

# COLLECTIVIST



SP2 JOURNAL · VOLUME II · 2016-2017

COLLECTIVIST is a journal comprised of thoughts, reflections, case studies and other academic work intended to express the collective consciousness of the School of Social Policy and Practice at the University of Pennsylvania.

# COL LEC TIV IST

SP2 JOURNAL

## FOREWORD

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One of the true pleasures of serving as dean of the University of Pennsylvania's School of Social Policy & Practice is being able to appreciate the many inspiring exchanges I get to have with our amazing student body. Across all five of our degree programs, we attract not just some of the smartest people on the planet, but also individuals who have committed themselves to gaining the tools they need to address our world's most pressing social problems. Whether our students want to be clinicians or policymakers, whether they intend to start their own non-profits or revamp the ones they began long before getting to Penn's campus, our students embody the varied faces of social impact. They are what social justice looks like.

COLLECTIVIST, now in its second year, represents a powerful distillation of some of the passions and pursuits that stir our students to thoughtful and evidence-based action! The pieces in this year's issue run the gamut from research papers and policy statements to op-eds and prose-poetry--with our students using the social sciences and sometimes the humanities to engage the most complicated and cathected topics imaginable. They do so in ways that place as high a premium on framing/phrasing questions productively and constructively, personally and politically, as on making the case for any definitive and universally applicable answers to those questions (though some certainly offer the latter as well).

Our students try to write from a position of fearlessness, but that doesn't mean that things don't frighten them. As you will see from some of the eclectic pieces in this volume, there are a lot of issues that make our current political and social landscape feel quite scary to them, issues that drive them to rage, that cultivate all kinds of self-doubt, and/or that sharpen their focus on the things that matter most to them and to the communities they serve. This year's contributors represent only a tiny subset of our entire student population, but they are representative of the whole insofar as they demonstrate the many ways in which our students are willing to take on the most fraught and politicized debates of our time--with the goal of being as fair, thoughtful, and inclusive in their treatment of things as possible.

You won't agree with every piece's premise or ultimate recommendation, but even that's for the better. We ask our students to think deeply about things, to engage one another across ideological differences with respect and reasonableness, and their entries in this volume are meant to solicit no less from readers. Congratulations to our students for putting together such a powerful issue--and all while carrying a demanding course-load. I know this is "extra-curricular," but it is also a wonderful example of why the work done in academia is never merely an academic exercise.

John L. Jackson, Jr., PhD

DEAN, SCHOOL OF SOCIAL POLICY & PRACTICE

## FROM THE EDITORS

Welcome to the second annual edition of *Collectivist*. This publication was conceived by 5 students during the 2015-2016 academic year as a platform for sharing ideas and research, raising questions, and beginning dialogue among students in Penn's School of Social Policy and Practice (SP2). We hoped that the journal would contribute to the continued development of our school as an intellectual home for critical thinking and inquiry. We were overwhelmed by the enthusiasm and support we received from the SP2 faculty, staff, and students upon the first edition's release, and we hope and believe this second edition will meet those same standards.

This year's publication features a wide array of student work, and showcases the diversity, thoughtfulness, and creativity that characterizes SP2. Inside you will find reflections, op-eds, photo collections, and policy briefs. Many pieces focus on special topics, such as election 2016, sex work policy, and histories of social movements in the United States. Across the wide spectrum of content and structure, the unifying theme is passion--SP2 students are driven by a love for and commitment to their work, and it shows. That's what has made editing *Collectivist* such a joy and a privilege. As editors, we have gotten to know our fellow students and learn from their wealth of knowledge and experiences. It has been an exciting and an impressive process, and we are thrilled to now be able to share their words and wisdom with you.

Creating *COLLECTIVIST* is a labor of love, and we are incredibly grateful for the support and talent of our Editorial Team: Katie Bash, Hannah Menzies, Lillian Otte, Aldo Ponterosso, Teresa Salinas, and Amber Wilson. We also would like to thank our Faculty Advisor, Katherine Ledwith, DSW, for her unyielding support, guidance and perspective. Finally, a special thank you is owed to three alumni, who were founding members of *Collectivist*: Christopher Rhodes, NPL '16, Ian Cairns, MSW '16, and Devon Ziminski, MSSP '16.

Thank you for reading and supporting this project. Please enjoy this issue, and if you are still at SP2 next fall, please consider supporting the third issue as a contributor or team member!

Lauren Landers Tabares, MSW '17

Ruth Shefner, MSW '17, MPH '18

MANAGING EDITORS

# TABLE OF CONTENTS

## COMMUNITY

Hannah Menzies, MSW '18..... 2

## OPINION

### *Love and Abortion*

Kelsey Woida, MSW '17..... 8

### *No Trick No Treat No Candy*

Sophie Day, MSW '17..... 11

### *It Doesn't Take a Brain Surgeon: Affordable Housing Under Trump*

Aldo Ponterosso, MSSP '17..... 14

## RESEARCH

### *Historical Trauma and Indigenous Peoples of the U.S.: Considerations for Social Workers on Colonized Land*

Lauren Landers Tabares, MSW '17..... 20

### *The Intersections of Race, Mental Health Treatment and Solitary Confinement in the US Criminal Justice System*

Ruth Shefner, MSW '17, MPH '18..... 24

### *Making History: A Historical Account of LGBTQ+ Society Before 1945*

Alison L. Kane, NPL '17..... 30

## SPECIAL TOPICS

### **ELECTION & ITS AFTERMATH**

#### *Who do we want to be? An Introspection on Patriotism*

Folasade Famakinwa, MSSP '17..... 38

#### *Words of Resistance: The Importance of Freedom of the Press for Policy Goals in an Embattled Administration*

Lillian Otte, MSSP '17..... 42

# TABLE OF CONTENTS

### *The Violence of Love*

Robert Cermignano, MSW '17..... 46

### *Reflections on Life, Fear & Justice*

Ariel Brown, MSSP '17..... 49

## SEX WORK

### *Why Decriminalize Sex Work?*

Jocelyn Bookman, MSW '17 and Katherine Scholle, MSW '17..... 54

### *The Role of Sexuality in Sex Worker Rights Discourses*

Kathryn Scheffey, MSW '17, MPH '18 ..... 60

### *The Commercial Sexual Exploitation of Children: A National Issue with Local Implications*

Julia Vadas, MSW '17..... 63

## IDENTITY

### *Systematic Subjectivities*

Julie Hyman, MSW/MSSP '17..... 70

### *Minority Status Majority Oppression*

Joseph Fitzpatrick, MSW '18..... 73

### *Graces and Scars: Defining Myself*

Aliyah Novelli, MSW '18..... 76

COMMUNITY

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# HANNAH MENZIES

MSW '18



Take my hand,  
follow me.  
I'm so glad you're here.



Take off your shoes,  
get comfortable.  
Let's stay awhile.



We stand fast,  
we stand tall.  
We stand as your home.



We plant the seeds,  
 we nurture the growth,  
 we fill the bellies.  
 It's a community,  
 & this is our garden.



Reach out friend,  
 we're here.  
 No more hiding,  
 you're welcome here.



Prost, Santé!, 干杯, Salud, Gëzuar, صححتك فى, živelí, Gesundheit, Na zdravi, ΥΤΕΙΑ, 乾杯

A dream to dream-  
 where differences aren't attacked,  
 but embraced.  
 A dream to dream-  
 where disputes aren't fueled,  
 but extinguished.  
 A dream to dream-  
 where celebrations aren't alone,  
 but together.

OPINION

# LOVE AND ABORTION

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KELSEY WOIDA

MSW '17

Every Tuesday morning, it is my job to love the women I do not know. I volunteer at an abortion fund, where people who cannot afford the cost of their procedure come for financial assistance and support. They call the hotline and I answer the phone. For some, it is the worst moment of their lives; for most, it is the simplest task to cross off a long list of trauma and troubles.

We talk about rape, how the lights are about to be shut off if this bill doesn't get paid, motherhood, anxiety, male partners who refuse to speak to them, health insurance, food stamps, and weekend plans. Sometimes women call from bus stops outside prison; from their neighbor's kitchens; from their jobs at grocery stores; from high school bathrooms; from couches with babies giggling on their laps. Sometimes we connect with a translator because of language barriers.

Access counselors support teenagers while they navigate the court system to get around parental consent laws. I learn about sex trafficking that happens in the city I call home; about substance use and overdose; about homelessness and public housing; about guns and where they are hidden in the bedroom. I say, "I hear you."

The abortion fund is a site of refuge and non-judgment, but it is also a site of power. We determine how to best support as many callers as possible with the money we have, which means it is impossible to fully fund everyone. I have learned how to say "no" while also saying "I believe in you." I have learned that people and women seeking abortion care are some of the most resourceful, creative, and resilient among us.

I also volunteer as an abortion hand-holder once a month at a local clinic. Anyone

receiving an abortion that day is asked if they would like someone to hold their hand during the procedure. Because patients are no longer allowed to bring their own support person into the room for security reasons, most say yes. I enter the room where they are already waiting in their paper gown, trying to figure out where to place their gaze, which tools to avoid looking at. I usually make a joke about how they can squeeze my hand as hard as they want to, and I promise not to break. We talk about what they will eat after the procedure, if they came to their appointment alone, how the protestors outside made them feel. Everyone's experience of pain is different, but I can assure them that they will be safe and they will get through this. I help people to breathe through the discomfort. I ask if they would like me to explain what is happening. I rub their shoulders and remind them of their own strength. I tell them to take care and be well when I leave them in the recovery room with a tiny cup of juice and salty crackers.

I have seen people vomit from pure relief that it is over. Women cry for pregnancies that were meaningful to them. Some tell me that they don't believe in this, but that they know it is the best choice for them and their family right now. Women pray. They listen to Nicki Minaj on their headphones, an act of meditation and distraction. There is blood that drips on the floor while I gingerly hold up their underwear for them to step into. Sometimes patients are angry and rude to everyone, which is understandable given that they have crossed through fire to get here. People ask what I think, why I do this, who I am. I simply say that I believe nobody should have to be alone during their abortion if they don't want to be. But what I am really talking about is love.

Offering emotional support to a stranger for 10 to 30 minutes is a profound kind of intimacy. It means bearing a certain type of witness, and many patients remark on how it felt important to have another woman there with them. In that moment, my "womanness" matters. Regardless of our positions in the universe, we meet in the middle at an experience that is steeped in legacies and histories of women.

As a social worker, I am forever frustrated by how my career field is feminized and therefore deemed non-threatening. When I tell people that I am a social worker, I am often met with assumptions that I work with children; my role is reduced to something tolerable, neutral, and soft-edged in the larger moral script. It is exhausting to enter professional spaces and be reminded yet again that this world was not meant for me to thrive in as a many-layered woman. Social work is simultaneously upheld and disqualified because in this white capitalist heteropatriarchy, emotional labor is not valued. Providing emotional support is accepted as a "natural" impulse of women rather than a vortex of intentionality and energy. But the same framework that understands social work as feminine also illuminates a source of magic and inspiration. Seeing women/femmes/queer/trans/gender variant people hold it down in the face of injustice makes me proud to subvert our understanding of being yet another woman in this field. Holding hands and loving women through the stigma, shame, and violence is a political act. Radical empathy is my weapon, and it is fierce and ready to bite.

To all the women I have loved whom I may not know: thank you.

