a lack of autonomy, (b) a decrease in online accessibility for resources, (c) emphasis on the need for the decriminalization of sex work, and (d) a lack of positive benefits received in response to these anti-trafficking bills. These recorded findings are intended to add to the body of literature regarding the sex worker experience in the United States and provide an academic platform for the voices of those who make the autonomous decision to pursue this realm of criminalized work. This dissertation is available in open access at AURA, <https://aura.antioch.edu/> and Ohio Link ETD Center, <https://etd.ohiolink.edu>.

Keywords: FOSTA, SESTA, sex work, sex-trafficking, sex workers, consent

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CHAPTER I: INTRODUCTION

The soliciting of sex in exchange for money is commonly referred to as the “world’s oldest profession” (Drexler, 1996). The reputation of this profession has spanned across decades of time and various continents. The existence of this job is well known among the general public regardless of culture or environment; however, within the United States, rarely is it discussed openly and casually in conversation due to the presence of taboo that surrounds it. In the United States, sex work is a criminalized act, specifically regarding prostitution, with consequences that can encompass not only hefty legal fines but jail time as well. Such consequences can be faced not only by the individual advertising and providing sexual or erotic services but also by the individual purchasing services. Needless to say, risk is involved when engaging in this area of criminalized behavior. Despite the taboos and risks surrounding sexual soliciting, in the United States, such services remain in demand. In contrast to the individuals who purchase services, it is the sex workers who provide these services who face the highest risks, given that the average lifespan of a sex worker is only 34 years old (Potterat et al. 2004). Investigating the various effects of these risks that sex workers face personally or professionally will be reviewed and discussed in this dissertation.

Through conducting qualitative interviews, eight sex workers, who engage in various types of sex work services, shared their lived experiences and expert knowledge on the effects and risks they and their sex worker community face as a result of their profession being criminalized. Specifically, these eight individuals discuss the realities of operating in their profession during this modern digital age. In the present day, the internet and social media create a niche market for advertising sex work services, so much so that the federal government intervened based on concerns that the uptick of online sexual soliciting would increase the

presence of online sex trafficking. After the two specific bills directed at combatting online sex trafficking were enacted, consensual sex workers found themselves equally targeted and affected by such legislation (Tripp, 2019). The two federal laws directed at combatting online sex trafficking are titled, Fight Online Sex Trafficking Act (FOSTA) and Stop Enabling Sex Traffickers Act (SESTA) and were signed into law in 2018 (Tripp, 2019). Addressing FOSTA/SESTA and their effects on consensual sex workers sets forth the research question and purpose of this study: *What are the personal and professional effects on sex workers of FOSTA/SESTA?*

Despite these two Federal Laws that target online sex trafficking, the eight sex workers I interviewed described being affected one way or another as a result of FOSTA/SESTA regardless of the reality of their work being completely consensual. None of the participants interviewed identified as victims of sex trafficking but rather as sex workers who consensually decided to pursue this kind of work. The significance of this study is in looking at the crossovers between anti-trafficking efforts and consensual sex workers, defining the differences between sex trafficking and consensual sex work, and identifying harm-reduction methods the federal government can apply to protect consensual sex workers while supporting sex trafficking victims simultaneously. This study also presents the opportunity on how to best support this marginalized community of sex workers directly from the suggestions and recommendations of the eight participants themselves. Building on the vast body of research surrounding sex work, this dissertation is intended to add to the research of sex work in this digital age by analyzing how the aforementioned anti-trafficking laws affect the lives of consensual sex workers.

Within this qualitative research study, the experiences of the sex worker informants will be shared and an overview of colloquial terms used within this community will be provided to

assist with creating foundational knowledge to help build a general understanding of the various types of sex work referenced in this dissertation. Through this process, the goal is to grant individuals within this marginalized community an academic platform to share their experiences first hand with limited interpretation on my own end as an individual who sits outside of the sex worker community. By gathering expert data, the scope of this study will review any effects consensual sex workers face while operating in a FOSTA/SESTA world, identify any calls to action from the sex worker community on how to best support them, and to better understand the obstacles consensual sex workers must navigate while working in this profession.

In addition to exploring how sex workers can be best supported by the federal government to increase their feelings of safety and autonomy, the scope will be specific to the effects that these eight participants have encountered as a result of the anti-trafficking laws FOSTA/SESTA. A brief overview of the intentions of each anti-trafficking bill will be discussed; however, in an attempt to not stray away from the individual sex workers' experiences, a detailed review of the laws and an in-depth look at the fine print of FOSTA/SESTA will not be covered in this dissertation. Furthermore, any influence that the anti-trafficking laws have had on curbing online sex trafficking, as well as speaking with any survivors of trafficking, will not be covered in this research. The absence of both of these subsections provides an opportunity for additional research to be conducted in a more in-depth way.

The unavoidable reality that follows having such a specific scope of research creates gaps in the literature, as with the absence of the aforementioned subsections. Within this qualitative study, the findings are not without limitations and should not be without critiques. The small sample size, lack of longitudinal opportunity, and limited range of geographical locations are all

valid shortcomings; these limitations will be further expanded upon in the discussion (Chapter V).

Contained in the literature review (Chapter II), an overview of the sex worker experience in the United States will be discussed. Chapter two will condense the history of violence faced by sex workers, recap prominent social movements that have advocated for sex worker rights and the abolition of all sex work, review the reality of sex work in a FOSTA/SESTA world, and explore potential harm-reduction methods for decreasing violence against sex workers moving forward. The methodology (Chapter III) will provide an in-depth look at the process of how the data came to be collected, and it will outline consultations had with a national nonprofit sex-worker organization, introduce each informant and provide background demographic information, review participant inclusion criteria, describe the measuring instruments used, review the data analysis, and address any ethical concerns. A review of the chosen methodology of phenomenological, semistructured expert interviews and why these were identified as the most appropriate methods for conducting this research study will also be discussed. The results (Chapter IV) will introduce the four identified themes found throughout the collected data and include direct quotes from the participants to help supplement the data, as well as emphasize the significance each theme plays in their experience. A summary of how the findings answer the research question will be provided while also addressing any outlying data. Last, the discussion (Chapter V) will reinstate the research question, provide an interpretation of the data analysis, four identified themes, and any outliers; describe the limitations and delimitations of the study; review any assumptions I had regarding the research question prior to the start of the study; and identify areas where future research should continue.

Summary

Reviewing Chapter one, the research question was introduced, while providing background supporting evidence on why this area of research was significant to conduct. The degree of significance of the study was expanded on while clarifying the scope to which this study operates and is limited. Identifying research goals and how they relates to the chosen methodology assists with creating an understanding of why the methodology was most appropriate for the subject matter and participants and how the research goals can best be achieved. Within Chapter two, the literature review will consist of relevant data such as literature and studies that support the significance of conducting this specific research. Chapter three, methodology, will expand on the details on how the research was conducted from inception to conducting each interview and the instruments used to collect the data. In Chapter four, the informants will be introduced along with the results of the data by incorporating direct responses and how they inform the identified themes. A brief overview of any outliers of data will also be included. Concluding with Chapter five, a discussion will be had on the findings of Chapter four and how the results answer the research question. The study limitations will be expanded on as well as assumptions and any delimitations made, and recommendations for further research will be included.

Glossary of Terms

The role of language plays a significant role within the sex-worker experience; different terms can encompass multiple interpretations ranging from how an individual identifies within their work to the type of sex work and experience they provide. Compiling a glossary of terms intends to assist individuals outside of the sex worker community to better understand the influence that a choice of words can have on this marginalized population. This glossary will also reflect the nuances that are applied when referring to sex work and sex workers in the

present day to acknowledge the autonomous efforts sex workers have made to reclaim any labels or titles previously shrouded in condemnation. For the purpose of operating within the scope of this research, the language defined will only consist of terms relevant to this study and is not intended to be an all-inclusive list. The glossary should also be viewed on a conditional basis due to the terms defined within the scope of academic references and understanding that each term is subject to change based on the individual, culture, or preference of sex workers.

Sex Work / Sex Worker

This term was first coined by sex worker activist Carol Leigh in the 1970s (McCracken & Linnette, 2007) in an attempt to shift away from the perspective that prostitution and prostitutes represented moral corruption; the term creates the intention of humanizing sexual or erotic services and the individuals who provide the services without placing moral judgment on them. This verbiage is used colloquially as an umbrella term used to describe any acts or individuals, regardless of gender, who operate in a capacity that exchanges sexual or erotic labor for financial compensation, desired items, or resources. As an umbrella term, sex work can be used in reference to any adult job, ranging from legalized to criminalized erotic labor. Examples of legalized sex work can be identified as stripping, adult film star, phone sex operator, webcamming, burlesque, and so forth.

Prostitution / Prostitute

Considered a criminal offense under Federal law, prostitution or prostitute are arguably the most commonly used terms in reference to sex work and sex workers; the lay definitions are of an act or individual who exchanges sexual services for money (Primoratz, 2012). However, over time the term prostitution has taken on various other titles while holding onto the original lay definition; alternative titles to prostitution or prostitute can consist of street-based sex

work/er or full-service sex work/er. Culturally speaking, prostitution has been used synonymously with sex trafficking, due to the perceived absence of consent, or by describing prostitutes as “pathetic victim[s]” (Agustín, 2005) in need of rescuing from pimps. Applying a nuanced outlook by sex workers, may include identifying as a prostitute without the loss of autonomy or consent in an attempt to reclaim the word.

Sugaring / Sugar Baby

Specifically, sugaring refers to a verb and sugar baby refers to a noun. Looking through a nuanced lens, sugaring or sugar baby (a gender-neutral term), does not automatically include the presence of a sexual relationship or an exchange of sexual services; however, it may be implied. This disclaimer is important to note in reference to a formal definition provided by a 2020 academic study, which defines them as “a transactional sexual relationship in which a younger partner offers companionship and sexual services to a much older partner in return for material compensation” (Birkás et al. 2020)

Camming / Cam Girl

Similar to how the terms “sugaring” and “sugar baby” are reviewed, camming refers to a verb and cam girl refers to a noun; although “cam girl” is a gendered term and is referenced as such in this dissertation, a more gender-neutral term exists as “cam model.” Camming refers to the online erotic webcam industry where individuals can operate out of any environment where they have access to a webcam; however, traditionally the environment consists of an individual’s bedroom. It is an interactive process where sex workers can interact with clients in real time and provide services ranging from “intimate conversation to erotic striptease to explicit sex acts” (Jones, 2020).

