

If Houston Has a Problem, McLennan County Has a Solution: Cost of Risk For Engaging in the Commercial Sex Trade from 2017-2020

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ABOUT THE AUTHOR



Dr. Angie Henderson is a Professor of Sociology at the University of Northern Colorado (UNCO) in Greeley, Colorado and the co-founder of The Avery Center for Research & Services. With expertise in both qualitative research design, she has published over 25 peer-reviewed journal articles, 4 book chapters, and two co-authored textbooks. Her research on bottoms – the second-in-command in a sex trafficking operation – was published in January 2022 in *The Journal of Human Trafficking*. Her most recent work on the overlap between substance use and trafficker control was published in *Urban Crime: An International Journal* in April 2022. She has also given over 50 professional presentations at academic conferences. She has presented at the United Nations' Commission on Crime Prevention & Criminal Justice in Vienna, Austria. Dr. Henderson has expertise in interviewing, focus groups, observational analysis, and content analysis and extensive expertise in studying the experiences of victims and survivors of sex trafficking. In particular, Dr. Henderson has extensive experience using a trauma-informed approach to working with and interviewing victims & survivors of sex trafficking, a very vulnerable population.

Of particular importance is Dr. Henderson's service to and collaboration with a nationally-serving nonprofit organization dedicated to helping women exit sex trafficking. At The Avery Center, Dr. Henderson has taken the lead on data collection efforts, and in this role has advised the organization on methods, analysis, and theoretical implications used to inform programming and services.

INTRODUCTION

While data on the prevalence of sex trafficking victims, buyers and traffickers remains scarce, the economic impact of this industry can be estimated with some validity. The International Labor Organization estimates that sex trafficking generates \$99 billion per year globally (ILO, 2014). Yet, few scholars have attempted to calculate the overall cost of risk to traffickers, buyers and sellers/victims as a way to better understand how and why this industry flourishes. In 2009, economist Siddarth Kara built an economic estimation model to gauge the cost of risk of trafficking individuals for commercial sex in seven different countries, including the United States¹. Using traditional economic theories of risk and reward, Kara suggested that it is vital to attack the industry's "immense profitability...by inverting its risk-reward economics; that is, by making the risk of operating a sex slave operation far more costly" (p. 200). This approach is useful, though admittedly crass. Yet, Kara describes the commercial sex industry for what it is:

a mature, multinational corporation that has achieved a steady-state growth and produces immense cash flows ... [and] has four components: a product (the victim), a wholesaler (the trafficker), a retailer (the slave owner/exploiter), and a consumer (pgs. 17, 202).

Since sex trafficking is an illegal enterprise, accounting for the cost of risk should any involved party be arrested, convicted, and fined is key. Further, it can help policymakers, law enforcement, prosecutors, and others approach this industry more efficiently – by raising the cost of risk for exploiters, while reducing harm to victims, in an effort to truly put traffickers out of business.

Using Kara's models, Lundstrom (2019) calculated the cost of risk to a U.S.-based trafficker for doing business based on total arrest records, the chance of conviction and the maximum federal fine. At the federal level, the cost of risk to a trafficker for conducting business in the U.S. was \$730 per year (Lundstrom, 2019). However, given the varied economic and criminological landscapes that exist across the U.S. when it comes to commercial sexual exploitation (CSE), it is vital to localize these estimates to account for differences between jurisdictions. Demand for commercial sex can vary widely across the U.S., as can law enforcement approaches and justice system responses to pursuing and successfully prosecuting such activity. A full picture of why the commercial sex trade is so profitable necessitates taking into account the localized cost of risk to criminals for offending and conducting business, not to mention the long-term impact – economic and otherwise – on their victims.

