

What is SESTA/FOSTA?

Survivors Against SESTA

<http://www.survivorsagainstsesta.org>

In April 2018, President Trump signed into law SESTA/FOSTA (HR 1875), which vastly expanded liability for internet platforms that host content specific to the sex trade. In the few weeks since its passage, SESTA/FOSTA has made people trading sex, including trafficking victims, **more vulnerable to violence, poverty and exploitation.**

While these bills purport to protect trafficking victims, in practice, they will subject sex workers to further surveillance and criminalization.

Chicago Task Force on Violence
Against Women and Girls

- SESTA/FOSTA creates a new civil liability for those websites for “knowingly facilitating sex trafficking,” but does not clarify if this means hosting ads, screening them, or any other parameters for how to avoid costly legal suits to prove a to-be-defined legal standard. With this new liability, many platforms have closed entirely or shut down portions of their site, displacing sex workers.
- SESTA/FOSTA also creates a **new federal crime** of maintaining, owning, or operating a platform which hosts third party content which facilitates prostitution, not trafficking. This could include collecting and distributing community-gathered information about violence and victimizers, being able to connect with clients for the ability to screen for violence or workers directly sharing tips on how to stay safe when working.
- **Shutting down websites that sex workers use to work indoors and screen clients more safely does not stop traffickers.** To the contrary, working online means sex workers, including those who are trafficked or exploited, face *lower* rates of violence, HIV, Hepatitis C and sexually transmitted infections, and exploitation.
- Denying these resources exacerbate the risk of violence and victimization for sex workers, including those who are victims of trafficking.

Organizations that opposed SESTA/FOSTA

Adult Performer Advocacy Committee • ACLU • Advocates for Youth • Advocating Opportunity • AIDS United • APLA Health • Best Practices Policy Project • Black Youth Project 100 (BYP100) • Center for Health and Gender Equity (CHANGE) • Chicago Taskforce on Violence Against Women & Girls • Collective Action for Safe Spaces • Department of Justice • Desiree Alliance • Equality California • Equality North Carolina • Family Equality Council • Free Speech Coalition • Freedom Network USA • Gay and Lesbian Activists Alliance (GLAA) • Harm Reduction Coalition • HIPS • HIV Modernization Movement • Howard Brown Health Center • In Our Own Voices, Inc. • International Women’s Health Coalition • Los Angeles LGBT Center • Lysistrata • MASWAN • National Black Justice Coalition • National Center for Lesbian Rights • National Coalition of Anti-Violence Programs • National LGBTQ Task Force • New York Harm Reduction Educators • PFLAG National • Positive Women's Network -USA • Pride Action Tank • Rad Care • RAD Remedy • Reframe Health and Justice • Sex Law and Policy Center • Sex Workers Project at the Urban Justice Center • Support Ho(s)e • SWOP -USA • SWOP Behind Bars • SWOP Orlando • The Anti Exploitation Project at the Legal Aid Society • Transgender Law Center • Treatment Action Group • Unity Fellowship Church • Washington Heights CORNER Project • Whitman-Walker Health • Woodhull Freedom Foundation

What is the impact of SESTA/FOSTA?

Within minutes of the bill passing the Senate, websites began to close. Within weeks sex workers lost many of the most widely utilized platforms. Some platforms have closed ways for sex workers to connect to each other.

This means that people have been struggling to make ends meet, with many moving back to street or brothel-based work or for a third party.

- Third party managers have been reaching out to people who used to work for them and saying that now that the internet isn't a venue, they need someone to find clients for them now.
- Clients who have previous been "blacklisted" for enacting violence are reaching out directly to sex workers, knowing that they are now scrambling to make ends meet.
- Economic instability has meant people have gone back to abusive relationships where they could at least have guaranteed access to housing and resources.
- Sex workers have reported clients pushing boundaries and offering less for the same services.

"What I'm really concerned about is the loss of screening information and the loss of community blacklists is going to mean."

- Glenn, on the loss of Backpage.com

In San Francisco, those doing outreach have reported a visible increase in sex work in multiple neighborhoods.

In a survey on the impact of SESTA and the closure of Backpage.com:

- 25% reported being unable to support themselves or their dependents due to losing their income
- 30% of respondents stopped screening or lowered safety standards with clients
- 75% of respondents are supporting 1-3 dependents

(COYOTE-RI, coyoteri.org)

- Economic instability, lack of access to resources, wanting protection from violence and law enforcement are root causes of exploitation and trafficking. Under SESTA, all of these have been made worse for those most vulnerable to trafficking in the sex trade.

While the intention of the bill was narrow, the impact has been widespread. People who trade sex, including individuals facing exploitation and trafficking, have been made more unsafe, precarious and vulnerable.