Escort

An escort has been referred to as a more discreet type of sex worker or sex work service available as supported by the understanding that escorts provide a type of companionship service that may also include sexual or erotic services and is typically conducted within hotels or clients' homes (Harcourt & Donovan, 2005).

Dominatrix / Domme / Dom

Located in the realm of BDSM, (shorthand for bondage, discipline, dominance, submission, sadism, and masochism), a dominatrix traditionally describes the role of a female dominant who engages in a type of power-play dynamic with their client, referred to as a submissive. Domme / Dom is shorthand for the dominatrix as “sub” would be shorthand for the submissive; with domme referring to a female dominant and dom to a male dominant. Applying a nuanced understanding entails that the title dominatrix is not exclusive to ciswomen and can be claimed by any cisgender, transgender, or nonbinary individual. An academic definition of the role of a dominatrix is described as someone who “provides stimulation, orders, or structure to those being physically constrained, receiving stimulation, or following orders” (De Neef et al. 2019).

Sex Trafficking

Defined by the U.S. Department of State, sex trafficking is “the range of activities involved when a trafficker uses force, fraud, or coercion to compel another person to engage in a commercial sex act” (2021). The U.S. Department of State further specifies that sex trafficking can encompass the act of transporting or harboring an individual for the purpose of engaging in nonconsensual sex acts. Furthermore, the U.S. Department of State recognizes the varying locations that sex trafficking can be present; “Sex trafficking can take place in private homes, massage parlors, hotels, brothels, among other locations, as well as on the internet” (2021).

Social Media Platforms and Applications

Referenced in the results section by the informants, specific social media platforms or applications that they described using personally and professionally include Twitter, Reddit, and Tumblr. These platforms and applications can be summarized as web-based platforms for photo-sharing, blogging, advertising, dating, and discussion forums (Fung et al., 2019; Gioia et al., 2016; Mohammadi et al., 2018; Portnoff et al., 2017; Rouse & Salter, 2021; Thomas et al., 2020; Valens, 2020).

CHAPTER II: REVIEW OF LITERATURE

Chapter two will encompass the sex worker experience in the United States by condensing literature on the long history of violence against sex workers, reviewing social movements in support and opposition of sex work, looking at sex work in a FOSTA/SESTA era, and then concluding with exploring potential harm reduction methods for combating violence against sex workers. Chapter two will also incorporate phenomenological theory to allow the foregoing research and literature to adequately capture the lived experiences of the stories that sex workers told.

Statistics of Violence Faced by Sex Workers

In the United States, the reported average life expectancy of a sex worker is 34 years (Potterat et al., 2004). According to a longitudinal research study located in Colorado Springs, Colorado, spanning 1967–1999, these findings used numbers and figures to describe the dangerous experiences this marginalized community faces. Briefly reviewing the statistical findings to assist with contextualizing this claim, out of almost 2,000 participants ($n = 1,969$), the two leading causes of death of sex workers were homicides (19%) and drug overdoses (18%) (Potterat et al., 2004). The study reported that the participants with the highest mortality rates were “a direct consequence of prostitution” (Potterat et al., 2004). The study further hypothesized that due to dangerous conditions faced by street-based sex workers, the average career length of time was 5 years.

Looking at a second study to support such harrowing statistics, Romero-Daza et al., (2003) conducted research looking at the social, economic, and interpersonal levels of violence that street-based sex workers of Hartford, Connecticut, experienced. Consulting with “impoverished” (Romero-Daza et al., 2003) women ($n = 35$), the correlation between sex

workers and violence was observed to be significant; “Over 90 percent of the women interviewed in our study reported having been victims of violence at the hands of customers” (Romero-Daza et al., 2003). In addition to the direct acts of violence experienced by the women reported in the study, participants also described the tragic experiences of losing peers to violence, “one-quarter of the women reported that they had friends who had been murdered while selling sex” (Romero-Daza et al., 2003). The level of psychological trauma and distress faced within the sex worker community, as a result of such acts of violence against them, has been a concern amongst scholars throughout the years. Studies investigating the correlation between posttraumatic stress disorder (PTSD) and street-based sex work have made attempts to apply a numerical value and descriptor for such phenomenon.

A study published in 1998 researched precisely this correlation, interviewing a diverse population of sex workers across five different countries ($n = 475$), incorporating interviews and questionnaires, to help attain quantitative data to measure the reality of violence and PTSD symptoms among sex workers (Farley et al., 1998). Within this vast population and geographically diverse pool, participants interviewed from the United States were located in San Francisco, California ($n = 130$); based on the findings of the American participants, 100% of individuals endorsed either directly experiencing or endorsed being at risk of experiencing violence. Specifically, findings showed that 82% of American participants experienced being “physically assaulted in prostitution” (Farley et al., 1998). The remaining statistics of documented violence against American sex workers were categorized in various forms such as rape, physical assault with a deadly weapon, and nonconsensual video recording. Concerning meeting the criteria for PTSD, the data indicated that 83% of American sex workers met partial

criteria for PTSD; the researchers argued that the level of psychological distress remained significant despite the PTSD criteria being partially met.

Further looking at the culture of violence against sex workers, Nestadt et al., (2020) explored the presence of systemic levels of oppression that arguably assists in perpetuating the culture of violence against this marginalized community. Examining the quantitative findings, data were collected from a community of sex workers in Baltimore, Maryland ($n = 381$), to research sex-worker-related violence within the context of “structural vulnerability” (Nestadt et al., 2020). Within this presence of systemic violence, identified factors consisted of financial instability, homelessness, physical violence, substance use, and social stigma. Due to the presence of this compounded oppression, researchers argued that the participants were stripped of their own personal agency, which in turn negatively affected their ability to advocate for their own “physical and emotional autonomy” (Nestadt et al., 2020), which unfortunately acted as a feedback loop resulting in sex workers being locked into the cyclical pattern of violence.

Summarizing the statistical findings against the sex worker community in a condensed fashion, street-based sex work has been found to be the riskiest and most dangerous realm of sex work as a result of multiple external factors ranging from societal systems to client-based violence. “Women engaged in prostitution face the most dangerous occupational environment in the United States” (Potterat et al., 2004). Understanding the real threat of violence against street-based sex workers undeniably is a cause for alarm that this community is in need of greater social and federal support; however, the necessary task of identifying any gaps or critiquing the literature is equally as necessary to adequately support the community as a whole. The findings in each study are undeniably significant, and formulating any type of study on a marginalized community as severe as sex workers requires a considerable amount of funding and resources to

ensure that findings are as accurate and unbiased as possible. Additionally, cultivating an effective amount of rapport with participants to ensure their motivation to complete each interview or questionnaire requires a generous amount of emotional labor for each researcher involved. Several notable gaps in the literature were identified including the lack of acknowledgment and transparency regarding racially motivated violence toward sex workers of color, the largely homogenous presence of cisgender women in cohorts, and the exclusive attention given to street-based sex workers compared with various other forms of sex work that entail in-person client interaction.

Within the marginalized community of sex workers, multiple marginalized subcommunities exist consisting of sex workers of color, transgender sex workers, and transgender sex workers of color (Butler, 1990; Jones, 2015; Minichello et al., 2013). An important disclaimer to note, the term “transgender” is used as an umbrella term for all genders outside of the binary and in reference to nonbinary, gender fluid, gender nonconforming, genderqueer, and adjacent identities. Because the research about the relationship between race and sex work is underdeveloped, quantitative findings are scarce. Butler (2016) applies critical race feminism theory to look at the intersection of race and sex work, one of the first of its kind, “Racism and structural oppression trap a disproportionate number of women of color and girls of color into prostitution” (Butler, 2015). Arguably, due to the lack of acknowledgment of racial complexities within sex work, more often than not misunderstood portrayals of sex workers are imagined to be young Caucasian women (Butler, 2015; Hanna, 2002). Future studies are encouraged to expand on this important factor to better understand the unique experiences of sex workers of color as a means of decentering Caucasian sex worker experiences; this critique is not

to discourage any research regarding Caucasian sex workers but to draw attention to the fact that racism and sex work are not mutually exclusive.

The lacking representation of transgender and male sex workers presents a second gap of experiences that are missing from the narrative. Within the geographically diverse study of Farley et al. (1998), interviewed participants consisted of a wider range of gender identities including men and transgender individuals. However, the predominant gender of participants was cisgender women. The scope within the previous studies conducted remained limited to the cisgender woman experience as well. It is unclear the degree of intent toward having such a homogenous gender of participants, and reexamining each experience in a more inclusive manner can provide a wider range of understanding the violence that sex workers face. Research on the male, transgender, and nonbinary sex worker experience has been conducted, albeit, not quite to the same extent as research done on the cisgender female sex worker experience (Nadal et al., 2014; Raine, 2021).

It is hypothesized that the exclusive emphasis on the experience of street-based sex workers is because street-based sex workers conduct in-person services more frequently than any alternative sex worker occupation. This hypothesis is further expanded by taking into account the contextual limitations of the times and recognizing that present-day sex workers have greater access to technology and media, and ultimately clients, than during the previous 20th century. Future research is encouraged to explore the lack of comparison between prostitutes, escorts, dominatrix, and alike that all involve to some degree in-person interaction with clients.

Societal Responses to Sex Work

In response to the acts of violence being inflicted on sex workers, a shift within the American society erupted, calling for the complete abolition of all sex work, from prostitution to

pornography, under the belief that all forms were inherently violent and oppressive. This historical societal discourse was sparked at an academic conference held at Bernard College in 1982 that came to be known as the Sex Wars (Bracewell, 2016). Pitting two realms of thought against each other, the times of the Sex Wars can largely be described as a divisive time in American feminist history. Each community's foundational beliefs, concerns, and how they relate to the content of this dissertation will be reviewed.