One of the major metropolitan areas in the U.S. that is fairly well-known for highly concentrated levels of commercial sexual exploitation is Houston, Texas (Dank, et al. 2014). In [an earlier report](#), The Avery Center estimated the Cost of Risk (CoR) for engaging in the commercial sex trade in Houston. In 2019, to account for the risk of being arrested, sex buyers needed only set aside \$.45 a year; traffickers \$66.85 a year, and sex trafficking victims \$6744.83 a year to account for the risk of their own victimization. Table 1 presents these stark comparisons.

¹ Kara's estimate was based on street-level, or outdoor, prostitution only and therefore was limited in scope. In 2021, much of the commercial sex trade is facilitated online, so our estimates account for these shifts. As one example, in his model, he valued one commercial sex act in the U.S. at \$30, which is a gross underestimate (Dank et al., 2014; Henderson & Rhodes, 2022).

Table 1. Cost of Risk for Engaging in the Commercial Sex Trade (2019): Houston, TX

	Fine	Cost of risk per commercial sex act	Cost of risk per year
Buyers	\$4000	\$.04	\$.45
Traffickers	\$10,000	\$.01	\$66.85
Victims	\$10,000	\$5.19	\$6744.83

In 2022, we were contracted with the Heart of Texas Human Trafficking Coalition (HOTHTC) to assess the cost of risk to buyers, traffickers and victims longitudinally in McLennan County, Texas, a mere 185 miles from Houston, TX. HOTHTC provided the law enforcement data on arrests, case dispositions/convictions, supplemented by McLennan County Detective Scaramucci’s files on arrests he has overseen since McLennan County began practicing *de facto* partial decriminalization, also referred to as [The Equality Model](#). This county is unique for several reasons; most importantly, both county and city LE have all but fully adopted The Equality Model (EM). The central focus of EM is to stop arresting sex trafficking victims for their own victimization, and offer services for successful exit and recovery. Tyler (2021) describes the Equality Model, sometimes referred to as the Nordic Model (which originated in Sweden in 1999), as:

asymmetric decriminalization which decriminalizes people in systems of prostitution but retains some sanctions against people who purchase sexual access to others and those who profit from the prostitution of others but who are not prostituted themselves (i.e. pimps) (p. 69).

According to local law enforcement, McLennan County County ceased arresting individuals for selling sex in 2017. Thus, the model we present here accounts for the 5 arrests made of sex “sellers” (80-90% of whom are likely sex trafficking victims) as a starting point. 2018-2020 data from this jurisdiction show that no arrests were made for individuals involved in selling sex; only sex buyers and traffickers.

AN ECONOMIC APPROACH TO RISK ESTIMATION

Why Focus on Cost of Risk?

Kara (2009) explains systematically how traffickers maintain their exorbitant profit margin:

The most effective way for any business to increase profits is to minimize costs. For most businesses, the largest operating cost is labor. ...The greater the profits, the greater the demand for slaves. ... They keep prices as low as possible to secure as many customers as possible, new and repeat. The operating costs of the business are low. ... The retailer demands slaves because they elevate profits and expand the customer base by virtue of lower retail prices. The only vulnerability the retailer suffers is the illicit nature of his business. There is a cost if he is caught, but most slave owners are not targeted with aggressive investigation (p. 202-203).

To discourage traffickers, profit margins must be decreased substantially. Even though in many countries there are harsh punishments for traffickers, law enforcement and the justice system in

general have yet to fully attack all sides of the industry. In any industry, demand drives supply and profit. The commercial sex trade is no different. We begin with predicting the extent of sex trafficking victimization, including estimated prevalence, value, profit in McLennan County County, Texas.

Estimated Value of a Sex Trafficking Victim

Every time a forced, frauded or coerced commercial sex act is executed, there are at minimum three parties involved: a product (the victim²), a wholesaler/retailer (the trafficker(s), and a consumer (the sex buyer). To estimate the cost of risk to each party, we need to establish assumptions about the industry. First, research shows that on average, commercial sexual exploitation (CSE) victims are forced to earn roughly \$1000 (gross) per day for their traffickers. This estimate holds true for the McLennan County, Texas market. The cost of running the business to a trafficker is fairly inexpensive, especially compared to other businesses. On average, traffickers have the following overhead costs: hotel, food, advertising, condoms, grooming/clothing. Kara (2009) assumes about a 70% profit margin per victim.