The thing about holding someone's hand is that they are bound to hold yours back.

*Note on Gender:* Not everyone accessing abortion services identifies as a woman or is a woman. But when we are in the clinic, we are all reduced to a gender identity that makes the state more comfortable regulating and controlling our bodies. It is easy to assume all patients are "women," because abortion is situated within a political system that values women for their reproductive labor. While it is tempting to think about abortion as a fundamentally woman-only experience, it is also useful to think about the ways in which having an abortion can challenge, disrupt, and queer our understanding of what it means to be a woman in the eyes of the oppressive state. I use "woman" here because it is how everyone I've worked with has chosen

to disclose their gender to me—perhaps some of them are using that strategically or out of convenience in a moment. One in three women will have an abortion in their lifetime. I recognize, however, that this is not fully representative of everyone who gets abortions.

*More information on abortion funds:* Abortion funds work to remove logistical and financial barriers to abortion access in a variety of ways. Some funds pay for the procedure, while others provide support by volunteering childcare, transportation, doula services, housing, etc. Supporting your local fund is one way that you can ensure that those most marginalized from access receive the healthcare they need. The National Network of Abortion Funds (NNAF) can help you find a fund in your area where you can donate or volunteer: <https://abortionfunds.org/need-abortion/>

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# NO TRICK NO TREAT NO CANDY

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SOPHIE DAY

MSW '17

As the temperature dips and leaves begin to fall, the change in seasons is palpable. Decorations seem to creep into stores earlier and earlier each year, followed by costumes and more candy than anyone could or should ever eat. Halloween is coming.

Toward the end of a recent group therapy session, the leader looked at the assembled members and said, “I can't believe nobody has brought up Halloween.” This session was not populated by children, excited for the upcoming holiday, but rather by men convicted of sex offenses, for whom Halloween brings up a wholly different set of feelings.

In the last two decades, more than ten states have adopted Halloween-specific policies that target individuals convicted of sex offenses (FindLaw, 2013). These policies vary in terms of who they apply to as well as their severity.

Perhaps most common are the aptly-named “No Candy” laws, which disallow those on probation (or in some cases, anyone on the registry) from handing out candy on Halloween (FindLaw, 2013). Though these types of policies may be the most familiar, they are far from the only ones on the books. Many states ban offenders from having any decorations at all and require them to keep their lights turned out (Chaffin, Levenson, Letourneau, & Stern, 2009). Early curfews are also common, with many states and municipalities imposing a 6:00pm-6:00am mandate for individuals to not leave their homes (Mejia, 2016). Some places, like Ohio and Illinois, require individuals on the registry to attend meetings at probation on Halloween, while some counties in North Carolina instruct offenders to spend the evening in local courthouses, where they will likely be subject to random drug tests and car searches (Chaffin et al., 2009). Naturally,

the consequences of violating these restrictions also vary. Depending on where an offender lives, failure to comply may lead to a violation of probation or even a second felony charge and up to three years in jail (Chaffin et al., 2009).

Though the specifics of policies may differ, the desire behind all of them is the same—to keep children safe. It is not a coincidence that many of these laws and policies came onto the books in the 1990's, when the danger posed to children by predatory strangers loomed large in the public consciousness, despite the fact that these sorts of crimes accounted for an incredibly small percentage of child sexual abuse. In 1994 and 1996, laws were enacted in the honor of Jacob Wetterling and Megan Kanka, called the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1994 and Megan's Law (1996), respectively. Both of these children were victims of heinous crimes, and it is in this same spirit that many of these Halloween laws have been passed. Most would argue that each of these policies were put into place with the best of intentions, but good intentions sometimes breed bad policies.

Things like “No Candy” laws and other highly specified conditions placed on those convicted of sex offenses assume that children are at a higher risk on October 31st than they are any other night of the year. The idea makes sense—it is the one night a year that children are allowed, even encouraged, to knock on strangers' doors—but what if it isn't real? In a 2009 study published in *Sexual Abuse: A Journal of Research and Treatment*, Chaffin et al. examined data from the National Incident-Based Reporting System (NIBRS) between the years of 1997 and 2005. Researchers looked at over 67,000 non-familial sex crimes and found that children were not at an increased risk of being victimized by a stranger or neighbor on or around Halloween. This same study found that in the years since these policies were put in place, the number of offenses occurring on or around Halloween have not changed, suggesting that these policies have had no effect on keeping children safe.

So these policies aren't helping—but can they

hurt? Apart from the fact that valuable resources are diverted to monitor these individuals, these approaches can and do cause harm to the people whom they inhibit. Consider an offender who has children of his or her own and can't participate in Halloween with them by trick or treating or decorating the house. Stacey Huffman, a licensed clinical social worker in Delaware who works with individuals convicted of sex offenses, says that “to restrict their families and hosts from participating in a community activity causes further alienation to individuals who are strongly supporting offenders' stability” (S. Huffman, personal communication, 2016). Stability has proven to be key in helping offenders not to re-offend (Robbé, Mann, Maruna, & Thornton, 2015).

Perhaps the most insidious implications of all, however, are the myths and messages that policies like these support. First, they imply that sexual offenders cannot control themselves and are more likely to re-offend than other populations. On the contrary, those convicted of sex offenses have some of the lowest average recidivism rates related to re-offending sexually, as illustrated in a report by the California Department of Corrections, which found that less than 1% of sexual offenders who ended up back in jail were there because of another sex crime (Ellman & Ellman, 2015). Second, these policies enforce cultural perceptions that individuals convicted of sex offenses and living on the registry are all the same, when that is simply not the case. There is a great deal of diversity in the age, gender, offense type, and risk factor. Not everyone on the registry is listed because of an offense involving a minor, and not all offenders pose an immediate risk to children (Rubin, 2015). Offenders who have been deemed as high risk have no-contact orders with children built into their probations. These individuals should not be engaging with children on Halloween, but that lack of contact is already a stipulation of their supervision, making these policies redundant.

Finally, policies that are created to control sexual offenders on Halloween encourage the falsehood that the majority of sexual abuse is committed by strangers, which research has

repeatedly shown to be false; in fact, more than 90% of children who are victims of sexual abuse know their abuser (Rubin, 2015). Catchy phrases like “stranger danger” and holiday-specific policies perpetuate an untrue and potentially dangerous idea that strangers are the only people to be afraid of, and may inadvertently keep victims of familial abuse from coming forward.

It has been twenty years since most of these practices were created, and seven years since a study in *Sexual Abuse* demonstrated that they aren't working (Robbé et al., 2015). These policies were crafted with the best of intentions, but when the costs outweigh the benefits, it is high time to take a look at what we are doing.

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# IT DOESN'T TAKE A BRAIN SURGEON: AFFORDABLE HOUSING UNDER TRUMP

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ALDO PONTEROSSO

MSSP '17

Trump didn't pay much attention to affordable housing on the campaign trail. As issues go, bricks and mortar just aren't particularly sexy. He made some vague remarks about "work[ing] on our ghettos" at an Ohio rally (as quoted in Smith, 2016, para. 2), but aside from that, housing policy (let alone affordable housing policy) never became a plank in his platform. Voters, apparently, were more concerned with erecting walls than homes.

This is surprising given America's crippling shortage of affordable homes. A recent report by the National Low Income Housing Coalition (NLIHC) found that for every 100 Extremely Low-Income (ELI) renters (those earning less than ~\$22,000 per year), only 31 affordable units existed (Leopold, Blumenthal, Getsinger, Abazajian, & Jordon, 2015). On a local level, this means waitlists for public assistance are

saturated. In this writer's city, the Philadelphia Housing Authority closed its waitlists four years ago until the current list, numbering well over 100,000 families, could be cleared (PHA, 2014). Nationally, it means not a single American county has enough affordable units to meet the needs of its ELI population.

The situation is unlikely to improve over the next four years. Trump's proposed corporate tax cuts pose a unique challenge to America's main promoter of affordable housing, the Low-Income Housing Tax Credit (LIHTC), which Dr. Benjamin Carson is uniquely unqualified to meet.

The LIHTC is a complex program but at root it works because investors seeking to reduce their tax burden are willing to finance the development of affordable units in exchange for annual tax credits. Units developed through the LIHTC are rent controlled and must have either

20% of their units available to those earning 50% of the Area Median Income (AMI), or 40% of their units available to those making 60% of the AMI. Up to now, demand for the LIHTC has far outstripped the supply of available tax credits (Brey, 2014). Because credits are competitively awarded, developers have an incentive to produce high-quality units for low-income renters.

Since its inception under Reagan, the LIHTC has proven relatively successful, winning bipartisan support for producing some 2.8 million units and introducing market forces to affordable housing development (Brey, 2014). But with Trump's promise to cut corporate tax rates to 15%, the future of the LIHTC is uncertain. With lower tax rates, investors will have less incentive to buy tax credits from affordable housing developers. Diane Yentel, president and CEO of the NLIHC, has already noticed the stream of private capital flowing into LIHTC developments drying up (Yentel, 2017). Corporations are slowing their investments in the LIHTC until details of the government's promised tax reform crystalize.

Even in the best-case scenario, where Republicans manage to bring Trump up to their proposed 20% corporate tax rate, the LIHTC is still likely to see a decrease in demand as the dollar for dollar value of a tax credit decreases, crippling America's main engine for driving the production of affordable homes. Now, more than ever, HUD's new Secretary must be willing to fight for the agency's mission: "to create strong, sustainable, inclusive communities and quality affordable homes for all" (HUD, 2017, para. 1).

Enter Dr. Carson, a man who once labeled Obama's push for fair-housing "a mandated social engineering scheme" (Carson, 2015). Carson's credentials and wealth of experience are expansive, impressive, and completely unrelated to housing. While no doubt an adept neurosurgeon, Carson is ill-prepared to meet the challenges facing HUD over the next four years.

Carson simply doesn't have the requisite knowledge and experience to run a federal agency, let alone an agency utterly unrelated to his

expertise. In November, Carson's spokesperson Armstrong Miller delivered this sentiment from the horse's mouth, declaring "Dr. Carson feels he has no government experience, he's never run a federal agency" (as cited in Kasimer, 2016, para. 4). For want of qualifications, the doctor, it seemed, was out. It was only when Trump insisted on Carson that the neurosurgeon-cum-nominee agreed. Incredibly, in the space of eight days, Carson went from fearing he would cripple the presidency if appointed to feeling he could make "a significant contribution" (Carson, 2016). Nobody can learn enough about housing policy in the space of a few weeks to be entrusted with a \$50 billion agency, 8,000 employees, and the future of over 5 million low-income Americans who rely on HUD's various programs.

Carson's lack of experience might not be so concerning if the LIHTC were facing a normal four years. Plenty of appointees embrace a business as usual approach upon taking office. But making America great again is not business as usual. If investment in the LIHTC ceases, HUD will, more than ever, need a leader willing to fight for the department's budget, a leader who understands housing policy, a leader whose sole qualification to run HUD isn't the fact that he lives in a house. The conservative neurosurgeon is none of these things. The problems facing HUD don't require a brain surgeon, they require a housing expert.