The two schools of thought during this heated era were of anti-sex-work and pro-sex-work beliefs; anti-sex-work individuals referred to themselves as radical feminists, whereas pro-sex-work individuals referred to themselves as sex-radical feminists (Bracewell, 2016; Phipps, 2017). Notably, it has been documented that tension between the anti-sex-work and pro-sex-work communities was present long before the 1982 conference; however, arguably the conflicting beliefs came to a head in 1982 (Bracewell, 2016).

The anti-sex-work radical feminists sought to abolish the sex work trade and pornography, viewing them as a direct reflection and representation of patriarchal oppression and gendered violence against women (Echols, 2016). Expanding on the desire to liberate women from oppressive sexual practices, domination and sadomasochism were especially vilified by the community: "Since the early 1970s, radical feminists held that the source of women's oppression is male sexual domination" (Echols, 2016).

Normalizing the concerns of the 1980s radical feminist movement, patriarchal and gender-based violence continues to harm all individuals across the spectrum of genders should they attempt to decenter themselves outside of the cisgendered male lens; Becker (1999) articulates how patriarchy affects men, women, and queer individuals. The discourse around sex work by these individuals argues that even in the presence of consent of such sexual relations, by

default they are oppressive due to the belief that “sex is a social construction, rooted in male desire to dominate women” (Chenier, 2004). This push back against the sex-work trade and community of consensual sex workers articulates similarly held beliefs even in the 21st century. Predecessors of the Sex Wars radical feminists continue to advocate for the abolition of sex work and have come to be known colloquially to those within the pro-sex work community as Sex Work Exclusionary Feminists (SWERFs; Schega, 2018). This belief of all sex work as inherently oppressive was specifically addressed and contested unanimously by the informants interviewed in this dissertation.

Reviewing the opposing community during the times of the Sex Wars, sex-radical feminists held the core belief that liberation from the patriarchal system would be found in sexual exploration and expression, in any form (Echols, 2016). Activist and former sex worker Carol Leigh articulated that the necessary component required to find liberation should be found in protecting sex workers against the perpetrators of violence as opposed to blaming the act of sex work itself as the source of such disturbance: “We must fight to protect everyone’s right to engage in consensual sex” (Leigh, 1987).

Emphasizing the presence of consent to negate the anti-sex-work feminist argument, pro-sex-work feminists, including the eight participants in this study, continue to criticize the anti-sex-work community as upholding oppressive power structures by disallowing their right to choose why and how they express their sexual exploration and sexuality. The belief that all sex work is oppressive continues to be supported at the federal level with the legislative example of the implementation of FOSTA/SESTA. The lack of classification between consensual sex work and sex trafficking in each bill further fuels the narrative that the only way to decrease sex

trafficking is to abolish all sex work as a whole. The eight participants in this study further emphasize this critique in their respective interviews.

Sex Work in a FOSTA/SESTA ERA

Drawing from the literature on sex work in the age of technology and how services were solicited and accessed provides the context of how consensual sex workers have used the internet as a newfound tool and assists in identifying the cultural shift that took place following the enforcement of FOSTA/SESTA. An overview of the intent and purposes of FOSTA/SESTA will be provided to aid in clarifying the relevance between the legislative intentions and the social implications faced by consensual sex workers.

Integrating the internet with sex work provides diverse avenues on how sex workers navigate their craft, ranging from a direct exchange of services with clients, advertising and promoting services, screening clients to identify any potential threats, fostering community among other sex workers, and any additional purpose imaginable (Jones, 2015). The opportunities presented by the internet have also provided an environment away from the threats of violence that have historically accompanied street-based sex work. In addition to cultivating a safer environment for conducting services, academic literature documents that the technological shift also increased the lucrative earnings of sex work online (Bernstein, 2007; Bimbi, 2007; Jones, 2015; Walby, 2012). During this booming era of online sex work, two early prominent websites emerged providing the means for both sex workers and clients to promote and purchase services in an accessible manner, these websites were known as Craigslist.com and Backpage.com.

Briefly providing context on the significance and relevance these websites had concerning the content of this research, both websites operated as a means for online classified

advertising, for any desired material object or content, with little to no requirement other than a descriptive paragraph and optional visual media. Included on both websites were adult personal forums intended to act as an avenue for individuals to formulate interpersonal connections. It was through these adult forums that sex workers used this resource to advertise and secure clientele at an affordable rate (Cunningham et al., 2019; Portman & McCaskill, n.d.). Despite the overview of the positive aftermath of the integration between the internet and sex work, concerned communities argued that online sex trafficking would be granted the same borderless opportunities, further harming victims in a greater covert fashion. This growing social and federal concern eventually lead Craigslist.com and Backpage.com to become the primary targets of accusations of intentionally allowing sex trafficking on their sites.

Following such accusations regarding Craigslist.com and Backpage.com, with Backpage.com being no stranger to lawsuits over the adult content on their page (Latonero et al., 2011), the formulation of FOSTA/SESTA lead both sites to change their user experience in dramatic fashions that are irreparable to this day. A brief overview on the content and intention of the anti-trafficking bills can be summarized as “[removing] website immunity under Section 230 to encourage websites to diligently monitor and remove sex-trafficking posts or otherwise be held responsible for facilitating the unlawful action [of sex trafficking]” (Tripp, 2019). As a result, Backpage.com became completely seized by the federal government, and Craigslist.com removed their adult personal forums for fear of prosecution (Peterson et al., 2019). To comply with FOSTA/SESTA, other websites, such as growing social media pages like Twitter, Instagram, Tumblr and the like, began to heavily censor or completely remove any content or account profiles that could be perceived as facilitating online sex trafficking. These actions arguably stripped sex workers of their online safe havens and resources (Tripp, 2019).

Upon the censoring and removing of internet profiles and accounts to comply with FOSTA/SESTA, consensual sex workers and community allies argued that in absence of internet website immunity, sex workers would once again have to rely heavily on street-based work and thus be placed at risk due to the unsafe working conditions outside of the internet: “They must again put their lives in danger by approaching unknown clients and relying on pimps to find work rather than self-employment via internet” (Tripp, 2019).

An additional detail criticized by sex workers and allies, as previously mentioned, points to the broad language used in each anti-trafficking bill. The lack of a clear definition of how the federal government understands “prostitution” within the context of FOSTA/SESTA risks conflating sex trafficking and consensual sex work. Tripp (2019) breaks down this concern:

Omitting such a prominent word in FOSTA/SESTA prevents any differentiation between sex trafficking and consensual sex work on the internet. The vague language of the amendment creates confusion and instills fear in ... individuals who are unsure of how FOSTA/SESTA affects them.

The consequence of having such broad language is what has led to increased fear among sex workers and a significant decrease of online resources despite not directly being named as intended targets in either piece of legislation.

Sex Work Harm-Reduction Methods

Two popular suggestions regarding a means of ending sex-work criminalization and commercialized sex-work violence are legalizing sex work and decriminalizing sex work. Examining both and briefly drawing from examples of countries outside the United States, for context, will be introduced as potential harm-reduction methods for sex workers for future studies.

Primary arguments to end sex work criminalization incorporate the goal to end not just the violence toward sex workers but also the social stigma as a whole, which informs the

violence faced by sex workers through systemic oppression, as presented in previously mentioned quantitative studies: “Criminalization fuels stigma, by framing commercial sex as immoral, illicit, and unlawful by declining sex workers’ ... rights and by powering negative opinions” (Vanwesenbeeck, 2017, p. 1632). Legalizing sex work initially presents as the most viable solution to the criminalized problem; however, as observed in the State of Nevada’s current legalized sex work legislation, criticism has been drawn to argue that legalizing sex work leads to further discrimination against this community.

Using the State of Nevada as a primary example for legalized sex work provides examples of the negative consequences of such a proposed method. The current criteria for sex work services to be deemed legal require that specific zoning areas be implemented as a means of regulation. Currently, only areas containing brothels are granted legal access to provide sex work services, and reported working conditions have garnered the reputation as being less than ideal for the workers who reside there (Anderson, 1995; Gerald, 2017). Mounting criticism against legalizing sex work (and drawing from the current legislation in Nevada) further highlights the requirement that all sex workers working in brothels must undergo frequent health screenings despite having no equivalent requirement for the customers, which presents a narrative that the legalization of sex work does more to protect the clients than the sex workers themselves (Anderson, 1995; Curtis, 2017). Implementing this legalized status nationwide and incorporating the same degree of restrictions and regulations continues to influence sex workers and allies to advocate against it.

Decriminalizing sex work has grown in popularity over time as a more suitable option, drawing from global examples such as in New Zealand, Germany, and Australia: “Unlike legalization, a decriminalized system does not have special laws aimed solely at sex workers or

sex work-related activity” (Lutnick & Cohan, 2009, p.39). The opportunities claimed by sex workers as a result of decriminalization would offer standard labor laws to protect workers, further expanding on the belief that they would not face specific regulations or laws simply for offering sex work services (Lutnick & Cohan, 2009). Commonly, when referring to the option of decriminalization, the Nordic model is acknowledged in conversations; however, the Nordic Model is not without its own imperfections. Due to the model’s status of decriminalizing the sale of sex, but maintaining the criminalization of purchasing sex, continues to present as problematic (Escobar, 2021). By maintaining the purchasing of sexual or erotic services as criminal, criticisms have included a fear that demand would decrease and as a result lead to a decrease of earnings, ultimately keeping sex workers in financially compromised situations (Johnson & Matthews, 2016).

Full decriminalization is now more commonly argued as being the optimal method for protecting sex workers and providing the opportunity for financial security, in contrast to the partial decriminalization method of the Nordic model (Escobar, 2021). Hypothetically, should sex work be fully decriminalized, it would create a working environment wherein sex workers would be considered independent contractors and thus eligible to be protected by the aforementioned labor laws, which would, in turn, would increase their levels of safety from client-based violence and present opportunity for social stigma to decrease (Escobar, 2021; Vanwesenbeeck, 2017).