Additionally, most research on domestic pimp-controlled sex trafficking suggests that victims do not get paid days off, and are forced to deliver that \$1000/day quota to their traffickers 365 days a year. Yet, we also need to account for when victims are incarcerated or too injured/ill to fulfill that quota every day. We conservatively estimated that victims would be meeting this \$1000/day quota 260 days per year, which means that victims in McLennan County are valued at roughly \$182,000 per year:

$$EV \text{ (Estimated Value)} = (\$1000^3 - \$300^4) \times 260 = \$182,000 \text{ profit per victim annually}$$

Predictive Modeling: Sex Trafficking Victimization in McLennan County

To estimate the number of individuals experiencing sex trafficking victimization in this jurisdiction, we utilized a web-scraping software that provides the total number of online advertisements for commercial sex as well as the total number of profiles that exist for commercial sex websites. We weighted these data to account for a variety of factors to provide the most conservative estimates possible. First, it is estimated that roughly 15-20% of all ads on these sites are spam, so we weighted the total number of ads to account for this. We also weighted the total number of profiles, since most individuals being exploited in the commercial sex industry have at least two profiles on these sites. We also weighted the data to account for the reality that not all online advertisements represent trafficking victims; some are selling sex of their own volition. Research shows that approximately 89% of all commercial sex providers report they would prefer to not be selling sex (Farley et al 2004). However, it is worth noting here that some find this an overestimate. To correct for that, we half Farley's estimate to provide the most conservative

² Note that we are using the label "victim" because we are discussing individuals who experience force, fraud or coercion when exchanging a sex act for something of value (TVPA, 2000)

³ An average nightly quota per trafficking victim is \$1000.

⁴ Traffickers carry a daily overhead cost of \$300

possible estimate; we decreased the total by 22% to adjust for the number of consensual sex workers with online profiles. Table 2 below presents these data, weighted for 2017-2020.

Table 2. Total Number of Advertisements, Profiles, Victims, Traffickers and Demanded Commercial Sex Acts (CSA), McLennan County TX 2017-2020

	2017	2018	2019	2020
Profiles	1,088	2,345	8,110	13,066
Advertisements	5,700	7,966	36,894	2,123
Victims	849	891	6,326	1,656
Demanded CSA	1,103,232	2,377,323	8,223,540	2,152,215
Traffickers	212	457	1,581	414

It is important to note here that the total demanded commercial sex acts might seem outrageously high, given the population statistics and total number of victims. The reason this number is so high is due partially to the geographic location of Waco/McLennan County. The search term we used when scraping commercial sex websites was “Waco.” Therefore, the results are capturing any and all ads in the surrounding areas where victims are advertising “out-call” dates. An out-call refers to the victim coming to the buyer, and this can often include traveling to nearby locations to perform the commercial sex act. Thus, these data are capturing victims in Dallas, Fort Worth, Austin, San Antonio, and other areas nearby who likely travel to Waco regularly to meet the demand for commercial sex. It is also important to note that we used a conservative estimate of 5 commercial sex acts per day, which is about 50% of what experts say victims are forced to do by their traffickers. However, given the average quota is \$1000, it is possible that some victims may only need to engage in 5 sex acts per day, but we acknowledge that this may vary anywhere from 5-10.