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RESEARCH

# HISTORICAL TRAUMA AND INDIGENOUS PEOPLES OF THE U.S.: CONSIDERATIONS FOR SOCIAL WORKERS ON COLONIZED LAND

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LAUREN LANDERS TABARES

MSW '17

The Code of Ethics of the National Association of Social Workers implores social workers to

...promote conditions that encourage respect for cultural and social diversity within the United States and globally. Social workers should...advocate for programs and institutions that demonstrate cultural competence. . . [and] act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class. (NASW, 2008, 6.04)

This begs the question: what is a social worker to do when the very country in which they reside and the very institutions they aim to serve have participated in the systematic disenfranchisement of Indigenous Peoples? This literature review aims to briefly examine the impact of historical trauma on Indigenous Peoples in the U.S. and to

explore potential interventions at the macro and clinical levels.

## Background

It is important to note that Indigenous Peoples of the U.S. are incredibly diverse, with many individuals and communities preferring to use their tribal name rather than being lumped into a larger whole. The literature varies in the language used to identify Indigenous Peoples; popular terminology such as Native American or First Nations is often used without addressing the problematic nature of grouping such distinct communities (Fong & Furuto, 2001; Lum, 2003). Thyer, Myers, Wodarski, and Harrison (2010) state that using the term “nation” is problematic because the word nation is a colonial term; indeed, “nations” as they are known today were created by colonists who stole land from Indigenous Peoples. With this in mind, the author uses the

term Indigenous Peoples to describe “those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived. The new arrivals later became dominant through conquest, settlement, or other means” (Secretariat of the Permanent Forum on Indigenous Peoples, 2006, para. 1). Thus, Indigenous Peoples are linked by their “historical continuity with pre-colonial or pre-settler societies” (Secretariat of the Permanent Forum on Indigenous Peoples, 2006, para. 3).

It has been estimated that between 66 and 90 percent of Indigenous Peoples in the United States population fell victim to genocide between 1500 and 1900 (Weaver, 1999). Today, there are 2.39 million Indigenous Peoples making up over 500 distinct nations (Fong & Furuto, 2001; Lum, 2003). Contrary to popular belief, less than one-quarter of Indigenous Peoples live on reservations, and a majority live in urban settings (Thyer et al., 2010). Indigenous Peoples are youngest and fastest growing population in the United States. Because the population is also generally known as one of most marginalized groups in the U.S., it is important that social workers recognize their unique struggles and learn effective helping methods to address historical trauma.

## Historical Trauma

Historical trauma can be defined as “a collective complex trauma inflicted on a group of people who share a specific group identity or affiliation...it is the legacy of numerous traumatic events a community experiences over generations” (Evans-Campbell, 2008, p. 320). This definition is generally consistent across the literature, although it is sometimes referred to as intergenerational or collective trauma (Day & Weaver, 1999; Evans-Campbell, 2008; Fong & Furuto, 2001; Gone, 2013; Lum, 2003; Weaver, 2014). Although historical trauma and Post Traumatic Stress Disorder (PTSD) are not synonymous, it is relevant to note that PTSD is significantly over-represented in indigenous populations (Day & Weaver, 1999; Gone, 2013).

According to Weaver (2014), there is also a biological basis for historical trauma:

Epigenetics is the science of how experience is transmitted genetically from one generation to the next. Through modification of the structure of the DNA by actual experience, offspring receive the experiences of their parents... Corrective emotional experiences can alter this transmission, but in the absence of such healing, the transmission continues. Through the science of epigenetics, historical trauma has a biological basis. (Weaver, 2014, p.190)

Research links historical trauma to higher rates of mental health diagnoses, substance use, and suicidality (Day & Weaver, 1999; Gone, 2013; Lum, 2003; Thyer et al., 2010; Weaver, 1999, 2014). Thyer et al. (2010) state that “suicidal ideation and suicide attempts are associated with loss of cultural traditions that confer and support identity” (p. 158). Gone (2013) and Weaver (1999, 2014) claim that suicide rates among Indigenous Peoples – particularly youths – are associated with historical trauma. Gone (2013), Thyer et al. (2010), and Weaver (2014) each cite substance abuse as a direct consequence of historical trauma.

Numerous other experiences of Indigenous Peoples have been linked to historical trauma. Gone (2013) and Weaver (2014) cite poverty as a result of historical trauma, while Evans-Campbell (2008), Thyer et al. (2010), and Weaver (2014) make the case that violence and sexual assaults are also results. It is not yet clear how far-reaching the effects of historical trauma may be, both in scope of problems and number of generations impacted.

## Eurocentric Social Work

Gray et al. (2008) state the following regarding social work with Indigenous Peoples:

Not only have the efforts of social workers been proven to be largely ineffective, the profession has not stood out as being at the forefront of advocacy efforts to expose or combat the rampant poverty, the “third world” conditions and the human rights abuses...

this absence is a direct result of the dominant modern paradigm under which social work has developed, which has...been ineffective in dealing with the needs of Indigenous Peoples. (p. 49)

Specifically, Gray et al. (2008) point out the lack of Indigenous history in social work texts. For example, the primary textbook for a course titled "History and Philosophy of Social Welfare" at the University of Pennsylvania's School of Social Policy and Practice begins after colonization, writing Indigenous Peoples out of history and ignoring Indigenous means of social welfare (Stern & Axinn, 2011).

Not surprisingly, Indigenous Peoples are not likely to trust non-native social workers (Fong & Furuto, 2001). This can be attributed to a history of negative experiences with social workers; most notably, having extremely high numbers of children involuntarily removed from families (Gray et al., 2008; Lum, 2003; Thyer et al., 2010; Weaver, 2014). Indigenous Peoples may also have a deep mistrust of Indian Health Services, a government organization that assigns clinical social workers to Indigenous populations, but which has a poor reputation due to a history of injustices paternalistic practices (Thyer et al., 2010).

Mental health interventions with Indigenous Peoples may be ineffectual because "psychiatric nomenclature and conceptual frameworks are limited in their ability to reveal indigenous constructions of mental health and illness" (Thyer et al., 2010, p. 57). Indeed, mental health pathologies carry vastly different meanings based on the Indigenous tribe or community in which they are found. Lum (2003) instructs non-native social workers to adapt mainstream social work models to fit the needs of Indigenous Peoples; however, most of the literature dissuade social workers from engaging in the practice. In fact, Thyer et al. (2010) labels this concept "applied ethnocentrism."

### Social Work Implications

Although there is a general consensus in the literature reviewed that Eurocentric social work

models are ineffective and inappropriate for Indigenous Peoples, there is little consensus on how to solve this problem. Indeed, even well-meaning non-native social workers have a history of making Indigenous Peoples feel marginalized. One example, presented by Lum (2003), cites a substance abuse program whose facilitators incorporated traditional tribal ceremonies in their intervention. Not long after this change was made, most of the participants dropped out of the program. It was later discovered that the tribal members felt a disconnect with their culture due to their history of forced acculturation in boarding schools; therefore, being asked to participate in traditional ceremonies made them feel inadequate (Lum, 2003).

The previous example is not to say that culture cannot be a powerful tool in social work interventions. In fact, much of the literature reviewed cites culture as an antidote to historical trauma (Gone, 2013; Thyer et al., 2010; Weaver, 2014). Determining how non-natives might use culture in their clinical practice is no easy task, although scholars recommend, at a minimum, completing cultural assessments before selecting interventions (Gone, 2013; Thyer et al., 2010; Weaver, 2014). Partnering with Indigenous Peoples, therefore, is absolutely essential (Tamburro, 2013).

There are a limited number of mainstream clinical interventions that have been determined to be effective for Indigenous Peoples, and the number is further reduced based on the specific community context. Narrative therapy has been shown to be at least somewhat effective in processing historical trauma (Weaver, 2014). In addition, Cognitive Behavioral Therapy has demonstrated success in treating mental health and substance abuse concerns among Indigenous Peoples (Thyer et al., 2010).

Macro-level interventions are often cited as the most important avenue for reconciling historical trauma. Indigenous communities need to be empowered to take stances on effecting change in their own communities to avoid paternalistic approaches by non-native social workers (Fong & Furuto, 2001; Gray et al.,

2008; Lum, 2003). Academic institutions, especially those that train social workers, need to incorporate more Indigenous history and social justice concerns into their curriculums (Lum, 2003; Tamburro, 2013). More research needs to be completed regarding effective interventions for Indigenous populations. Daily reminders of historical trauma, such as stereotypical sports mascots, must be renounced and removed (Fong & Furuto, 2001; Lum, 2003). Finally, it is important for non-native social workers to keep in mind the following quote from Gray et al. (2008): "Indigenous ways of knowing, being and doing persist and can continue to shape how people are helped, with or without social work" (p. 81).

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# THE INTERSECTIONS OF RACE, MENTAL HEALTH TREATMENT AND SOLITARY CONFINEMENT IN THE U.S. CRIMINAL JUSTICE SYSTEM

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Since 1982, the U.S prison population has soared, rising from 300,000 to more than 2 million. The United States now incarcerates more people per capita than any other nation in the world, despite having crime rates that fall below the international average (Alexander, 2012, p. 7). According to Michelle Alexander (2012), the most striking part of this phenomenon is the profoundly discriminatory way that incarceration has been used as a tool for social control over minority populations. She explains that “mass incarceration in the United States has emerged as a stunningly comprehensive and well-disguised system of racialized social control that functions in a manner strikingly similar to Jim Crow” (Alexander, 2012, p. 4). While minority populations do not commit crimes at any higher rate than white populations (in fact, often at lower rates), they experience incarceration at dramatically higher rates (Alexander, 2012).

The Sentencing Project reports that African Americans are incarcerated at 5.6 times the rate of white Americans, with nearly 1 in 6 black men having been incarcerated as of 2001 (Mauer & King, 2007). If trends continue, one in three African American men can expect to experience incarceration during their life time (Mauer & King, 2007).

As the number of Americans incarcerated has increased, the need for attention to the health and quality of life of people being incarcerated has also increased. There is a profound need for services within the criminal justice system, where rates of physical and mental health concerns are extremely high. According to one study, incarcerated persons are three times more likely to experience chronic, acute and behavioral health problems than the general population (Binswanger, Redmond, Steiner, & Hicks, 2011). Another study claims that, according to the

Federal Bureau of Prison Statistics, people with mental health conditions constitute 64% of the jail population nationwide (James & Glaze, 2006).

There are myriad reasons that people involved in the United States criminal justice system experience higher rates of mental and behavioral health issues than the general U.S. population. Historians look to the deinstitutionalization movement of the 1950s and 1960s as the instrumental precursor to the mental health crisis. Dean Aufderheide, Health Affairs blog author, refers to the deinstitutionalization movement as a “trans-institutionalization” movement, and explains that states in the 1960s “embarked on an initiative to reduce and close publicly-operated mental health hospitals” (Aufderheide, 2014, para. 6). State officials envisioned that closing hospitals “would result in the mentally ill living more independently with treatment provided by community mental health programs” (Aufderheide, 2014, p. 1) and would result in better and more humane services. Unfortunately, the initiative was not met with federal government support for funding of community programs, and, as a result, hundreds of thousands of mentally ill individuals returned to communities without access to essential treatment resources. Without treatment or recourse, individuals with mental illness have dramatically higher rates of offending. Non-managed psychosis, trauma, depression and substance use disorders have all been strongly connected to likelihood of incarceration. By the 1970s, the evidence of deinstitutionalization’s consequences began to emerge. A study published by Treatment Advocacy Center reported a “36 percent increase in mentally ill prisoners in the county jail and a 100 percent increase in mentally ill individuals deemed incompetent to stand trial (Torrey, Kennard, Lamb, Eslinger, & Pavle, 2010, p. 2)”. It also quoted a state prison psychiatrist, who lamented that “we are literally drowning in patients” (Torrey et al., 2010, p. 2).