CHAPTER III: METHODOLOGY

The intent of this chapter is to reinstate the research question and thoroughly describe the steps taken for data collection and then present the findings of the study. Reviewing the research question, what is the personal and professional impact on sex workers from FOSTA/SESTA, I intend to map out the appropriate theoretical framework for this study, the inclusion criteria for the participants and their descriptive demographics, procedures, instrumentation used, the data analysis, and any ethical concerns.

Theoretical Framework

The chosen theoretical framework for best conducting this qualitative research study was phenomenological because phenomenology is based on the subjective experience:

“Phenomenology is a form of qualitative research that focuses on the study of an individual’s lived experiences within the world” (Neubauer et al., 2019, p. 90). Researching the effects of FOSTA/SESTA on consensual sex workers allowed the participants to speak from their own personal experience to help share their narrative of the ways in which the anti-trafficking legislation affected their marginalized community. Consensual sex workers are the identified experts on the subject matter, which qualify the interviews to be categorized under “expert interviews.” This method allowed for a first-hand narrative of the experiences of working in this criminalized field, rather than interviewing individuals adjacent to the sex-worker community.

Participants

The inclusion criteria for eligible informants consisted of individuals at least 18 years of age who identified as consensual sex workers. Individuals who identified solely as victims or survivors of sex trafficking were deemed ineligible, due to the research question pertaining to consensual sex workers specifically. Participants of all genders, races, ages, and length of time

working as sex workers were encouraged to volunteer, with a minor disqualifying disclaimer: any individual who stopped working as a sex worker before the year 2018 would be considered ineligible. Considering the specific legislation researched in this study was written into law in 2018, drawing any inferences from the data would not be possible for individuals who ended their sex work career prior to the implementation of the two bills in question. Individuals who ended their sex work career during the year 2018 or afterward remained eligible to participate due to the hypothesis that the implementation of the anti-trafficking bills may have influenced their ability to continue with their employment.

A total of 20 individuals contacted me via email expressing their interest in participating in this research study. Due to time restrictions, the maximum number of potential participants chosen to be interviewed was decreased to 10. However, two individuals did not follow up with providing their signed informed consent forms, thus resulting in the final participant pool consisting of eight individuals. Among the eight participants, the age of entry into sex work ranged from 18 to 28 years, with a mean age of 19.5 years. An observation made during the interview process was how diverse the pool of participants was racially and ethnically; however, due to an oversight of clarifying participants' racial and ethnic identities, they were not formally recorded. This oversight is expanded on in the limitations portion of the study. The participants' aliases with their demographic details are listed below.

C

C's pronouns were reported to be he/they, and he was 35 years old at the time of the interview. C reported working as a "general" sex worker since 2012, age 26, and had been working as a full-service sex worker (FSSW) since 2016. They endorsed identifying as a sex worker while also identifying with alternative titles such as "escort," "dom," or "erotic laborer."

Ava

Ava's pronouns were reported to be she/her and she was 34 years old at the time of the interview. Ava endorsed identifying as a sex worker while also identifying as a "domme" as an alternative title. She reported working as a sex worker for the last 11 years, since age 23.

Sunny

Sunny's pronouns were reported to be she/her or they/them, and she was 25 years old at the time of the interview. Sunny endorsed identifying as a sex worker, specifically as a "cam girl" as an alternative title. She reported working as a sex worker for the last three to four years, between the ages 21 and 22.

K.A.

K.A.'s pronouns were reported to be she/her, and she was 28 years old at the time of the interview. K.A. endorsed identifying as a sex worker and had worked as a sex worker for six months; however, she reported not currently providing sexual or erotic services at the time of the interview. K.A. reported stopping her sex work services a couple months prior to the interview. She was the only participant who reported not actively working as a sex worker. Additional detail surrounding her decision to leave the field will be expanded on in the results section.

Zero

Zero's reported pronouns were they/them while working and he/him outside of work; however, they reported not having any particular preference: "I don't really care that much." They were 21 years old at the time of the interview. Zero endorsed identifying as a sex worker and reported working on and off since they were 18 years old. He further described working as a sex worker in various capacities such as "camming" or "full service."

Gladys

Gladys's reported pronouns were she/her, and she was 32 years old at the time of the interview. Gladys endorsed identifying as a sex worker, and while she did not specifically identify as an "escort" as an alternative title, she did describe providing "escort services." She reported working as a sex worker for the last 10 years, since age 22.

Luna

Luna's reported pronouns were she/her and she was 26 years old at the time of the interview. Luna endorsed identifying as a sex worker as well as "sugar baby" and previously "stripper" as alternative titles. She reported working as a sex worker for the last eight years, since she was 18 years old.

Violet

Violet's reported pronouns were they/them, and they were 30 years old at the time of the interview. Violet endorsed identifying as a sex worker and as a "dominatrix," specifically a "financial dominatrix," as alternative titles. They reported working as a sex worker for the last 2 years, since age 28.

Instrumentation

The instrumentation used to conduct the study was a semistructured protocol compiled of open-ended prompts, (see Appendix A), which allowed for an organic discussion to take place compared with a direct question and answer arrangement (Doyle, 2019). General topic questions surrounding FOSTA/SESTA were prepared; however, this semistructured format allowed for the opportunity to ask follow-up questions on an as-needed basis.

Procedure

Prior to the recruitment of participants, consultation was sought with experts within the sex worker community to inquire and identify best methods of practices on how to properly find

and recruit informants for the study. Specifically, I consulted with members from a national nonprofit sex-worker support organization of the Los Angeles, California, chapter titled, Sex Workers Outreach Project LA (SWOPLA). SWOPLA's mission statement, taken from their organization's website, is described as

SWOPLA is a peer support organization, run by sex workers and for sex workers. Our mission, broadly, is to pursue our human rights to bodily autonomy, racial and social justice, and mutual liberation through outreach, education, mutual aid and political advocacy (SWOPLA, n.d.).

Noteworthy feedback I received from SWOPLA representatives was that if I intended to follow through with interviewing sex workers, a crucial component I would have to include is financial compensation for all my participants. Ultimately, I accepted their feedback, and through consultation with my dissertation advisor, I agreed to provide each informant with \$50 for their interview participation, as a token of compensation. Details surrounding this decision are expanded on in my delimitations section.

After receiving feedback and advice on how to approach potential participants on recruitment efforts, SWOPLA representatives offered to share my recruitment flyer in their newsletter email list to assist me with gathering volunteers. After receiving IRB approval, my recruitment flyer was composed, (see Appendix B) and then emailed to SWOPLA representatives, who then shared my flyer via email among their organization's members.

My point of contact included on the recruitment flyer as the main avenue of communication was through a specific research-related email, not affiliated with my personal, work, or school emails, titled "xxxxxxx@xxxxxx.xxx." It was through this email account that any contact with potential participants, prior and after the interviews, was made; over the course of a 2-month period is when I received my original 20 inquiries, and the final 10 participants were chosen on a first-come-first-serve basis. Before any interview was scheduled, a consent

form (see Appendix C) was emailed to the potential participant and an interview scheduled only after it was returned to me with a wet or electronic signature applied.

Articulated in the consent form were the exact procedures for the interviews; over Zoom, a video, audio, and chat teleconferencing application (Zoom Video Communications, 2018), with the option to have the video for participants turned on or off documented in the consent form. All participants were informed within the consent form that they would be audio recorded with a digital recording device for transcription purposes, and the maximum length of time for initial interviews were 60 minutes; should the 60-minute threshold be met and the interview incomplete, participants were provided with a second scheduled interview date to complete the remaining protocol questions. All interviews were completed within the 60-minute limit, and no interview reschedules were necessary.

Following the completion of the interviews, I transcribed all eight interviews by hand due to restricted financial resources to purchase adequate and reliable transcription software. Compiling the data analysis was completed by my own manual efforts and with assistance from qualitative analysis software.

Data Analysis

After completing the interview transcriptions, coding of each transcript was conducted to assist with identifying and organizing any overlapping experiences for the purpose of gathering an analysis of the recorded data. Through coding of the data, participants' experiences and perspectives became clearer in understanding the ways in which their disclosures related to the literature and research question. Thematic coding was identified as the best method to accurately encompass the informants' experiences. Thematic coding was determined to be appropriate due

to the intent of preserving each participant's disclosures within the context of the study and research protocol.

Ethical Assurances

Multiple ethical assurances were considered during the conception and throughout actively conducting this research study. Regarding the informed consent form, informants had their consent rights read to them at the start of each interview and then reread as a closing statement to the interview. Emphasizing confidentiality and anonymity was articulated within the informed consent form. All participants were over the age of 18, understood to be volunteering their time, and then reminded of their right to revoke their consent to participate at any time without consequences to them. No concerns about limitations that would impair their ability to participate or understand the purpose of the study were observed or reported, which was intently explored at the start of each interview. The participants were informed that the informed consent forms, transcribed interviews, and the digital recording device were to be stored in a locked container to maintain confidentiality and anonymity and then set to be destroyed in 7 years following the completion of the study.

CHAPTER IV: RESULTS

Chapter IV contains the results of my phenomenological expert interviews, intended to gather an answer to my research question. The results are organized to represent four critical themes that emerged from my data analysis, using thematic coding to identify any significantly shared experiences among the eight informants from my interviews. The theoretical framework of phenomenology can be observed to be present in these findings, drawing from the previously mentioned detail from chapter three, each identified theme and direct quotes from the participants are evidence of their own subjective experiences.

Reviewing the data from my eight qualitative interviews, almost unanimously each of the informants disclosed being affected by FOSTA/SESTA. Specifically, almost all of them endorsed being affected in a negative way. Dispersed throughout the data, four major themes emerged: (a) autonomy, (b) accessibility, (c) decriminalization, and (d) lack of benefits, and the informants shared detailed descriptions about exactly how they were affected.