Below is how the calculations break down for 2017:

$$849 \text{ victims} \times 5 \text{ (acts per day)} \times 260 \text{ (days/year)} = 1,103,232 \text{ demanded commercial sex acts per year per victim in McLennan County, Texas}$$

One other notable trend in the table above is the staggering increase in the number of victims, traffickers, and concomitant demanded commercial sex acts from 2018-2019. Backpage.com, the most popular commercial sex advertising website, was seized by the federal government after SESTA/FOSTA legislation was signed into law in April 2018. Prior to 2018, only 5 websites appeared in webscraping software results, including Backpage. Starting in 2018, that number more than doubled to 11, then scaled back to 8 in 2019 and 2020, and it sits at 6 in September 2022. It is likely that the publicity garnered by SESTA/FOSTA led to a host of new websites where traffickers could advertise their victims. Indeed, much concern was raised by the pro-sex work lobby in 2018 that shutting Backpage down made “[sex workers less safe.](#)” Thus, it would make sense that individuals involved selling commercial sex created more profiles and posted more advertisements than in previous (and subsequent) years due to the moral panic created within this subset of the industry. Using the data presented in Table 2 above, we can see the panic caused in 2018-2019 leveling off a bit in 2020, though that year brings a host of other issues that impacted

the sex industry not relevant to this particular report. We discuss it in various reports on our website (e.g., [OnlyFans](#), [Impact of COVID-19](#), [Stages of Change](#), and [Survivors and Allies](#)).

Predictive Modeling: Sex Traffickers in McLennan County

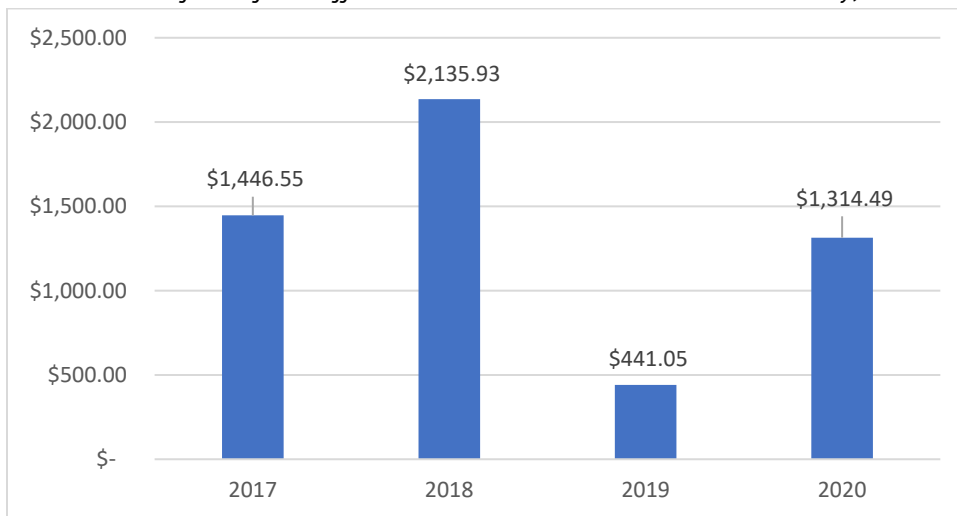
Calculating the number of traffickers operating in a given area is fairly straightforward, as research suggests that the average trafficker has between 4-8 victims (Kara, 2009; Nichols, 2016). We use the low end of this range for this calculation (4) to predict the total number of traffickers exploiting victims in the McLennan County area each year presented in Table 2. It is important to note when considering this range that traffickers move victims through McLennan County and may not necessarily be based there year-round. Using the data provided in Table 2, we can estimate cost of risk for a trafficker to do business using the following equation based on the number of arrests, convictions, trials and fines:

TRAFFICKER COST OF RISK = CHANCE OF ARREST X CHANCE OF CONVICTION X FINE

$$\text{Chance of Arrest} = \frac{\text{Actual Arrests Made}}{\text{Actual Acts Committed}}$$

$$\text{Chance of Conviction} = \frac{\text{Actual Convictions}}{\text{Total Trials}}$$

Chart 1. Cost of Risk for Traffickers to Do Business in McLennan County, 2017-2020