The negative repercussions of the deinstitutionalization movement have continued to grow over the last three decades. In 2004, the Treatment Advocacy Center published a scathing report of the status of mental health care in

prison and the trends of the last half of the 20th century, claiming that “an individual with a serious mental illness was 10 times more likely to find a psychiatric bed for treatment in 1955 than in 2004” (Torrey et al., 2010, p. 8). According to the research they had conducted of state mental health treatment, the number of mentally ill individuals in prisons and jails exceeded the number of patients in state psychiatric hospitals by ten times, leading them to refer to prisons as “America’s new asylums” (p. 7).

Racial minorities, especially blacks, make up a disproportionate percentage of the number of mentally ill people arrested and incarcerated in the U.S., even considering their overrepresentation in the criminal justice system overall. These rates have been attributed to a long and complex cycle of limited access to mental health care, which has led to more severe mental health symptoms and more frequent criminal involvement and arrest (Cuellar, Snowden, & Ewing, 2007). Additionally, James Kilgore, a respected mass incarceration scholar and activist, notes the strong and well researched connection between poverty and the development and presentation of mental health issues, which indicates that psychiatric disorders have been consistently shown to be more common among people in lower social classes (Murali & Oyebode, 2004). Kilgore (2015) writes that “research links many instances of mental illness to experiences of poverty and violence, which are disproportionate realities in poor communities of color” (para. 7), and notes that, in this context, diverting mentally ill individuals from prison to treatment does not do enough to address the complex antecedents of mental illness and change the patterns that lead to the arrest and incarceration of mentally ill individuals of color.

## Mental Health Diagnoses

Despite the aforementioned research demonstrating a disproportionately high burden of mental illness within minority communities, white prisoners are more likely to receive diagnoses of mental health disorders and to be recommended for treatment, while black inmates are more likely to be treated with punishment.

Individuals with mental illness from ethnic and racial minority communities often remain undiagnosed for a variety of reasons, including: lack of English proficiency; misdiagnosis due to provider-level bias and cultural differences; cost of care; and lack of health insurance (Primm, Vasquez, Mays, & Sam, 2010). Black individuals are also three times as likely to receive diagnoses of schizophrenia, and far less likely to receive more “socially acceptable” diagnoses of depression, based on similar symptoms (Perry, Neltner, & Allen, 2013). There are a number of hypotheses for this differential treatment, including provider-level bias, which is described as a “tendency to view non-White persons as criminal or untruthful, which in a mental health setting could lead staff to not detect mental illness or to give a more pejorative diagnostic label” (Kaba et al., 2015, p. 1915).

This conclusion was further supported and strengthened by a study at Columbia University’s Mailman School of Public Health that examined the impact of racial disparities on tools used to screen newly incarcerated individuals for mental health disorders (Prins, Osher, Steadman, Robbins, & Case, 2012). In addition to agreeing that provider-level bias can impact the use of screening instruments and the conclusions drawn from them, the study also examined the competency of tools used for assessing mental health. The study asserted that “cultural factors affect how individuals define, evaluate, seek help for, and present their health problems to family members, friends, and service providers” (Prins et al., 2012, p. 3) and that instruments used for testing are not designed to evaluate these culturally unique factors, leading to significant measurement error. This finding is supported by a report from the American Psychological Association, which concluded that culturally competent mental health screenings and treatments can help address mental health disparities among minorities, and acknowledges that minorities receive lower quality mental healthcare than whites, due to cost, access, stigma and quality barriers to service (Holden et al., 2014).

Mental health assessments within the prison

system weigh items in ways that make it less likely for racial and ethnic minorities to screen positive for mental health issues, based on past experiences and cultural norms. In particular, screenings weight items that ask about previous treatment seeking behavior, discriminating against ethnic minorities who are statistically less likely, based on socioeconomic and cultural factors, to have had previous mental health treatment or treatment of high quality. By weighting these items, the assessment “create[s] additional disparities in the present by bringing into the foreground those that occurred in the past” (Prins et al., 2012, p. 8). These additional disparities are likely to include limited access to jail mental health treatment resources and exclusion from diversion programs that target inmates with mental illnesses for linkages to community-based treatment. The consequences of this dynamic are severe; on average, prisoners with poorly managed mental illnesses serve longer sentences, have harder times being granted parole, and may possibly have higher rates of recidivism (Sarteschi, 2013).

#### **Treatment During Incarceration and the Use of Supermax Facilities**

Once incarcerated, significant differences exist in the treatment of white and nonwhite individuals who violate prison rules. Black individuals receive disproportionately higher numbers of conduct reports compared to white individuals, even though white and nonwhite offenders commit infractions at identical rates. Discretion on the part of prison officials, who have a “stereotypical conception of Black prisoners as aggressive and prone to rule breaking” (Arrigo & Bullock, 2008, p. 633) allows race to play a significant role in the treatment of individuals in the criminal justice system (Ramirez, 1983). Based on these preconceptions of aggression, nonwhite prisoners are to be more likely to be placed in solitary confinement for rule violations.

With regards to mental health symptoms, white and nonwhite individuals are likely to experience very different institutional responses to behavior. As Prins et al. (2012)

note, white inmates are more likely to have been previously diagnosed with mental health conditions, and thus routed towards treatment and medication, whereas mentally ill minority inmates are likely to have gone undiagnosed. Thus, behavioral incidents among the former group are more likely seen as an indication of medical need while similar incidents might illicit punishment when performed by a nonwhite inmate. These disparities in treatment have been well documented, especially with regards to punishment through use of solitary confinement (Schlanger, 2012). Solitary confinement consists of isolating a person in a cell for twenty-two to twenty-four hours per day and severely limiting human contact and environmental stimulation of any kind (ACLU Foundation, 2014). In addition to diminished human contact, solitary confinement also involves a lack of privacy, with guards able to constantly view prisoners through video. Although legal attempts to outlaw confinement have been ongoing since 1890 (National Alliance on Mental Illness, 2016), the use of solitary confinement in U.S. prisons is pervasive and increasing, and is widely used as punishment for a wide variety of infractions.

The negative mental health consequences of solitary confinement have been widely researched and reported, and effects on individuals with mental health issues have been found to be particularly severe. Psychological effects of solitary confinement can include anxiety, depression, anger, cognitive disturbances, perceptual distortions, obsessive thoughts, paranoia, and psychosis (Shalev, 2008). The Journal of the Academy of Psychiatry and Law Online specifically notes that

adverse effects of solitary confinement are especially significant for persons with serious mental illness... the stress, lack of meaningful social contact, and unstructured days can exacerbate symptoms of illness or provoke recurrence... frequently mentally ill prisoners decompensate in isolation, requiring crisis care. (Metzner & Fellner, 2010, p. 105)

The Sourcebook on Solitary Confinement

(Shalev, 2008) further describes the effects of solitary confinement through the definition of “confinement psychosis,” identified by researchers as “a medical condition typified by ‘psychotic reaction characterized frequently by hallucinations and delusions, produced by prolonged physical isolation and inactivity in completely segregated areas’” (Shalev, 2008, p. 11). Reports have indicated that the detrimental effects of solitary confinement persist in the long term, and impact length of prison sentence and rates of recidivism post release (Metzner & Fellner, 2010), (Shalev, 2008).

Not only is solitary confinement especially psychologically detrimental to individuals experiencing mental health issues, but these individuals are also more likely to be placed in isolation (Haney, 2003). One synthesis of related literature, compiled by Chirstine Sarteschi (2013), notes that “inmates with mental health problems are much more likely to be charged with breaking facility rules or verbally or physically assaulting correctional staff” (p. 6). Furthermore, compared to the general prison population, these individuals are more likely to engage in destructive behaviors that result in punishment, such as: setting fires; destroying property; smearing human excrement; and self harming. Overall, successful prison life requires an ability to conform to structure and adhere to rigidly enforced rules and procedures. Mentally ill prisoners have difficulty complying with these demands, and often end up in trouble as a result. When these difficulties go unresolved and individuals are not given appropriate treatment, destructive patterns continue and individuals end up in solitary confinement (Haney, 2003). In prison systems that fail to recognize the mental health needs of their clients and “blame prisoners for manifesting psychological conditions for which they should have been treated...supermax becomes the default placement for disruptive, troublesome, or inconvenient mentally ill prisoners” (Haney, 2003, p. 143).

#### **Conclusion**

When working with clients involved in the criminal justice system, it is essential to recognize

and respond to the ways that systems continue to perpetuate racially based cycles of poverty, inequality, mental illness, and incarceration. Trauma informed treatment should be standard, and interventions should be cognizant of the likely presence of mental illness. Systematically, more must be done to address community poverty, violence, and residential segregation. Better access to mental health services must be made available and affordable. More effective measurement tools must be developed for evaluating mental health in ways that respect and reflect cultural differences in expression. Discriminatory practices in punishment must be abolished, as should punitive solitary confinement. These changes will be slow, but, as agents of change, the social work profession must work to use individual experiences with clients as platforms for alleviating the inequalities, persecutions and inefficiencies that they face and pursue meaningful change in the systems and policies that fail them.

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# MAKING HISTORY: A HISTORICAL ACCOUNT OF LGBTQ+ SOCIETY BEFORE 1945

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The United States of America has long prided itself on being a place of personal freedom. While the country continues to struggle to be inclusive for people of all races, ethnicities, religions, genders, and sexual orientations, great strides have been made over the past one hundred years to protect all citizens. The progress made by the lesbian, gay, bisexual, transgender, and queer communities seems to have accelerated from nothingness after the infamous Stonewall Riots of 1969. However, the movement in the United States began decades before the police raids in Greenwich Village, and grew despite numerous legal and social obstacles. It was the vibrancy of voluntary organizations and the growing reputation of independent nonprofits that allowed for this underground movement to begin.

## THE IMPORTANCE OF BEING EARNEST

### The Rise of Philanthropy and Voluntary Organizations, 1880-1919

The roots of voluntary society as it exists today can be traced to the 1880s, specifically to Pittsburgh steel tycoon Andrew Carnegie. Post-Civil War America was shaken by an economic depression that victimized vulnerable labor workers. This turmoil led to a call for labor reform and unionization of workers, but without established advocacy groups or channels of power, these movements turned violent (Hall, 2004).

Andrew Carnegie, a Scottish immigrant who had risen from a child textile factory worker to one of the wealthiest industrialists of the time, was a strong advocate for these worker movements. In 1886, he began writing on the

issues surrounding the labor crisis, calling for better working conditions and recognizing the workers' right to organize. Three years later, he published a popular paper "Wealth," which called upon all industrialists of the time to recognize the debt they owed these men and reinvest their fortunes in the laborers' wellbeing (Hall, 2004).