Autonomy

Due to the primary criteria of eligible participants needing to be autonomous sex workers, I inquired about each of their own personal thoughts and understandings of the reportedly broad language used to comprise the FOSTA/SESTA legislation, as previously reported in the literature. Unanimously across the eight informants, each of them communicated feelings of concern that the anti-trafficking efforts of FOSTA/SESTA incorrectly conflated sex trafficking and consensual sex work as the same. Per each of their reports, due to the conflation, they felt their right to choose this line of work was impeded, thus stripping them of their autonomy. One participant, “C” described the language chosen to title the two bills as an intentional scare tactic.

C

It's really easy to use the specter of trafficking as a boogeyman that everyone has to be afraid of and no one wants to be on the other side and say, 'no I like trafficking,' 'I don't want to stop trafficking.' So, this kind of frames everything in a way that makes it seem like if you're against these violations of freedom then you must be for trafficking. And it's obscuring the huge impact on consensual trade and conflation of anything that is [an] online ad must be trafficking because all sex workers are trafficking themselves or being trafficked. No, it doesn't allow for any autonomy.

A second participant, "Ava" expressed similar beliefs that not only were the two bills conflating sex trafficking and consensual sex work but that they further stripped her of her own and her community members' sense of autonomy.

Ava

It sounds like it's stripping the autonomy of sex workers who are doing it consensually, it sounds like it's creating language that is disempowering and furthering a narrative that women are pushed into sex work, or people of any gender are pushed into sex work. Like it's not really their decision, that whole problematic narrative, it's a weird savior complex but it's just a very oppressive hypocritical ... I can't really wrap my mind around the complexities of it but it's just horrible and I feel that type of language is definitely creating this broad definition that other people that aren't educated can look at and see in that light.

A third participant, "Sunny" argued that FOSTA/SESTA not only stripped sex workers of their autonomy but also created more opportunities for sex trafficking to occur as a consequence of such.

Sunny

Well, the big thing about anti-sex-work legislation is that it's all about superimposing the ideas of sex trafficking over autonomous sex work and then erasing autonomous sex work completely so that these bills basically act like they're there to do one thing, when what they actually do is create new opportunities for sex traffickers by removing venues where sex workers can be autonomous.

Accessibility

As described in the literature, the general response by websites and social media pages to comply with FOSTA/SESTA has reportedly been to censor or remove content suspicious of sex trafficking. I inquired about the reality of any professional or personal content being affected

within the FOSTA/SESTA crossfire. Across the board of participants, almost all of them described having access to resources negatively affected since FOSTA/SESTA being signed into law. “Sunny” recalled her experience of having her access be limited during the early days of FOSTA and SESTA when the bills were first written into law in 2018.

Sunny

[I was] just continuing to lose access to venues where I [had] been able to have much more control and also more and better compensation. It was like one-by-one places where I was going online for resources, or to meet with clients, or to put myself out there were just toppled like dominos over the course of 2018. It was like a big wave, between Tumblr banning porn, which is where I got my start like even before I was doing sex work ... a ton of resources on Reddit disappeared that [were] very valuable to me when I was getting my start.

Another participant, “Luna,” described having less access to other sex workers online, which resulted in a decreased feeling of community, and ultimately decreased feelings of safety.

Luna

Yeah, just zero solidarity now; anybody I knew who did sex work I met around the time of SESTA/FOSTA and I don’t meet new people anymore because we can’t have solidarity, which is unsafe so yeah. It makes it bad and unsafe.

A third participant, “Zero,” recalled the challenging hoops they needed to jump through to avoid becoming legally liable for offering support to peers or attempting to increase access to information for safer work practices.

Zero

I do know that a lot of legalities of it, like you can get charged with being part of sex trafficking by giving people resources on how to do the job safely online. Giving other sex workers condoms and things like that, pretty much any way that you support a sex worker could be something held against you in court so that’s been a pretty big thing. I’ve managed to find resources on how to do it safely but only through Twitter and knowing other sex workers. I used to like try to do online research and find literally nothing; it’s one of those things where you have to know someone, who knows someone, who knows someone, that can send you the PDF.

Decriminalization

When inquiring how to best remedy any reported negative effects of FOSTA/SESTA and help identify any potential positive influence on the participants' professional or personal lives, the idea of decriminalizing sex work was at the top of each of their lists. "Zero" shared a desire for a halt on government involvement in sex work and an emphasis on intercommunity action.

Zero

Decriminalization first and foremost, dropping charges and restrictions against people who have been convicted of sex work and leaving us alone and not taxing us or setting restrictions. I think it could be really cool if we could unionize, but that's all within community, I want the state to leave us alone.

Participant "K.A." compared sex work with that of any ordinary job as one argument as to why sex work should be decriminalized.

K.A.

I was shocked by just how draining it is emotionally and mentally to keep this up, so hopefully people will start to take it seriously and to really listen to sex workers and to understand it ... it's honest work and it's hard work, it's a fulltime job ... I feel like the look on sex workers is changing, hopefully, it's going to keep going towards [decriminalizing] it hopefully.

In defense of decriminalizing sex work to maintain safety and as a positive effect for the community, "Gladys" expanded on her personal fears of being outed as a sex worker, despite working in the business for a decade.

Gladys

I think the first step in protecting sex workers is decriminalization and for the purpose of, just because these bills did not include any decriminalization for ... autonomous sex workers, that would be the primary form of protection we would need. You know I'm still worried that there are people who are contacting me who are cops ... it's still very dangerous to be a sex worker you know, you want to protect your identity and you don't want to end up in jail either. Neither of those bills addressed that issue at all.

Lack of Benefits

Reviewing that the core purpose of FOSTA/SESTA is to combat online sex trafficking, and taking into context none of the participants identified as victims of sex trafficking, I explored with the participants if the anti-trafficking laws added any degree of benefits to their professional or personal lives. Almost unanimously participants described a lack of benefits as a result of FOSTA/SESTA:

C

Zero benefits, if by benefits you mean a kick in the ass, then I got that.

Ava

None, I would say it's just increased unnecessary unfair risk and anxiety.

Sunny

Nothing.

K.A.

Benefits, I can think of none, I'll be honest.

Zero

I don't think it has added anything, I think the State should just leave sex works alone as a whole.

Luna

I want to think of something, but I cannot, I just, no there's nothing.

Violet

I don't think there is, for me personally.

Participant "Gladys" identified several benefits that FOSTA/SESTA has provided to the sex worker community such as an increase of sex worker visibility and political activism and awareness, in contrast to the majority of experiences of her interviewed peers.

Gladys

I think that a lot of people are a lot more vocal about sex workers' rights in the past few years than they have been previously because of being scared. And I think that is just a retaliation against the government's complete dismissal of sex work as a profession and just being completely fed up with the way that we are treated. So definitely the political activism aspect is better and I think there's just more sex worker visibility now and I don't know if that has anything to do just as a society, like we're becoming more open and accepting of people who are different, but I think before you would never have a public figure come out in support of sex work and I've seen a lot of people, well not a lot of people, but certain celebrities come out in support of sex workers in recent years.

A second outlying experience was from participant "K. A." She did not express any influence, positive or negative, from FOSTA/SESTA on her professional or personal life because she reported starting her experience after the laws had taken effect.

K. A.

I feel so bad, I know that this affected so many people in very serious ways, but I feel like because I was so new to the game, I started after that law was passed so it was kind of like 'this is what I'm used to, this is the access that I have'. I'm not sure what was going on, if it was easier beforehand, so yeah. I really don't have anything to compare and contrast, but I was able to make do with what we have now and kind of just stay in the dark with the rest.

Providing additional context behind her decision to pause her sex-work career, K. A. disclosed that she did not feel comfortable, "*making content*" in her new place of residence. She explained that in the last couple of months she had relocated and although felt secure in her new housing, made the choice to not continue making erotic content since the move. K. A. did not disclose whether she would ever return to working as a sex worker, nor did she disclose a desire to never return to the realm of sex work.

Summary

Based on the recorded responses from the eight phenomenological interviews, four themes emerged from thematic coding and identified as commonly shared experiences among the participants: (a) autonomy, (b) accessibility, (c) decriminalization, and (d) lack of benefits.

These four themes ultimately provide multiple answers to the overarching research question, *What is the Personal and Professional Impact on Sex Workers from FOSTA/SESTA?*

Each theme was expanded upon by incorporating direct quotes from the participants, with brief summaries provided to concisely gather the information. Several contrasting experiences were also identified to address alternative experiences within the participant pool concerning the influence of FOSTA/SESTA on the community of consensual sex workers. Drawing from the vast majority of reported experiences, FOSTA/SESTA has led to more negative experiences among consensual sex workers than positive ones, as evidenced by the participants' disclosures. These eight consensual sex workers reported that their autonomy and accessibility to online resources, or community access, had been impeded. No benefits of FOSTA/SESTA were identified from the majority of participants, and the primary solution to combat FOSTA/SESTA was identified to be decriminalizing sex work, which aligns with the literature for harm-reduction methods. Chapter five will consist of expanding more on the interpretation of each theme, outlying data, and any limitations and delimitations that may have influenced the data analysis.

CHAPTER V: DISCUSSION

In this concluding chapter, the research findings will be summarized and interpreted relative to how they answer the research question and then compared with the existing literature. Interpretations for any outlying data will also be made. Limitations will be explored, and any delimitations will be addressed. The goal of this study will be reviewed, and opportunities for future research will be suggested.

Implications and Interpretations

Revisiting the research question, *What is the Influence of FOSTA/SESTA on the Professional and Personal Lives of Sex Workers?* the answer, interpreted by the reported findings, is kaleidoscopic. There is far more than one simple way to answer this question. Referring to the analysis, one answer would be to acknowledge the hindrance of sex worker autonomy. Without sex worker autonomy, that implies that individuals are being forced into this line of work and thus be equated to victims of sex trafficking; however, as evidenced by the results, has been found to be a false analogy within the literature. Referring to the activism of the sex-radical feminists of the 1980s, the right to engage in consensual sex is a right that should be shared across all communities of people (Leigh, 1987).