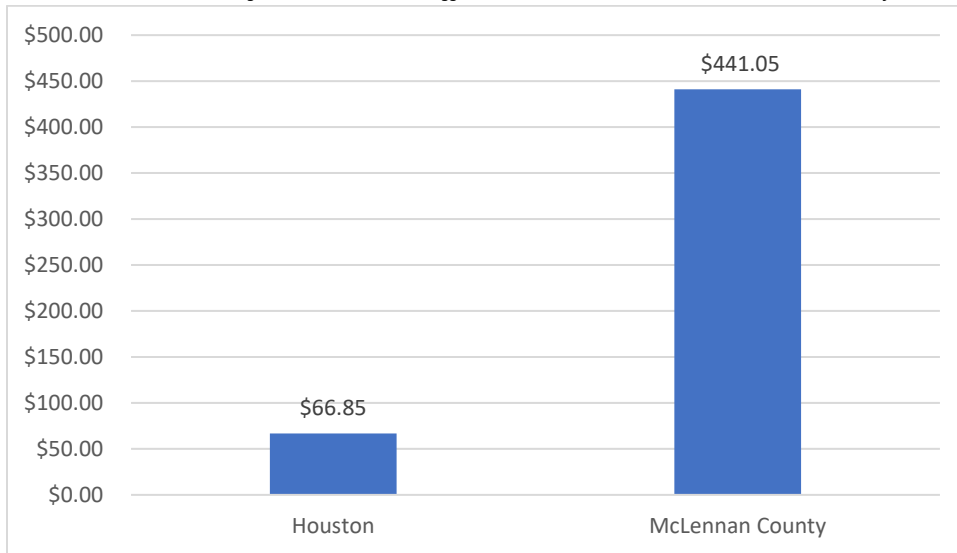


Using the above predictions and maximizing the fine allowed in the state of Texas, data from 2020 suggest that traffickers only need to put away \$.17 per commercial sex act, or \$1,314.49 for the whole year. This is a minimal annual cost that a trafficker needs to plan for should he get arrested, convicted, and fined the maximum amount allowed in the state of Texas. It is important to note here that while Texas allows for a maximum fine of \$10,000, this is likely not the average fine. Therefore, the actual cost of risk is likely much lower.

Additionally, though this cost seems low, it is exceptionally high compared to nearby jurisdictions. In Houston in 2019, the cost of risk for a trafficker doing business was a mere \$66.85. Compare

that to McLennan County, where the lowest CoR was \$441.05 in 2019. At its lowest conviction rate, traffickers in McLennan County faced a CoR over 6 times higher than that of doing business in Houston, TX. See Chart 2 for comparison.

Chart 2. 2019 Cost of Risk to Sex Traffickers: Houston & McLennan County, TX



Predictive Modeling: Commercial Sex Buyers in McLennan County County

Currently, the maximum federal fine for human trafficking is \$1.5 million. For solicitation or prostitution, fines differ based on jurisdiction but it can range from \$50 in West Virginia to a maximum fine of \$4,000 in Texas⁵.

To predict the number of sex buyers in McLennan County County, we use the total adult male population in the county as a starting point (N= 86,907). Research shows that on average, 6% of all men purchase sex in a 12-month period (Demand Abolition, 2018). This comes out to 5,214 sex buyers in McLennan County County during 2017-2020.

Between 2017-2020, the number of sex buyers arrested in McLennan County varied widely from 12 in 2019 to 168 in 2017. The CoR to sex buyers was relatively low during this timeframe, but still higher than most other jurisdictions around the U.S., especially after September 1, 2021 when sex buying became a felony in Texas.