While public charities did exist during the late Nineteenth Century, they were haphazard institutions that provided handouts for the impoverished, rather than working to truly correct and improve their situation. Carnegie recognized that and began investing his wealth in the development of libraries, parks, museums, meeting halls, and educational institutions. In his eyes,

the best means of benefitting the community is to place within its reach the ladders upon which the aspiring can rise... [the development of] institutions of various kinds, which will improve the general condition of the people; in this manner returning [industrialists'] surplus wealth to the mass of their fellows in the form best calculated to do them lasting good. (Hall, 2004, p. 12)

Carnegie's contemporaries were quick to follow. Where philanthropy had been modest before, the wealthy began to compete to showcase their fortune and good will towards the American public. They began establishing foundations to protect their riches and organize the funds' dissemination to social movements and institutions. This trend brought together economic, social, and political spheres that had previously operated detachedly. Universities became hotbeds of intellectual thought, newly thriving thanks to the fortunes of Carnegie and his peers. Similarly, mutual benefit associations began to grow, especially as immigrants arrived in the country looking for communities in times of distress. Professionals like physicians, lawyers, and engineers joined together in societies to share discoveries and set sector standards, as well as to petition government on pertinent issues. This was also a time when trade unions began to form and social groups for women's suffrage

and prohibition rose towards prominence (Hall, 2004).

These organizations served to fill a void where government was not operating. Voluntary society allowed individuals to come together around an issue of importance without intervention from third parties. The key to voluntary society, which would later become the nonprofit sector, was that it was fueled by the citizens, preventing a return to bureaucracy or, worse, monarchy, that immigrants and the Founding Fathers had fought to escape (Arnsberger, Ludlum, Riley, & Stanton, 2008).

## THIS SIDE OF PARADISE

### LGBTQ Rights & Culture Before World War II, 1920-1945

Forty years later, voluntary society during the Roaring 20's was as vibrant as ever. While communist and socialist thought lit up Europe, the active social organizations of the time served to address inequalities and injustice. The 1920s were marked with victories for women's rights and the rise of minority groups, such as the National Association for the Advancement of Colored People (NAACP) in 1909 (Hall, 2004).

The 1920s also were marked by many cultural revolutions. This generation, coming of age in the wake of World War I, challenged traditional values through art, film, theater and music. Prohibition, which outlawed consumption of alcohol, unintentionally fostered an underground world of leisure from 1920 to 1933. Young women, high on the landmark victory of deserving the right to vote, looked to rid themselves of Victorian values through sexual revolution. As art and fashion of the time indicates, women embraced themselves as sexual agents, independent to act as they desired without societal or religious ridicule (Stein, 2012).

The elements of the time allowed gay and lesbian society to flourish as well. As many young people moved into secret bars to escape arrest during Prohibition, gay spaces, such as bars, clubs, restaurants, and bathhouses also prospered. Many major metropolises, as well as many smaller cities, had rich gay and lesbian communities. With

the sexual revolution storming the country, gays and lesbians were featured more prominently in art, film, theater, and literature. While these portrayals were not always positive, they brought the community out of the shadows and into the public eye. No longer were gays and lesbians mysterious, unknown, secret people, but they were amidst greater society (Stein, 2012).

With the newfound visibility, gays and lesbians found themselves in great jeopardy from the law. Furthermore, they found themselves in a difficult position to advocate for their own protection and freedom. Federal and state laws concerning sexual acts were quite unclear, and it would be unrealistic for gays and lesbians to petition each state legislature for fair treatment since there was no structure of national, state, or even local advocacy groups. Similarly, the public was horrified simply by the existence of gays and lesbians. Getting an appointment with lawmakers would be impossible (Gerber, 1962).

Henry Gerber, recently home in Chicago after serving in the army in Germany, was intent on establishing a social and legal advocacy group for gays and lesbians. In Germany, he had witnessed an open and free society of gay men and had read publications dealing with issues of the queer community. No such thing existed in the United States (Nash, 2005). Throughout the fall of 1924, Gerber sought out gay men who were interested in creating such a society. Finding such individuals was difficult, not so much because of fear of exposure, but due to general ignorance. In an article in *One*, Gerber (1962) notes that “the average homosexual...was ignorant concerning himself. Others were fearful. Still others were frantic or depraved. Some were blasé” (Gerber, 1962, para. 7).

Despite these hurdles, the Society for Human Rights, as they would call themselves, held their first secret meeting on December 10, 1924. Utilizing many of the undercover tactics of the German organizations, they called themselves a “homophile” society, supporting those that sought “same love,” from the Greek roots “homo” and “phile.” Here, they established their core objectives, namely to create a collaborative

community, provide a space to exchange ideas on societal attitudes towards gays, and work to bridge gaps with law enforcement. The group was successful in gaining a state charter, thus solidifying themselves as a recognized organization. Gerber funded the publication of *Friendship and Freedom*, a periodic newsletter, out of his own pocket. His advocacy work began with obtaining recognition from medical professionals, who had previously diagnosed homosexuality as a curable ailment of the mind, that homophiles were productive members of society. He also attempted to address Illinois laws concerning sodomy, which concerned gays, as well as unmarried straight couples of the time (Gerber, 1962).

Unfortunately, just a few short months after the first meeting of the Society for Human Rights, Gerber was exposed for his activities in support of the gay community and for engaging in homosexual activity. He and several members were arrested. While the legal charges were dropped, Gerber and the Society’s reputation were ruined nonetheless (Nash, 2005). The valiant attempt to establish the country’s first homophile movement was crushed, not to be revived for nearly thirty years.

As the Great Depression and World War II quelled the revolutionary spirit of the 1920s, life for young gays and lesbians changed drastically. The underground societies that once served as vibrant gathering places were lost as economic downturn and war forced many to shift their focus away from social gatherings and law enforcement became more militant in exposing sexual misconduct. While the term “coming out” was popularized during this time, indicating a first sexual encounter with someone of the same sex or finding other gay friends, there were no resources for coming out. Young gays and lesbians lived a solitary, isolated existence. There were no organizations supporting their rights or wellbeing and there was little social community (Bérubé, 1990).

The war brought some solace for some, as the close quarters of military camps and the sexually liberated communities of Europe

brought young gay men together. However, the military had staunchly opposed same-sex relationships since 1919, when a young Franklin Delano Roosevelt, then Assistant Secretary of the Navy, was outraged at the “scandalous conduct” reported of navy personnel at a base in Rhode Island (Faderman, 2015, p. 31). Homosexual activity was officially criminalized by the military in 1920, though there were few formal discharges at the time. However, with the outbreak of World War II, the draft and influx of soldiers brought increased discharges of gay military personnel (Faderman, 2015).

Such discharge came with great disgrace to the individual. However, some gay soldiers decided to come out on their own, showcasing pride for their identity rather than shame of being exposed by a commanding officer. This was the first time gay culture began to intersect with politics. By outing themselves, these individuals were coming into direct conflict with the government. Such actions would continue to be instrumental to the homophile movement throughout the Fifties and onwards to the current period (Faderman, 2015).

## THAT WAS THEN, THIS IS NOW

### LGBTQ Organizations Today

Following World War II, a second wave of homophile organizations, such as the Mattachine Society and Daughters of Bilitis emerged, shaping the gay and lesbian movement and making way for the LGBTQ community as it is known today. LGBTQ organizations have become vibrant spaces for people to come together with shared experience and common cause for activism (Shokeid, 2015). However, people continue to come together through voluntary society, the impetus for which remains unclear. Shokeid (2015) ponders, “what is it that leads mature, educated and frequently quite successful people to seek trust and friendship in the company of strangers gathered at often run-down buildings for lay-led meetings conducted without professional direction” (p. 7)? However, the practice has continued over centuries in America. It is something Alexis de Tocqueville historically observed in his visit to the States in

1831:

Americans of all ages, conditions, and dispositions constantly unite together. Not only do they have commercial and industrial associations to which all belong but also a thousand other kinds, religious, moral, serious, futile...I have frequently admired the endless skill with which the inhabitants of the United States manage to set a common aim to the efforts of a great number of men and to persuade them to pursue it voluntarily. (as cited by Arnsberger, et al., 2008, p. 105)

Andrew Carnegie, too, recognized this as he revolutionized philanthropy and endorsed laborers to organize: the true wealth of American society lies not in its industry and fortunes, but in the willingness of its citizens to organize around a common cause (Arnsberger et al., 2008).

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ELECTION &  
ITS AFTERMATH

# WHO DO WE WANT TO BE?

## AN INTROSPECTION ON PATRIOTISM

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FOLASADE FAMAKINWA

MSSP '17

*“People hand in hand  
Have I lived to see the milk and honey land?  
Where hate’s a dream and love forever stands  
Or is this a vision in my mind?  
The law was never passed  
But somehow all men feel they’re truly free at last.  
Have we really gone this far through space and time  
Or is this a vision in my mind?”*  
- Stevie Wonder, Visions (1973)

I did not think it was possible to be more cynical than I already was prior to November 8th, 2016. I was quickly proven wrong. In the months following the presidential election, I, like many, have battled unprecedented levels of hopelessness. Almost every day, several times a day, I consume news that makes me legitimately concerned for the safety of my family, my communities, and my country. From cabinet appointments to executive orders, Mr. Trump has quickly made it clear that he will pursue a policy agenda that only harms already vulnerable populations. This alone has caused a sufficient level of despair. But more importantly, it is the constant exposure to current political events, partnered with the constant deconstruction of such events as a policy student, that has left me with heightened levels of skepticism.

I am exhausted.

I imagine that studying social policy when there is a change in presidential administration has always been particularly challenging. And yet, something still feels unique about this political moment. It is almost impossible to have a class where the current administration does not come up in discussion, and logically so. The administration’s desired course of action on issues like immigration and healthcare will have lasting impacts on equality and equity in our society, both of which are topics of special focus in the MSSP program. Thus, examining the ways in which Mr. Trump aims to shape and implement policy around these matters is quite fitting for my lessons as a policy student. Furthermore, such lessons become especially impactful when taught within the context of historical events. Although I leave my classes feeling more knowledgeable about social policy, I simultaneously am repulsed by how our most

pressing social problems never seem to go away, but rather only change in their expression. As a result, my worry is less about the president himself, and more so about the ways in which his rise to power is a direct reflection of some of the most problematic aspects of American culture. It is easiest for us to place blame for today’s political climate squarely on Mr. Trump. It is much harder (and thus less appealing) to do the intense self-examination needed to see how we may all be complicit in creating an environment ripe for a person like Mr. Trump to succeed. My policy studies now leave me convinced that the construction of lasting sociopolitical progress is contingent on a critical mass of Americans committing to holding themselves accountable in ways previously unseen. It may be difficult, but it is not impossible.

### **Policy: Analysis of Issues, Strategy and Process**

Through the exploration of historic policy debates, as well as various critical and theoretical perspectives, my first semester policy analysis class provided a foundation for understanding of the factors that drive social policy development and implementation. The course leveraged social welfare policy case studies that helped us explore the ways in which social welfare policy has operated as a form of social control. For instance, initiatives like Aid to Families with Dependent Children (AFDC) were initially created to assist single parents raising families (U.S. Department of Health and Human Services, 2009). However, such programs were increasingly scrutinized as more racial minorities, especially black women, accessed them. Black women have long been demonized in social welfare policy (e.g. via depictions as the “welfare queen”), and it is exactly this demonization that served as the impetus for the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996 (Cammett, 2014). The continued conceptualization of black women as lazy, parasitic, and sexually deviant served as a mechanism by which policymakers could pass legislation like PRWORA, aimed at reducing access to welfare benefits. Too often, as in this

example, political discourse around government assistance is less indicative of a problem with the existence of social safety net programs, and more so with who has access to such programs. This is troubling. How can we generate poverty by systematically excluding a group of people from building wealth for decades, and then go on to not only vilify those people for needing help, but also try to prevent them from receiving it? We, are the problem.