A second answer would be to draw attention to the diminished access to online resources and community for anyone seeking support or assistance. The implications of removing critical content reinforce an isolating state of being. Due to this community already existing as a marginalized population, further isolation could lead to increased acts of violence toward sex workers from the greater population. Referring to the study conducted by Potterat et al. (2004) on the short life expectancy of sex workers, future implications could severely decrease the average life expectancy to younger than 34 years old.

Another implication related to impeding on the autonomy of sex workers further fuels the community's incentive to advocate for decriminalizing sex work. Confronting legislative powers requires challenging the societal stigma toward the sex-work community and risks being further dehumanized by the greater population by being labeled as corrupt, immoral, and illicit (Vanwesenbeeck, 2017).

The absence of any beneficial aftermath of FOSTA/SESTA is the resulting implication of the erasure of online resources, which creates another avenue for sex workers to be forced into unsafe and less than optimal working conditions, as argued by Tripp (2019). The statistical literature referenced in chapter two displayed the deadly consequences far too many sex workers face for attempting to survive in this oppressive society. All persons regardless of occupation should be granted the ability and recognition to advocate and receive physical, emotional, and financial autonomy.

Examining the outlying experience of participant K. A. and her report of not being affected by FOSTA/SESTA in a negative or positive way can be interpreted in several ways. First, looking at the length of time reportedly spent providing sex work services, "six months" after the implementation of FOSTA/SESTA, can arguably be determined to be too short of a career to adequately experience or observe any potential influence caused by FOSTA/SESTA. In contrast to this theory, if K.A. had reportedly begun providing sex work services six months prior to the implementation of FOSTA/SESTA in 2018, then the potential reality of experiencing any significant change to her level of autonomy, online accessibility, or identifiable benefits (or lack thereof) arguably would have been a greater measure for determining any effects.

Second, due to the lack of general community ties reported by K. A. and lack of interpersonal connections with other sex workers, it can be argued that she was significantly

isolated from the experiences and realities of individuals in the community who had been providing sex work services for a longer period. Due to this isolation, any potential baseline understanding of what and how sex work and sex workers navigated the internet to provide services was rudimentary.

Analyzing the reported benefits determined by Gladys, such as identifying a greater sense of political activism and exposure to the mainstream population as a result of FOSTA/SESTA, demonstrates an unexpected implication in response to the anti-sex-trafficking legislation. However unexpected, her reported data remains aligned with the greater body of literature that sex workers operate within such dangerous parameters that increased visibility of the systemic mistreatment is necessary to decrease the degree of violence and better ensure community safety. Although Gladys did feel like there were some positive benefits of FOSTA/SESTA, the majority of participants reported that the legislation has had a negative influence on their community, which supports what has been found in the literature.

This argument is further supported due to the two legislative bills not including any specific language acknowledging the consensual sex work community or their contrasting realities with the sex-trafficking trade, and yet they continue to be negatively affected. The implications identified can be used in reference to support the hypothesis that the language contained in the bills is intentionally chosen to be vague and broad to further target this marginalized community due to the status of their work being criminalized, which is supported by the body of literature.

Limitations, Delimitations, and Biases

First, addressing the small sample size, regardless of the original pool of chosen participants consisting of 10 individuals, the reality remains that these eight participants cannot

widely represent an entire community and thus adequately support the findings as valid without critique. The small sample size can arguably be a result of members within the sex worker community being apprehensive about discussing details openly about their professions out of fear of facing legal consequences, given the community's marginalized and criminalized status.

Addressing the limited range of geographical location of participants in the United States can be explained as a result of using SWOPLA, a specific California-based nonprofit organization, as a resource for recruiting participants. Participants disclosed residing specifically in California or the Pacific North West. As an unavoidable reality of having a small geographical range of residences among the participants, and particularly having participants reside on the West Coast, is the likelihood that the cities of residence are majority liberal and with a wide democratic population. Arguably, living in a majority liberal and democratic city can create greater opportunities and resources for sex workers to have access to as well as provide greater opportunities for sex workers to advocate for themselves publicly. The lack of geographic diversity continues to fall short in representing the sex worker experience of individuals residing in smaller, more conservative locations across the United States.

The lack of time and resources to conduct a longitudinal study arguably can limit the reported experiences and effects of FOSTA/SESTA as representing snapshots in time compared to concrete statistics that can withstand the passing of time. Additionally, due to the time constraints, the participant pool was reduced to half of the total amount of inquiry emails received by individuals expressing interest in participating in the study. Should a longer time frame be available, a greater sample size could be had and thus increase the validity of the findings.

Acknowledging the outlying finding of K.A.'s reported experience, requiring a minimum length of time of providing sex work services may allow any findings to have deeper insight regarding the effects or lack thereof of FOSTA/SESTA. The lack of a required length of time working as a sex worker arguably does not present as the most reliable source of data by the individual; requiring even a minimum of one year provides the opportunity for greater exposure or observation to be made.

Although the eight participants were observed to be racially and ethnically diverse during the interview process, no participants were explicitly asked how they identified and thus those demographic details were not formally recorded. This limitation is the result of an oversight by not emphasizing the importance of including race or ethnic identities within the demographic questions; these details could have assisted in identifying any correlation to the severity of the effects that are faced by FOSTA/SESTA amongst sex workers of color.

An important delimitation, and simultaneous limitation, that was chosen to include in this study was the choice to provide a token of compensation to each participant. This chosen variable was made with the influence of the consultation had with representatives of SWOPLA, who emphasized the importance of compensating sex workers for their time and knowledge. Realistic concerns discussed with the appointed dissertation advisor were identified as this variable being used unintentionally as a tool of manipulation against this marginalized community. Despite the concern that the reported findings may have been skewed in my own favor by participants, unbeknownst to me, ultimately the decision to compensate them was determined to be of lesser risk to the community as opposed to the level of risk that could have been had by not compensating them. The presence of any unspoken influence on participants to

alter their reports in my perceived favor is an additional risk of limitation present within the study.

One of the intended purposes of this research was to provide a phenomenological approach to the body of research regarding sex workers and prioritize a qualitative study over a quantitative study. The benefits consist of hearing first-person accounts of individuals' experiences; however, a consequence of qualitative studies is the presence of implicit bias. To summarize, implicit bias is referred to as, "the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner" (Staats, 2016). Despite the intentional neutral behaviors made by myself as a researcher, my implicit bias arguably remained present while interacting with the participants and may have influenced my reported results and findings of my data. Although my precise implicit biased behaviors were not identified prior to the beginning of conducting interviews, there was a certain expectation, an explicit bias, that I believed and was expecting to hear reported by the participants as a primary theme.

The explicit bias consisted of emphasizing feelings of safety and reporting on the level of concern that sex workers would have about returning to work in dangerous environments, returning to working in the streets. This bias was informed by the literature and extensive coverage of the violence inflicted on street-based sex workers. This reported consequence of FOSTA/SESTA forcing sex workers to return to street-based work was identified by several participants; however, an emphasis was placed on decriminalization as opposed to sharing concerns of losing their housing and being forced to rely on street-based work. Expanding on these reports, none of the participants identified as participating in "survival sex work," which is understood as working as a sex worker out of an extreme need to survive. A couple of participants identified the community of Black transgender women as one of the most vulnerable

communities who relied on survival sex work. The participants who did identify this community and clarify their own identities, not as survival sex workers, were in the context of identifying their own degree of privilege on how the influence of FOSTA/SESTA did not place them in a similar position as needing to operate in survival sex work. A hypothesis regarding the lack of survival identified sex workers can be articulated, as reviewing the necessary tools to participate in this research consisted of operating over a video-based application, which required access to a computer device, and in turn, required access to some kind of housing resource to contain a computer device. Understandably these technological resources may not be completely accessible for individuals who are relying on survival sex work; perhaps conducting this study via technology unintentionally marginalized those who are most vulnerable and affected by FOSTA/SESTA due to a lack of technological resources.

Future Research and Closing Statement

Suggestions made for future studies, or for a replication of this study, include considering correcting or supplementing the limitations present in this research to better formulate well-rounded findings. Should any details remain from this particular study, it is emphasized that sex worker participants receive a token of compensation to demonstrate support and understanding that this community is a community of experts providing professional services, in the context of academia.

In closing, based on the literature reviewed and the reported accounts from the participants, FOSTA/SESTA has negatively affected this community of consensual sex workers in professional and personal capacities. Based on these findings, sex workers have identified a negative effect on their ability to navigate their online resources, foster supportive communities online, and exercise their sense of autonomy and right to choose this line of work. Should the

federal government continue on this path of hoping to decrease online sex trafficking, I argue that based on this research study, a step in that desired direction requires an acknowledgment of consensual sex workers and the harm that these two bills have caused them. The Federal Government should take action in fully decriminalizing sex work, which would provide consensual sex workers the opportunity to be viewed as legitimate workers and open the realm of possibility of having sex workers aid in the fight to combat online sex trafficking.

The realm of academia has been historically documented as being exclusive against marginalized identities for multiple reasons that are historically rooted in racism, sexism, homophobia, transphobia, classism, and ableism just to name a few. The need for cultivating greater space and increased opportunities for all marginalized identities is a necessary future that academia needs to work toward in order to continue serving its original purpose, the purpose of educating the masses. Knowledge is power and for too long that power has been reserved for the privileged class. The goal of this dissertation study was described as wanting to provide an academic platform for sex workers to uplift their voices and identify appropriate methods of support without speaking for them and thus perpetuate academia's aforementioned history of exclusion. Only through listening will scholars and the academic community realize that there are smarter people on the outside of those ivory towers that can contribute more than textbooks ever will.