The equation for calculating the CoR for sex buyers during the review period is outlined below. The maximum fine for a misdemeanor charge for buying sex during 2017-2020 was \$4000 if they had previous prostitution convictions. Assuming there are on average, 5,214 buyers in McLennan County County, we can estimate cost of risk for buyers using the following equation based on the number of buyer arrests, convictions, trials and fines:

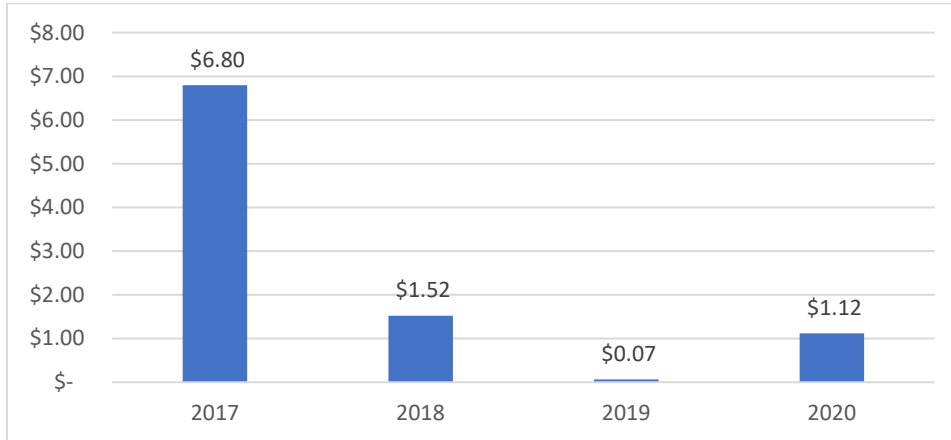
⁵ Note: In 2021, Texas became the first state in the U.S. to make sex buying a felony, which increases the penalty on paying for sex to a two-year minimum jail time for the first offense.

BUYER COST OF RISK = CHANCE OF ARREST X CHANCE OF CONVICTION X FINE

$$\text{Chance of Arrest} = \frac{\text{Actual Arrests Made}}{\text{Actual Acts Committed}}$$

$$\text{Chance of Conviction} = \frac{\text{Actual Convictions}}{\text{Total Trials}}$$

Chart 3. Annual Cost of Risk for Sex Buyers in McLennan County, 2017-2020



Using the above predictions and maximizing the fine allowed in the state of Texas during the review period, buyers needed to put less than \$7 away (2017) per commercial sex act to account for the risk of arrest.

Total Victim Arrests

From here, we can calculate the total cost of risk to a sex trafficking victim for engaging in commercial sex acts against their will.

TRAFFICKING VICTIM COST OF RISK = CHANCE OF ARREST X CHANCE OF CONVICTION X FINE

$$\text{Chance of Arrest} = \frac{\text{Actual Arrests Made}}{\text{Actual Acts Committed}}$$

$$\text{Chance of Conviction} = \frac{\text{Actual Convictions}}{\text{Total Trials}}$$

We could only calculate the CoR for victims for one year, 2017, because local LE stopped arresting victims in this jurisdiction and instead offered victims services through organizations like *Unbound Waco*.

Chart 4 below presents a side-by-side comparison of buyers, traffickers, and victims for engaging in the commercial sex trade in 2017. Thankfully, in 2018, 2019 and 2020, the cost of risk for victims is \$0.

Chart 4. Cost of Risk to Traffickers, Sex Buyers and Victims/Sellers in McLennan County, Texas (2017)