### **Law and Social Policy**

As the name implies, my current law and social policy course explores how legal processes regularly influence policymaking spaces. We study the judicial systems at the state and federal levels, examining the legal arguments and reasoning used to address contentious social issues. A recent class evaluating court decisions on social safety net programs resonated with me deeply. We wrestled with *Goldberg v. Kelly* and *Mathews v. Eldridge*, two landmark cases that called into question whether refusing to provide welfare and social security disability recipients with hearings prior to terminating their benefits is a violation of their constitutional right to due process (Brest, Levinson, Balkin, Siegel, & Amar, 2006). In *Goldberg v. Kelly*, the court held that welfare recipients are indeed entitled to pre-termination hearings; it stated that irrespective of administrative burden, not offering these hearings “may deprive an eligible recipient of the very means by which to live” (Brest et al., 2006, p. 1668). Contrastingly, the court held in *Mathews v. Eldridge* that social security disability recipients are not entitled to pre-termination hearings, arguing that doing so would entail excessive fiscal and administrative burdens (Brest et al., 2006). In class, we weighed the different factors that may explain why two cases that are widely characterized as having similar parameters resulted in two distinctive court rulings. One of the points raised was that these decisions occurred in very different economic climates. Whereas the *Goldberg v. Kelly* ruling was given at a time of relative economic prosperity, the *Mathews v. Eldridge* ruling was given when our nation’s economy was rather weak. As such, the decisions made by the courts cannot be divorced from the

social, political, and economic context of the day (Failing & Rosser, 2016). The threshold for whether we can afford to acknowledge the condition of others is inextricably tied to how we perceive the economic welfare of ourselves, and of society in general. This does not sit well with me. I have never gleaned from reading the Constitution that we are allowed to put a price tag on due process. The capacity to use fiscal arguments to rationalize de-prioritizing the humanity of others is selfish at worst and apathetic at best. But apathy, too, can be wielded as a form of violence. We, are the problem.

### Policy and “Difference” in Postmodernity

In my current course on policy and difference in postmodernity, I am learning about how postmodern theory seeks to assess the mechanisms by which social constructions of difference (e.g. race, gender, class, etc.) are created and continually reproduced throughout society’s institutions. Evaluating social policy through a postmodernist lens is especially powerful, as assumptions about the differences in how people navigate society undergird all social policy processes. In particular, I am struck by how postmodern theorists have commented on the false promise of viewing power solely through distributive paradigms. For example, Iris Marion Young (1990) suggests that we tend to focus on “particular agents or roles that have power, and on agents over whom these powerful agents or roles have power” (p. 31). She argues that through employing a rigidly dichotomous view of power structures, we end up ignoring all of those who in one way or another play a role in allowing the intentions of those with power to be actualized (Young, 1990). There are countless examples that help elucidate Young’s philosophical conceptions of power, particularly within the context of current public discourse around institutionalized forms of injustice. People are concerned about our overly expensive healthcare system, but do not question how we continue to put people in power who allow this system to exist as is. People are angry about growing income inequality, but scoff at the poor for needing help. People demonstrate a greater commitment to policing the ways in which the

marginalized choose to protest their oppression than they do to joining them in the fight to eradicate oppression altogether. Oppressive systems need human capital to function, and in one realm or another, we each serve as that capital. We, are the problem.

### Understanding the Present Context

Through a variety of distinctive lenses, my social policy coursework has significantly impacted my current political outlook. It would not have been possible for someone as disrespectful, conflict-ridden, and incompetent as Mr. Trump to assume the presidency if it were not for the persistence of some of our worst cultural proclivities. When we actively permit a reductionist pathologizing of others whom we regard as different from ourselves, when we prioritize money over humanity, when we are comfortable with indifference, and when we recuse ourselves from accepting any responsibility for allowing unjust systems to flourish, we essentially write the playbook for political opportunists to succeed. All Mr. Trump had to do was understand these inclinations and exploit them to rise to power. It is exactly these dispositions that allow social problems to manifest in different iterations over time. We should not be surprised. These attitudes are still heavily present in contemporary social policy and political discourse – indeed, what is past is prologue. Embedded in the rhetoric around the travel ban, the “wall,” the possible repeal of the Affordable Care Act, and the plan to “help” inner cities is the futility of our morality. We continue to be hindered by our own behaviors. It is this longstanding dynamic that makes me wonder if there are limits to the efficacy of social justice work.

It would be easy to dismiss my perspective as unnecessarily grim. I continue to grapple with it myself. But it is important to note that my remarks come from a place of love for my country, and, more importantly, an understanding of what we are capable of being. We are better than this. I recognize that a collective engagement in this type of introspection is tough, as we are conditioned to reject anything that may impede

our perceptions of American Exceptionalism. However, just because we have not been exceptional, does not mean that we can never be exceptional. People from all backgrounds are rightfully debating what strategies are best to ensure that Mr. Trump cannot successfully execute his policy agenda, but we must also remember this is much bigger than him – he is nothing more than a hyper-visible illustration of values that have always existed in our culture. Exploring why these values have flourished for an extended period of time is now more critical than ever. Our future depends on our ability to do so.

*“To accept one’s past – one’s history – is not the same thing as drowning in it; it is learning how to use it.”*

- James Baldwin, *The Fire Next Time* (1963)

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# WORDS OF RESISTANCE: THE IMPORTANCE OF FREEDOM OF THE PRESS FOR POLICY GOALS IN AN EMBATTLED ADMINISTRATION

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LILLIAN OTTE

MSSP '17

Resistance always begins with words. In 1776, the words of the Declaration of Independence boldly severed ties between the then-colonies and Great Britain. A new nation came into being through the words on a single sheet of paper and indelibly changed the arc of history. The United States has a long and proud history of enabling freedom of speech and press. Even social policies are written using specific words that reflect input from stakeholders invested in the outcomes. Many policies are subject to public notice and comment procedures, as well as being reported in the media, which opens them to criticism and alteration. The dynamic exchange between the press, policymakers, and government is a hallmark of the American tradition. But what happens when freedom of the press comes under fire? The new presidential administration has openly waged a “war on the media,” seeking to discredit many reputable news outlets as “fake.”

Most troubling is the administration’s trend of excluding news outlets with opposing political slants from press briefings and discussions.

Taking a deeper look at the White House prerogative to exclude news outlets from press briefings requires an understanding of content-based and content-neutral regulation. Content regulation is regulation of speech based on subject matter or the facts it conveys. This is separate from content-neutral regulation, which focuses on noncommunicative aspects of speech (such as where, how, and when messages are shared) and treats all types of speech equally regardless of content (Volkh, 2010). A particularly pernicious form of content-based regulation is known as viewpoint discrimination. Government commits viewpoint discrimination when it singles out an opinion or perspective for treatment that is not given to all other viewpoints (O’Neill, 2007).

The government is not obligated to provide information to members of the press; nor is it bound to distribute information equally among news outlets (Post, 2017). However, First Amendment lawyers say that criteria for access to government resources, such as press passes and public news forums, must be content-neutral. In other words, the White House’s decision to exclude certain reporters or outlets cannot be based on the content of what those journalists or outlets have written or may write (Liptak, 2017).

The legal precedent for this First Amendment protection is drawn from *Sherrill v. Knight* (1977), a case that went before the D.C. Circuit Court of Appeals. Appellee Robert Sherrill, a correspondent for left-leaning publication *The Nation*, applied for and was denied a White House press pass. The Secret Service issued the denial after a background investigation but refused to disclose to Mr. Sherrill the information on which the denial was based (*Sherrill v. Knight*, 1977). The Circuit Court of Appeals determined that, while the Secret Service had a “compelling interest” in denying the application for the protection of President Lyndon Johnson, it did not have the right to withhold from the appellee the evidence upon which a denial was based (*Sherrill v. Knight*, 1977). Most pertinent to the issue of first amendment rights is the following statement penned by Judge Carl McGowan for the unanimous three-judge panel:

...the White House has voluntarily decided to establish press facilities for correspondents who need to report therefrom... White House press facilities having been made publicly available as a source of information for newsmen, the protection afforded newsgathering under the first amendment guarantee of freedom of the press requires that this access not be denied arbitrarily or for less than compelling reasons. Not only newsmen and the publications for which they write, but also the public at large have an interest protected by the first amendment in assuring that restrictions on newsgathering be no more arduous than necessary, and that individual newsmen

not be arbitrarily excluded from sources of information. (*Sherrill v. Knight*, 1977)

Put another way, since the White House voluntarily made press facilities available to the public, it has no legal grounds to refuse access to the public (e.g. members of the press) apart from clear and compelling interests, such as safety or security of government officials.

This throws into stark relief the *modus operandi* of the current administration. Refusing to admit certain correspondents to White House press conferences may be facially valid, if such refusals are based on clear and compelling government interests or if interviews take place outside of the “public forum” of a press conference. However, if exclusions are motivated by displeasure or disagreement with news coverage, the White House may be committing viewpoint discrimination, bringing the new administration dangerously close to a first amendment infringement (Liptak, 2017).

Attacks on the media by the presidential administration are not new. Several American presidents, including Richard Nixon and Bill Clinton in recent memory, characterized the media as the “enemy” and “purveyors of hatred and division” (Benac, 2017). Yet each president has safeguarded the first amendment with an almost religious zeal, convinced that it is perhaps one of the most critical components of the survival of democracy in the United States. Freedom of the press is a powerful tool in shaping public opinion and policy. The Constitutional guarantee of free speech and free press has allowed dissenting voices to make themselves heard throughout every era of American history. The vital exchange of information and opinions between lawmakers, policy writers, the executive branch, and the public is enabled by a press that is unfettered—and unafraid.

In his seminal work *Agendas, Alternatives, and Public Policies*, congressional scholar John Kingdon (2010) explored how the media influences public policy. While his research on Capitol Hill did not show a significant impact of the media in shaping the policy agendas, he did demonstrate that the media have substantial

power to direct and sustain attention to specific policy issues (Soroka, Lawlor, Farnsworth, & Young, 2012). It is worth noting that Kingdon's (2010) research was conducted prior to ubiquitous availability of the internet and well before the development of social media, which have supercharged the speed, depth, breadth, and accessibility of news. More recently, researchers have found that the media plays a much larger role in not only directing attention to issues, but also in shaping policy agendas around those issues (Baumgartner & Jones, 2009).

It is clear in the present era that policy work is inseparable from freedom of the press. During the Senate confirmation hearings of Trump's cabinet appointees, for example, extensive news coverage, including livestream videos and real-time Twitter feeds, engaged constituents almost directly in the confirmation process. This engagement created widespread understanding of potential policy goals and fueled active resistance to contentious appointees. The site of community organizing has moved online; massive protests can begin with just a hashtag. Central to this resistance is a free press. Advocates, activists, and policy wonks alike depend on journalists to illuminate issues happening in the closed ecosystem of the federal government. Without to-the-minute coverage and exposés, the public will be kept in the dark regarding the new administration's movements and plans. Perhaps the best policy response in such a moment, then, is to proactively construct and vigorously defend policies protecting freedom of speech and freedom of the press. The first amendment has long been a distinguishing trait of American democracy. Under such a divisive administration, the American people cannot entrust protection of free speech and free press to a potentially discriminatory executive branch. Many writers have proclaimed in recent days, "We are all journalists now." The same can be said of policy: We are all policymakers now. We must be. Our freedom depends on it.