References

- Anderson, L. (1995, November 21). *Working in Nevada* [Review of *Working in Nevada*, by Laura Anderson]. <http://www.bayswan.org/Laura.html>
- Agustín, L. M. (2005). Helping women who sell sex: The construction of benevolent identities. *Rhizomes*, 10(Spring), Essay 1. <http://www.rhizomes.net/issue10/agustin.htm>
- Becker, M. (2015). Patriarchy and inequality: Towards a substantive feminism. *University of Chicago Legal Forum*, 1999, Article 3. <http://chicagounbound.uchicago.edu/uclf/vol1999/iss1/3>
- Bernstein, E. (2007). *Temporarily yours: Intimacy, authenticity, and the commerce of sex*. University Of Chicago Press.
- Bimbi, D. S. (2007). Male prostitution: pathology, paradigms and progress in research. *Journal of Homosexuality*, 53(1-2), 7–35. https://doi.org/10.1300/j082v53n01_02
- Birkás, B., Meskó, N., Zsidó, A. N., Ipolyi, D., & Láng, A. (2020). Providing sexual companionship for resources: Development, validation, and personality correlates of the acceptance of sugar relationships in young women and men scale (ASR-YWMS). *Frontiers in Psychology*, 11. <https://doi.org/10.3389/fpsyg.2020.01135>
- Bracewell, L. N. (2016). Beyond Barnard: Liberalism, antipornography feminism, and the sex wars. *Signs: Journal of Women in Culture and Society*, 42(1), 23–48. <https://doi.org/10.1086/686752>
- Butler, J. (1990). *Gender trouble: Feminism and the subversion of identity*. Routledge.
- Butler, C. N. (2016). A critical race feminist perspective on prostitution & sex trafficking in America. *Yale Journal of Law & Feminism*, 27(1). <https://digitalcommons.law.yale.edu/yjlf/vol27/iss1/3>
- Chenier, E. (2004). *Lesbian sex wars*. GLBTQ Archives. http://www.glbtqarchive.com/ssh/lesbian_sex_wars_S.pdf

- Cunningham, S., DeAngelo, G., & Tripp, J. (2019). *Craigslist reduced violence against women*. <https://s3.documentcloud.org/documents/5720120/craigslistFOSTA.pdf>
- De Neef, N., Coppens, V., Huys, W., & Morrens, M. (2019). Bondage-discipline, dominance-submission and sadomasochism (BDSM) from an integrative biopsychosocial perspective: A systematic review. *Sexual Medicine*, 7(2), 129–144. <https://doi.org/10.1016/j.esxm.2019.02.002>
- Drexler, J. N. (1996). Governments' role in turning tricks: The world's oldest profession in the Netherlands and the United States. *Dickinson Journal of International Law Article*, 15(1), Article 6.
- Echols, A. (2016). Retrospective: Tangled up in pleasure and danger. *Signs: Journal of Women in Culture and Society*, 42(1), 11–22. <https://doi.org/10.1086/686751>
- Escobar, A. (2021). *In defense of sex work decriminalization: A case against the Nordic model* [Master's thesis, Georgia State University]. Georgia State University Philosophy Theses. https://scholarworks.gsu.edu/philosophy_theses/305
- Farley, M., Baral, I., Kiremire, M., & Sezgin, U. (1998). Prostitution in five countries: Violence and post-traumatic stress disorder. *Feminism & Psychology*, 8(4), 405–426. <https://doi.org/10.1177/0959353598084002>
- Fung, I. C., Blankenship, E. B., Ahweyevu, J. O., Cooper, L. K., Duke, C. H., Carswell, S. L., Jackson, A. M., Jenkins, J. C., III, Duncan, E. A., Liang, H., Fu, K. W., & Tse, Z. (2019). Public health implications of image-based social media: A systematic review of Instagram, Pinterest, Tumblr, and Flickr. *The Permanente Journal*, 24, Article 18.307. <https://doi.org/10.7812/TPP/18.307>
- Gerald, M. (2017). *Sex worker and proud: A phenomenological study of consensual sex workers' lives* [Master's thesis, University of Nevada Las Vegas]. UNLV Theses, Dissertations, Professional Papers, and Capstones, 3123. <https://doi.org/10.34917/11889682>
- Gioia, C. J., Sobell, L. C., Sobell, M. B., & Agrawal, S. (2016). Craigslist versus print newspaper advertising for recruiting research participants for alcohol studies: Cost and participant characteristics. *Addictive Behaviors*, 54, 24–32. <https://doi.org/10.1016/j.addbeh.2015.11.008>

- Hanna, C. (2002). Somebody's daughter: The domestic trafficking of girls for the commercial sex industry and the power of love. *William & Mary Journal of Race, Gender, and Social Justice*, 9(1), Article 1. <https://scholarship.law.wm.edu/wmjowl/vol9/iss1/2>
- Harcourt, C., & Donovan, B. (2005). The many faces of sex work. *Sexually Transmitted Infections*, 81(3), 201–206. <https://doi.org/10.1136/sti.2004.012468>
- Johnson, H., & Matthews, R. (2016). Addressing prostitution: The Nordic model and beyond. In R. Matthews (Ed.), *What is to be done about crime and punishment?* (pp. 281–308). Palgrave Macmillan. https://doi.org/10.1057/978-1-137-57228-8_11
- Jones, A. (2015). Sex work in a digital era. *Sociology Compass*, 9(7), 558–570. <https://doi.org/10.1111/soc4.12282>
- Jones, A. (2020). *Camming*. NYU Press. <https://doi.org/10.18574/nyu/9781479842964.001.0001>
- Latonero, M. (2011, September 1). Human trafficking online: The role of social networking sites and online classifieds. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2045851>
- Leigh, C. (1987). Further violations of our rights. *October*, 43, 177–181. <https://doi.org/10.2307/3397572>
- Lutnick, A., & Cohan, D. (2009). Criminalization, legalization or decriminalization of sex work: What female sex workers say in San Francisco, USA. *Reproductive Health Matters*, 17(34), 38–46. [https://doi.org/10.1016/s0968-8080\(09\)34469-9](https://doi.org/10.1016/s0968-8080(09)34469-9)
- Mccracken, J. L. (2007). *Listening to the language of sex workers: An analysis of street sex worker representations and their effects on sex workers and society* [Doctoral dissertation, University of Arizona]. University of Arizona Repository. <http://hdl.handle.net/10150/194013>
- Minichiello, V., Scott, J., & Callander, D. (2013). New pleasures and old dangers: Reinventing male sex work. *Journal of Sex Research*, 50(3–4), 263–275. <https://doi.org/10.1080/00224499.2012.760189>

- Mohammadi, E., Thelwall, M., Kwasny, M., & Holmes, K. L. (2018). Academic information on Twitter: A user survey. *PLOS ONE*, 13(5), Article 0197265. <https://doi.org/10.1371/journal.pone.0197265>
- Nadal, K. L., Davidoff, K. C., & Fujii-Doe, W. (2014). Transgender women and the sex work industry: Roots in systemic, institutional, and interpersonal discrimination. *Journal of Trauma & Dissociation: The Official Journal of the International Society for the Study of Dissociation (ISSD)*, 15(2), 169–183. <https://doi.org/10.1080/15299732.2014.867572>
- Nestadt, D. F., Tomko, C., Schneider, K. E., Kerrigan, D., Decker, M. R., & Sherman, S. G. (2020). Co-occurring threats to agency among female sex workers in Baltimore, Maryland. *Journal of Interpersonal Violence*. <https://doi.org/10.1177/0886260520978188>.
- Neubauer, B. E., Witkop, C. T., & Varpio, L. (2019). How phenomenology can help us learn from the experiences of others. *Perspectives on Medical Education*, 8(2), 90–97. <https://doi.org/10.1007/s40037-019-0509-2>
- Peterson, M., Robinson, B., & Shih, E. (2019). The new virtual crackdown on sex workers' rights: Perspectives from the United States. *Anti-Trafficking Review*, 12, 189–193. <https://doi.org/10.14197/atr.2012191212>
- Phipps, A. (2017). Sex wars revisited: A rhetorical economy of sex industry opposition. *Journal of International Women's Studies*, 18(4), 306–320. <http://vc.bridgew.edu/jiws/vol18/iss4/22>
- Portman, R., & McCaskill, C. (n.d.). *Backpage.com's knowing facilitation of online sex trafficking*. U.S. Senate Permanent Subcommittee on Investigations. Retrieved December 14, 2021, from <https://www.courthousenews.com/wp-content/uploads/2017/02/Backpage-Report.pdf>
- Portnoff, R. S., Huang, D. Y., Doerfler, P., Afroz, S., & McCoy, D. (2017, August 13–17). *Backpage and Bitcoin* [Paper presentation]. '17 Proceedings of the 23rd ACM SIGKDD International Conference on Knowledge Discovery and Data Mining-KDD, Halifax NS, Canada. <https://doi.org/10.1145/3097983.3098082>
- Potterat J. J., Brewer D. D., Muth S. Q., Rothenberg R. B., Woodhouse D. E., Muth J. B., Stites H. K., & Brody S. (2004). Mortality in a long-term open cohort of prostitute

- women. *American Journal of Epidemiology*, 159(8), 778–785.
<https://doi.org/10.1093/aje/kwh110>
- Primoratz, I. (2012). *Prostitution*. In R. Chadwick (Ed.), *Encyclopedia of Applied Ethics* (pp. 632–641). Academic Press.
<https://www.sciencedirect.com/science/article/pii/B9780123739322003094>
- Raine, G. (2021). Violence against male sex workers: A systematic scoping review of quantitative data. *Journal of Homosexuality*, 68(2), 336–357.
<https://doi.org/10.1080/00918369.2019.1656029>
- Romero-Daza, N., Weeks, M., & Singer, M. (2003). “Nobody gives a damn if I live or die”: Violence, drugs, and street-level prostitution in inner-city Hartford, Connecticut. *Medical Anthropology*, 22(3), 233–259. <https://doi.org/10.1080/01459740306770>
- Rouse, L., & Salter, A. (2021). Cosplay on demand? Instagram, OnlyFans, and the Gendered Fantrepeneur. *Social Media + Society*, 7(3).
<https://doi.org/10.1177/20563051211042397>
- Schega, M. (2018, March 8). *What I learned this International Women’s Day—Fuck TERF and SWERF*. Medium. <https://medium.com/@marieluise.schega/the-future-is-not-female-today-i-found-out-about-terf-and-swerf-3e2b9b8dd576>
- Sex Workers Outreach Project LA (n.d.). *About—SWOPLA*. Retrieved December 15, 2021, from <https://swoplosangeles.org/about/>
- Staats, C. (2016). Understanding implicit bias: What educators should know. *American Educator*, 39(4), 29–43. <https://eric.ed.gov/?id=EJ1086492>
- Thomas, V. L., Chavez, M., Browne, E. N., & Minnis, A. M. (2020). Instagram as a tool for study engagement and community building among adolescents: A social media pilot study. *Digital Health*, 6. <https://doi.org/10.1177/2055207620904548>
- Tripp, H. (2019). All sex workers deserve protection: How FOSTA/SESTA overlooks consensual sex workers in an attempt to protect sex trafficking victims. *Penn State Law Review*, 124(1), Article 6. <https://elibrary.law.psu.edu/pslr/vol124/iss1/6>

United States Department of State. (2021, January 20). *Understanding Human Trafficking*.
<https://www.state.gov/what-is-trafficking-in-persons/>

Valens, A. (2020, July 10). *Looking for an OnlyFans alternative? Try JustFor.Fans*. The Daily Dot. <https://www.dailydot.com/irl/justforfans-onlyfans-alternative/>

Vanwesenbeeck I. (2017). Sex work criminalization is barking up the wrong tree. *Archives of Sexual Behavior*, 46(6), 1631–1640. <https://doi.org/10.1007/s10508-017-1008-3>

Walby, K. (2012). *Touching encounters: Sex, work, & male-for-male internet escorting*. University Of Chicago Press.