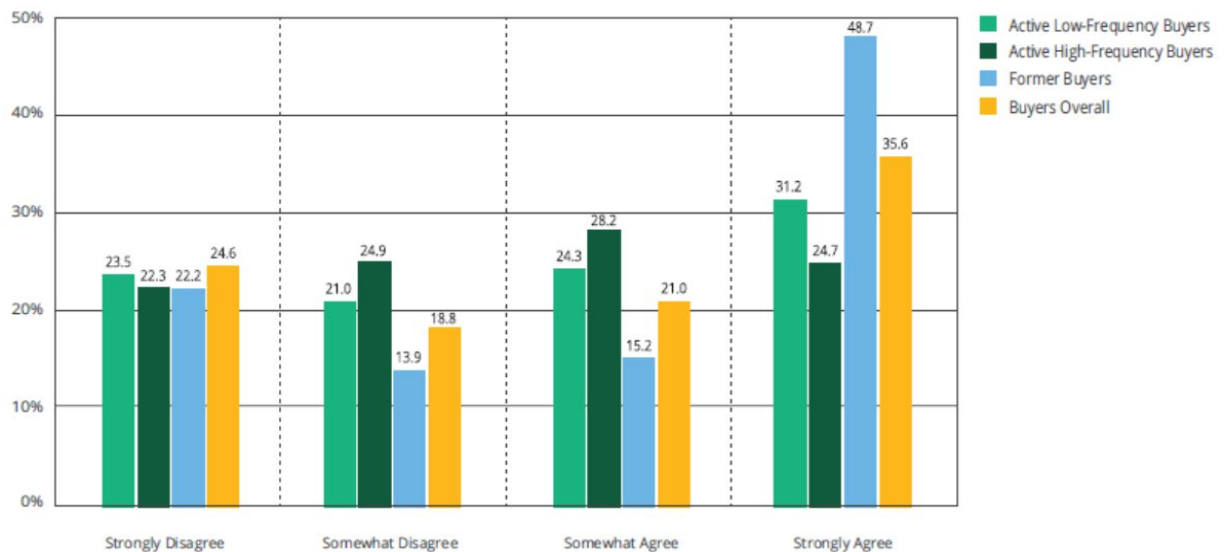
One important note regarding the relatively high CoR for victims compared to buyers: victims engage in between 5-10 transactions per day, which raises their risk of arrest up to tenfold when compared to sex buyers. Buyers typically will purchase once in a day, and certainly not every day; the average is 1-2 times per month (Demand Abolition, 2018).

CONCLUSION

The purpose of this research was to analyze the Cost of Risk (CoR) for sex traffickers, sex buyers, and victims across a 4-year span in McLennan County, Texas. Results indicate that the *de facto* partial decriminalization model being utilized in this jurisdiction is effectively raising the CoR for traffickers significantly, especially compared to nearby jurisdictions like Houston, TX. The CoR to sex buyers is still relatively low, though it would be interesting to revisit this algorithm once the 2021 sex buyer arrest data is available, after each case reaches disposition. Research has shown that raising the cost of risk for sex buyers is effective (Demand Abolition, 2018). See Chart 5 below for sex buyers' attitudes towards buying and the perceived risk of arrest. Though these data are not parsed out to include Texas residents specifically, it would be interesting to gather these data in 2023 to measure how effective the new 2021 sex buying law has been. It would also be worth investigating over time whether or not the market for prostitution has shrunk since McLennan County began practicing *de facto* partial decriminalization in 2017. Though data presented here suggest the market has expanded (see Table 2), given the number of advertisements, profiles, victims and demanded commercial sex in 2020, many sociological factors have been at play since 2020 that need to be parsed out and investigated further.

Chart 5. Sex Buyers' Attitudes (Demand Abolition, 2018)

“The risk of getting arrested for buying sex is so high that I am considering not buying sex again.”



Finally, though not the subject of the present report, given the work *Unbound Waco* has been doing in the area, it would be a great time to conduct a full program evaluation, similar to what The Avery Seal offers (see Appendix 2). This would only serve to augment the great work LE has done in the past several years, and non-profits and other multidisciplinary teams are doing in this region would speak volumes to real solutions other parts of the U.S. should be modeling.

Overall, law enforcement and others working on this issue in McLennan County are getting it right, and targeting exploiters, and pointing victims to services. Other jurisdictions around the country should take notice and follow suit. Law enforcement, researchers and practitioners in other jurisdictions around the U.S. should take these foundational predictions into account when designing policy, establishing sound LE approaches, and providing victim services and outreach to help individuals escape exploitation and hold exploiters accountable.

Prostitution is a gendered survival strategy that requires the person in it to assume unreasonable risks.
-Andrea Dworkin (1993)

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-Deanna Davy, American Journal of Evaluation

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