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# THE VIOLENCE OF LOVE

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ROBERT CERMIGNANO

MSW '17

On March 14, 1977, in one of the many sermons proclaimed as archbishop of San Salvador, El Salvador, Oscar Romero proclaimed the following:

Let us not forget:

We are a pilgrim church, subject to misunderstanding, to persecution,

But a church that walks serene

Because it bears the force of love.  
(Romero, 1988, p. 1)

When, in a social work course on social change, we were discussing the role that love may or not play within social work, I reflected on my belief in the violence of love. We often describe hurricanes, tornadoes, and thunderstorms as violent experiences among the clouds and the skies that wreak havoc on the grounds upon

which they touch. These storms have the power to wreak havoc by destroying everything in their path, transforming the geographical foundations and formations that existed before them as well as the lives of the individuals who encounter them. They inconveniently transform the realities of what once was into what is now, thereby transforming our plans and interpretations of the world around us.

As social workers, we're never explicitly asked to love. Rather, we are asked to abide by a Code of Ethics that rightfully establishes necessary boundaries between us and our clients to ensure that professionalism is not breached. This makes sense as a professional. But as a man, as a Catholic, as a person who believes that our true calling as social workers, rooted in the American Settlement House Movement, is to align ourselves with those who fall outside the circle of compassion and struggle to survive

from beyond the margins of society, I struggle with the omission of love called for by the Code of Ethics.

Every morning since the November 8th election, I am reminded of the ebbs and flows of grave emotions that have not only tormented me but overwhelmed a majority of friends, family, peers, classmates, professors, clients, and members of the community of which I am a part. Valid and legitimate fears of hate, retaliation, violence, and uncertainty encourage us to walk cautiously forward as we attempt to grasp the reality that our President is a man who has valued self-serving principles rooted in hate and bigotry rather than a President who has valued family, love and respect for our interdependence.

The past two and a half months have been a struggle for me and have clouded my ability to recognize those same values of family, love, and respect for interdependence that have guided my life and that I hope will continue to guide our nation moving forward. I have consistently awoken exhausted and nervous, not yet ready to either respond to or embrace what is happening now and next. That was until today.

Today, I am reminded of an article I read in Sojourner Magazine, entitled "Interdependence Day." The following sentiment embraces the heart of the message:

Every moment reminds us of our interconnectedness. It's at the core of our societies and our religious traditions. The touchstone prayer of Christianity refers not to my father, but our father, and asks for our daily bread, not my own bread. It's never about "me," but about "we" — everyone together looking out for the other. (Kay, 2013, para. 4)

Even in times of doubt, even in moments like these past two and a half months, when hatred and bigotry force us to reconsider our values as social workers, I am nevertheless reminded that we are already connected. No matter our race, gender, nationality, ethnicity, religion, marital status, political ideology, class, or the other thousands of pieces that comprise our identity,

we remain connected. We remain interconnected and interdependent. We remain standing with the opportunity to embrace one another, lock arms, and fight for the values that appear to be clouded and compromised. We remain citizens of a world bigger than ourselves where we can choose to continue to love one another and stand together.

In no way did I awake this morning chanting, "Be A Man" and abandon the suffering that has occurred over the past two and a half months and years prior. I awoke still grieving, still suffering, and still embracing a realistic optimism that recognizes who our president will be these next four years. However, today I woke up deciding that although President Trump may have been voted into the highest office in our nation, we—classmates, friends, family, clients, peers, social workers, etc.—are the ones that can truly lead this country and continue to embrace that same grace and interconnectedness for which we stood on November 8, 2016. Regardless of who our president is, we remain interconnected. When we love, we love together. When we stand, we stand together. When we protest, yet remain fearful for the response that others will have to our decision to fight for our rights, we will protest and be fearful together. And when we break through the highest of walls that the president may build across borders, we will walk over the rubble together.

No matter who the president of this nation is, I am choosing to remember our identity as interdependent parts of a world that will continue to stand for love and family, united by our uniqueness and decision to remember for what we were fighting and of which we were hopeful on November 8, 2016. And in the days and nights to come, I will be grateful for our interdependence. Without the permission that my peers, friends, family, classmates, professors, clients, and the larger society provided for me to grieve and be scared for the future, for our future, I would think these next four years would be unbearably horrific and frightening. So, thank you to everyone who led me to remember that even in times like these, we can choose to stand interconnected and continue creating a world of love. Today my gratitude is for you. Tomorrow,

the same. And, moving forward, my gratitude will always be to the interconnectedness I feel when I remember that as a social worker, my greatest calling is to love violently, thereby transforming the world from what it is now to what I hope for it to become.

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# REFLECTIONS ON LIFE, FEAR AND JUSTICE

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Nearly 20 years have passed, since my mother first read Maya Angelou's (1993) *Life Doesn't Frighten Me at All*. I remember cuddling up close to my mother and clutching my teddy bear to my chest, as I listened intently.

I've got a magic charm that I keep up my sleeve, I can walk the ocean floor and never have to breathe...life doesn't frighten me at all, not at all (Angelou, 1993, p. 21-23).

The words of Maya Angelou, set to the lullaby of my mother's voice, comforted me through many nightmares and anxieties. If I was afraid of the dark, I pulled out my book. If I was nervous about an exam, I pulled out my book. If I was feeling overwhelmed, I pulled out my book. For a child, there's nothing more reassuring than the love and tenderness of a parent and a good story. I was fortunate to grow up the way that I did. I never had to worry that there wouldn't be

any food on the table. I never had to fear walking to school in the morning. I never had to hide the fact that I prayed or went to church and when night came, I closed my eyes and fell asleep, with the comfort of knowing that my parents and siblings were nestled in their beds, safe, in the next rooms. As the years passed and I went off to high school, then to college, I carried the stories of my childhood with me. Even today, when life gets overwhelming, I'll chant to myself, "life doesn't frighten me at all" (Angelou, 1993, p. 23).

A few years ago, I began volunteering, full time, at an afterschool program, with no idea what to expect. I had never been a teacher and I wasn't quite sure what I wanted to do with my life. When I left home and moved to the state where I would be volunteering, I was overwhelmed and anxious. I was told that I would be working with children, many of whom

came from low-income, refugee and immigrant communities. Many of the children's parents had immigrated to the United States, while others had lived in the United States their entire life. Regardless of whether the parents were from the United States or, from countries like, Bolivia, Ethiopia, or Iraq, they all had the same dream. They all wanted to build a stable, loving life in the United States, where their children could make friends, attend school, play, rest peacefully in the night and live to see a world that was hopeful. Knowing the struggles that many of the families in the afterschool program had faced made me wonder whether I was prepared to do the job. Could I support and mentor children who had been through so much trauma? Was I in over my head?

Before I knew it, the first day of school arrived and the program started. I remember waiting for the children to come, as I nervously checked the daily schedule, wiped down tables, and wiped sweat away from my brow. When the clock struck 2:50pm, the doors of the building flew open, a mass of children bolted in, and my anxiety flooded away. I had a job to do and I didn't have time to be anxious anymore. The first day was chaotic, as it often is for first time educators, but eventually, everyone settled into a routine. We did our homework, we ate snack, we laughed, we recessed and every day, we learned from each other. We learned about our diverse cultures and we learned about ourselves. Some of the children told stories of happy times with their families and others brought in pictures of family members who they'd left in their other country. I was relieved that, despite the hardship and struggles that many of the children and their families had faced, my students seemed healthy and relatively content. They played, ate candies and loved stories about inspirational people like Cesar Chavez and Rosa Parks. I remember hoping that the stories that I read meant as much to the children as Maya Angelou's words had meant to me, when I was a child. At the end of the year, I watched the children go on their way and I secretly hoped that, they always stayed as innocent, ebullient, and resilient as they were then. I didn't say it aloud, but I knew that they

would be growing up in a world of adversity.

It is the year 2017 and I find myself thinking more often about these children, that I mentored years ago. I wonder how these children, now teenagers, are doing in school. I wonder if they have friends and if they're content. I wonder about their families and whether their dream of building a life for their children has finally been realized or whether their dream merely became a mirage? I wonder all these things and I worry and I become angry. I think about how unfair it is. How unfair is it that such fundamental human needs, like the need for safety, stability, and education, should merely be dreams or mirages for some people. I wonder what would I tell these children about the world that they live in.

What would I say? Part of me wants to apologize because I feel that I failed them by giving them a false hope that the world really was, at the core, a just place. What would I tell them? What would I tell them, when we live in a society where world leaders, who are charged with faithfully upholding the civil rights of humanity, shred the sense of security that parents and caregivers worked so hard to create for their children? Could I look these children in the face and tell them, "not to worry, everything will be okay"? How can I tell the child of an immigrant, who is undocumented, not to fear that their mother or father might be ripped away from them? How can I tell the child, whose family fled war and bombs, just so that they could dream peacefully at night, that there are some who would thrust them back into the nightmares that they dreaded every night? How can I tell the child of the hardworking, yet struggling American-born family, for whom life is hard enough as it is, that life is going to get even harder? What should I say to the child, who feels like they can't even pray or practice their faith, openly, for fear of being bullied or called an extremist? Should I say that it breaks my heart to see the dreams that their parents had for their children, slowly being shredded apart, day by day? Would the words of "life doesn't frighten me at all" (Angelou, 1993, p. 23), the words that brought me so much comfort in my childhood, be enough for them?

Would I say to them, "nothing that's going on today, didn't go on a few years ago?" It's true that injustice is not new in America. It wasn't that long ago that my own family faced injustice on the backs of the busses and in the fields of the Carolinas. Yet, what could I say, knowing that a few years ago, a child could cross the ocean and embrace their family, but now they cannot? Would I say this to the mother who works hard daily just to barely feed her children? Would I say this to the person whose never even had a chance to dream the American dream? Could I say this to the mother who fears that her son, who will always be an innocent child to her, might be snatched from this world, as he walks down the street?

The truth is, I don't really know what to tell them, and I may never find the words to convey the pain I feel when I see the rights of others being violated. The only thing I can think to do is ask. I ask that we all remember that we were all children once, we are all human beings, with fundamental human rights, with depth and an existence that extends beyond stereotypes or superficial differences. People are people, not things to be feared. People should not be shamed or mistreated because of where they were born, or what they believe, any more than a person should be shamed or mistreated for their skin color, ethnicity, sexual identity, or any other part of their self. Yes, I can ask and I can advocate for justice. If there is any comfort or any words that I can share, it's that I know there are many who are equally pained by injustice and, despite everything, my hope is that we can still overcome. I think back to Maya Angelou's words and I wish, I wish with all my heart, that I really did have that "magic charm" (Angelou, 1993, p. 22). If I did, I would give it to all the children, their families and anyone who ever needed it and I would wish that when they wore it, they too "could walk the ocean floor and never have to breathe," (Angelou, 1993, p.22) and that they, too, could go through life, not being frightened at all.