Zoom Video Communications. (2018). *Video Conferencing, Web Conferencing, Webinars, Screen Sharing*. <https://zoom.us>

APPENDIX A: INTERVIEW PROTOCOL

Dissertation Interview Protocol

Approximate time 1 hr.

Phase 1 Introduction Script

- **Purpose of interview**
 - “The purpose of this interview is to gather information regarding any experience, or lack thereof, involving the censorship laws passed in 2018 titled Fight Online Sex Trafficking Act (FOSTA) and Stop Enabling Sex Traffickers Act (SESTA) on autonomous sex workers. This interview will explore the personal and/or professional impact experienced by autonomous sex workers, across various sex work mediums to gather information regarding any overlapping impact between autonomous sex workers and victims of sex trafficking. Information gathered in this interview will only be used for research and educational purposes. Any personal information shared will be anonymous unless otherwise specified by the individual.”
- **Main research question**
 - What is the personal and professional impact on sex workers from FOSTA/SESTA?
- Collect informed consent
- Reinstate interview framework; consent, time, compensation

Phase 2 Semi-Structured Interview Questions

- **Build rapport with background questions**
 - What is your name or alias that you would like to be addressed as in this interview?
 - What are your pronouns?
 - How old are you?
 - Do you have any questions or concerns about this interview?
 - Is there anything I should know that might impact your ability to answer any of my questions?
- **Easy basic questions**
 - Do you identify as a sex worker?
 - ⇒ If yes, continue with protocol questions
 - ⇒ If no, how do you identify?
 - Without going into details about your work, what kind of work/types of sex work do you do?
 - How long have you been in this profession?

- What would you say are the pro's and con's of sex work?
- How do you advertise your services?
- Have you heard of the censorship laws FOSTA/SESTA?
- What have you heard about them?

- **Difficult questions**
 - What is your understanding of the purpose and impact of FOSTA/SESTA?
 - Have you been personally or professionally impacted by FOSTA/SESTA?
 - ⇒ If yes, how?
 - Do you know anyone who has been personally or professionally impacted by FOSTA/SESTA?
 - ⇒ If yes, how?
 - If you have not been impacted by FOSTA/SESTA, can you explain how you have not been impacted?
 - Do you think legislation regarding sex work is heading in the right direction?
 - ⇒ If no, what do you think the direction of legislation should be?

- **Open-ended questions**
 - “As we come to a close with the interview...”
 - ◇ What do you wish people knew about sex work and sex workers?
 - ◇ What are some work related resources you would like to have access to?
 - ◇ What are some work related resources that should be made available?

Phase 3 Feedback on Interview Protocol

- **Feedback from participants**
 - How could this interview experience be improved?
 - Are there any questions that did not appear relevant to the stated purpose of this interview?
 - Are there any questions that were inappropriate to ask?
 - Are there any questions that were not asked that should have been?

Phase 4 Close Reading for Interview Protocol

- Reinstate purpose of interview
- Acknowledge efforts and commitment from participants

“Thank you for participating in this interview looking at the impact of FOSTA/SESTA on autonomous sex workers. I appreciate the time and commitment you made to be able to answer my questions for my dissertation research. Thank you for any feedback given to me on how this interview can be improved on for future references. Your confidentiality will be respected unless otherwise specified by the individual.”

APPENDIX B: RECRUITMENT FLYER

Research Interview Opportunity:

My name is Rebecca Nepomuceno, I am a doctoral psychology student conducting research on sex workers and sex work related legislation, FOSTA/SESTA and I am looking to interview participants who identify as a sex worker, or any related alternative title.

My thesis is, *Researching FOSTA/SESTA and The Impact on The Professional and Personal Lives of Sex Workers*. My research consists of looking at any restricted access to resources/online platforms, any impact on the safety of workers, quality of life, etc, or lack thereof. No personal questions surrounding the reasoning why individuals chose this line of work, x number of clients, any personal fees, etc. will be asked about. If participants choose to disclose any of those details, they may do so and will be respected but I am not specifically inquiring about any of that. Participants can also refuse to answer any questions or decide to stop the interview with no consequence to themselves.

Individuals will be given a token of compensation for participating in interviews

Interviews will be 60 minutes long over zoom, and due to transcription purposes, audio recorded. All recordings will remain in my possession in a locked box and then destroyed after 7 years. Participants can choose their own alias or use their first name if they choose to do so, and their confidentiality will be respected at all times.

Any interested participants can reach me via email at xxxxxxx@xxxxx.xxx with additional questions or clarifications they may have.

APPENDIX C: INFORMED CONSENT FORM

Participant Interview Consent Form

I, Rebecca Nepomuceno, am asking you to participate in a research study titled “*Researching FOSTA/SESTA and the Impact on the Professional and Personal Lives of Sex Workers.*” I am a Doctoral Student of Clinical Psychology at Antioch University Santa Barbara, and my Faculty Advisor for this study is Dr. Brett Kia-Keating. I will describe this study to you and answer any of your questions.

What the study is about

The purpose of this research is to explore any potential impact recent Federal legislation has, or has not had on the autonomous sex worker community, professionally or personally.

What I will ask you to do

I will ask you to complete a 60 minute semi-structured interview with myself, exploring any personal or observable experience of restriction of resources, access to financial means, impact to sense of safety, and general understanding of the Federal legislation’s intent.

Protective Measures

In order to protect your anonymity and confidentiality, the following steps will be taken:

- Your legal name will not be collected, only an alias or first name:
- You will not be asked about identifying information and no identifying information will ever be reported; and

The audio recording of the interview will be stored in a locked and secure storage container for seven years, and then destroyed (this is a requirement of the American Psychological Association). In addition, you do not have to answer any questions or do not want to and can stop the interview at any time with no consequence to you

Benefits

Indirect benefits will be contributing to the expansion of research surrounding a marginalized community and providing information on how to properly provide support and resources to individuals at the community level as well as the legislative level. Information from this study may benefit other people now or in the future on the realities of sex workers and dismantle any harmful misconceptions or biases individuals may hold toward this community, which in turn can increase societal support and positive perception of sex work and sex workers.

Compensation for participation

Individuals will receive a token of compensation for participating in this research.

Audio/Video Recording

Audio recording with a digital recording device will be used for transcription purposes. Following the completion of interviews, audio recordings will be archived in a locked storage container and then destroyed after 7 years.

☐ I understand I will be audio recorded during this interview

Signed: _____

Date: _____

Privacy/Confidentiality/Data Security

Participants' identities will be protected and kept confidential throughout the research study by taking the following precautions:

- Making sure that data cannot be traced to any specific people, such as a change of pronouns and using aliases or, if participants choose to do so, first names only
- Consent forms collected from Participants with identifying information will be kept securely in a locked storage container with the audio recordings and destroyed after 7 years.
- I, Rebecca Nepomuceno, will be the only individual with access to any identifying information

Confidentiality and E-mail Communication

Please note that email communication is neither private nor secure. Though I am taking precautions to protect your privacy, you should be aware that information sent through e-mail could be read by a third party. Your confidentiality will be kept to the degree permitted by the technology being used. I cannot guarantee against interception of data sent via the internet by third parties.

Sharing De-identified Data Collected in this Research

De-identified data from this study may be shared with the research community at large to advance behavioral science and health. I will remove or code any personal information that could identify you before files are shared with other researchers to ensure that, by current scientific standards and known methods, no one will be able to identify you from the information we share. Despite these measures, we cannot guarantee anonymity of your personal data.

Taking part is voluntary

Your participation is voluntary, and you may refuse to participate and retract your consent before the study begins, you may discontinue at any time, and you may skip any questions that make you feel uncomfortable, with no penalty to you.

If you have questions

The main researcher conducting this study is Rebecca Nepomuceno, doctoral student of clinical psychology, at Antioch University Santa Barbara. Please ask any questions you have now. If you have questions later, you may contact Rebecca Nepomuceno at xxxxxxx@xxxxx.xxx. If you have any questions about your rights as a research participant, you may contact Dr. Brett Kia-Keating, Dissertation Chair and local IRB Chair (XXXXXXX x XXX), or Chair of the Clinical

Psychology Doctoral Program at Antioch University Santa Barbara, Sandra Kenny (XXXXXXX
x XXX).

Participants will be given a copy of their consent form.

Statement of Consent

I have read the above information, and have received answers to any questions I asked. I consent to take part in the study.

Your Electronic Signature _____ Date _____

Your Name _____ Date _____

Signature of person obtaining consent _____ Date _____

Printed name of person obtaining consent _____ Date _____

This consent form will be kept by the researcher for seven years beyond the end of the study.