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## SEX WORK

# WHY DECRIMINALIZE SEX WORK?

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## Criminalization

The most common approach to sex work policy worldwide is also enforced in the United States; full prohibition. In this context, selling sex, buying sex and acting as a third party (such as a manager or brothel keeper) is completely illegal. Among the plethora of problems associated with the criminalization of sex work, such an approach endangers workers and increases occupational hazards. Perhaps unsurprisingly, violence against sex workers is grossly underreported. Advocates of existing laws that criminalize sex work claim that they wish to protect sex workers, yet the laws themselves often enable law enforcement agents to ignore reports of violence by sex workers and facilitate police brutality against them (Hayes-Smith & Shekarkhar, 2010). Negative racial and gendered messages are frequently internalized and perpetuated by discriminatory laws that

enforce stereotypes about people of color, people with a non-binary gender identity, and people living in poverty. These biases lead law enforcement officers to disproportionately target these populations for detention and arrest. For instance, trans women of color across the country reported frequent arrests on Incite-National (2014) for “loitering with intent to solicit” (p.28) while engaging in such lawful and routine activities as hailing a cab, walking their dog, going to get groceries, walking home from work, eating out, or talking to friends. One sex worker in New York City reported that “police officers around here sometimes spit on you, harass you, call you a whore. He hits me with his gun and gives me these marks on my legs and back” (Thukral, Ditmore, & Murphy, 2005, p. 49). A female sex worker in Washington D.C. reported that she had been “made to perform sexual favors to avoid being charged for prostitution” (Move Along, 2008, p.

34). This discrimination stretches beyond over-policing of street-based sex work (where greater proportions of workers are people of color) and over-citing workers based on racial and gendered stereotypes. It extends to a failure to respond appropriately to domestic and sexual violence, which is “routinely perceived by police as a “trick gone bad,” something that survivors somehow brought on themselves through their “sexually deviant” conduct” (Incite-National, 2004, p. 27).

The intention of criminalization is to deter sex work, and yet, criminalization has categorically failed to do this. Criminalization has instead produced a substantial number of sex workers with extensive criminal records. Using criminalization as a vehicle to address an opposition to sex work limits workers’ ability to access higher education, legal employment, housing, loans, benefits, and more. For these reasons, criminalization of sex work may ironically incentivize individuals to continue sex work, as their options for employment in the formal economy may be extremely limited by the criminal records they amass as a direct result of their profession. Criminalization adds to the stigma that sex workers already contend with, which subsequently makes them more vulnerable to hate crimes, discrimination and harassment (Hayes-Smith & Shekarkhar, 2010). Stigma often impacts an individual’s inclination and ability to access important services such as health care, drug and alcohol treatment and mental health counseling. Reducing barriers to services and improving outreach efforts would allow social workers to serve this population more effectively.

## Legalization

Countries that partially or fully legalize sex work use different tactics with varying impacts. The Swedish/ Nordic Model or “abolition” approach seeks to end the demand for sex work by punishing only the buyers of sex. Sweden employed this model in 1999, without consulting any sex workers for input (Jordan, 2012). Abolitionists essentially argue for turning the “oppression paradigm” into policy, claiming that “the institution of prostitution is itself inherently violent and that prostitutes are helpless

victims, and therefore need to be protected” (Hayes-Smith & Shekarkhar, 2010, p. 45). One consequence of this model is that workers may end up having to lower their prices in order to negotiate what is now a much riskier endeavor for the buyer. According to Levy (2013), cracking down on the consumer leads to “increasingly hurried negotiations with agitated and stressed clients who are concerned about being arrested” (p. 7), which affects workers’ ability to negotiate transactions and to evaluate the potential risks of the situation, thus exacerbating danger. Consequently, as sex worker Juno Mac describes in her TED Talk *The Laws That Sex Workers Really Want* (2016), many workers are forced to find a manager or other third party, sometimes referred to as a “pimp,” to help find clients, which “gives oxygen to potentially abusive third parties.” Ultimately, as Jordan (2012) states, the Swedish government was unable to provide any evidence that the approach reduced the number of sex buyers, sex workers or trafficking into prostitution. Effective sex work policy requires a much more nuanced understanding of patriarchy and structured views on female sexuality and agency in sexual encounters. Gender plays an important role in the provision of sex for money, but “reducing the phenomenon to a single trait ... does not fully capture the importance of other structures such as money, culture, and race” (Montru, 2008, p. 19). As Montru argues, framing women as victims legitimizes the criminalization and control of women who sell sex, allows service providers and politicians to maintain their savior complex and positionality as benevolent protectors, and negates the idea that workers have agency in choosing how to pay their bills.

In Germany, the Netherlands, and the state of Nevada, it is fully legal to buy and sell sex and to act as a third party, as long as it is in a sanctioned brothel. Sex workers must register with the police department as brothel workers, and are restricted to specific working conditions. Further, they undergo mandated weekly testing for STIs and monthly testing for HIV (Cohan & Lutnick, 2009). Some argue that “legalized brothels provide the safest and most hygienic

outlet for the exchange of sexual favors for money, because it brings a level of public scrutiny, official regulation, and bureaucratization to brothels” (Hayes-Smith & Shekarkhar, 2010, p. 53). However, the intensive process of registering in expensive systems and complying with government mandates may incentivize sex workers to operate in the underground economy, making themselves vulnerable to abuse and exploitation. Fulfilling the state requirements can be difficult, and in places such as the Netherlands “the most vulnerable women (for example, those with irregular migration status or drug addictions) have been pushed into illegal sectors where there is no protection” (Munro, 2008, p. 3). Illegal sectors then create an opportunity for anonymity for the purchaser, which increases demand for the same underground criminalized industry that was targeted by legalization in the first place. Limiting this state intrusion reduces the problematic impacts on consumer behavior and exclusion of workers with fewer resources such as those experiencing housing insecurity, mental health, or drug and alcohol issues. Decriminalization would minimize many of the issues that criminalization or legalization cause.

### **Decriminalization**

Sex work organizations such as Sex Workers Outreach Project (SWOP), The Global Network of Sex Work Projects (NSWP), Bayswan, Sex Workers Project, as well as Human Rights Watch and Amnesty International are vocal in their support and advocacy for decriminalization. Sex workers should be major contributors to any policy changes concerning their rights. One model for sex-worker driven policy is the Prostitution Reform Act (PRA), which decriminalized sex work in New Zealand (New Zealand Parliamentary Library, 2012). The New Zealand Prostitutes’ Collective was heavily involved in the creation of the PRA and provided critical input and insight based on their lived experiences. The New Zealand approach allows collective working, holds employers and third parties accountable, and protects workers’ rights. Contrary to the popular opinion that decriminalization would lead to an increase in sex work, reviews of the law by New Zealand’s Parliament and Ministry of

Justice have found no such increase in numbers of workers. The U.S. State Department produces the U.S. Trafficking in Persons Report annually, which investigates and evaluates countries based on their commitment to fighting trafficking; New Zealand has maintained Tier 1 status – the best possible ranking (U.S. Department of State, 2016, p. 285). Formal government review of the PRA found substantial improvements in the health, safety and well-being of workers, including employment conditions and “the right to refuse a particular client or sexual practice” (Canadian Alliance for Sex Work Law Reform, 2014). However, an important criticism is that law reform did not fully address the vulnerability of street-based workers. Future policy proposals should consider building upon the advancements of the New Zealand model while adding trauma-informed and non-judgmental service provision.

### **Public Health Concerns**

Research suggests that decriminalization of sex work would also result in lower rates of HIV acquisition and transmission. A report by the National Institute of Health on the global epidemiology of HIV among female sex workers has concluded that “decriminalization of sex work would have the greatest effect on the course of HIV epidemics across all settings, averting 33–46% of HIV infections in the next decade” (Boily et al., 2015, p. 3). Further, the researchers found that “punitive laws and policies governing sex work... elevate HIV acquisition and transmission risks” (Boily et al., 2015, p. 2). Due to lack of access to condoms and sexual health education, combined with laws that allow condoms to be evidence in a court of law, sex workers may be less likely to carry condoms in places where sex work is illegal or criminalized. It has been shown that “where female sex workers... have constrained rights and access to resources due to their status as sex workers and women, gender-based violence and sex trafficking have been consistently linked to increased odds of HIV infection and condom non-use” (Boily et al., 2013, p. 4).

### **Barriers to Decriminalization**

There are a multitude of barriers faced by

advocates of decriminalization and sex worker’s rights. American society maintains a strong moral opposition to sex work as an option for income, even if it is one of the few options left for individuals marginalized by the lack of meaningful employment opportunities in the formal economy. The ways in which sex work is treated differently than other work considered to be more “legitimate,” is indicative of the government’s “long history of exerting control over bodily autonomy, self-determination, and sexuality” (Open Society Foundations, 2015, p. 7). The Open Society Foundation astutely compares this to state control over reproductive rights and sexual acts between consenting adults. They argue that the overall goal of criminalizing sex work is to “legislate morality with scant regard for bodily autonomy” (Open Society Foundations, 2015, p.6).

Concerns about decriminalization of sex work are often based on fears about violence and exploitation of women. This argument is based on the idea that sex work is inherently exploitative and violent. Incite-National (2014) argues that this is likely because women’s bodies and sexuality have historically “been a location of women’s oppression” (p. 26). Jordan (2012) asserts that there is often a more nefarious goal of this argument; she states that the “rhetoric of ‘violence against women’ and ‘victimhood’” is often employed “as a tool to silence and disempower ‘socially objectionable’ women” (p. 3).

A distinction between coerced and consensual sex work is essential in response to this perspective. Research has found that the majority of human trafficking actually involves other types of labor, such as construction, agriculture, and domestic work (Dey et al., 2013, p. 622). Yet, no one seeks to prohibit those entire industries from legally operating. As Juno Mac (2016) observes in her TED Talk, “when twenty-three undocumented Chinese migrants drowned while picking cockles in Morecambe Bay in 2004, there were no calls to outlaw the entire seafood industry to save trafficking victims.” Instead of calling for prohibition of the sex work industry, she argues that instead we should

advocate to “give workers more legal protections, allowing them to resist abuse and report it to authorities without fear of arrest” (Mac, 2016). The resistance to decriminalization reflects a profound misunderstanding of the complexity of the sex work industry and legitimizes an outdated paternalistic moral ideology.

### **Social Work Responses**

Criminalization of sex work stands in direct opposition to social work values. Social workers are charged with challenging social injustice, “particularly with and on behalf of vulnerable and oppressed individuals and groups of people” (NASW, 2008, para. 16). Thus far, social work efforts related to sex work have in fact done the opposite. Criminalization of selling sex has established a “rescue industry” of social workers (Jackson, 2016, p. 30), law enforcement, nonprofits, and researchers who believe they know better than their clients about how they should live their lives. This runs counter to the ethical principle of promoting self-determination of all people. Indeed, social work’s relationship to the sex industry has been characterized by mistrust, disempowerment, and social and moral control. These neoliberal efforts have endorsed the idea of “carceral feminism” (Jackson, 2016, p. 30), which promotes criminalization as a form of protection, and turns sex workers into disempowered victims awaiting rescue.

As Wahab and Panichelli (2013) argue, social work efforts focused on criminalization of sex work thus serve to enact further structural violence against sex workers, all in “in the name of helping” (p. 347). It is critical that social workers combat the misinformation about the field of sex work, which further serves to stigmatize workers. This is consistent with social work’s ethical obligation to “promote sensitivity to and knowledge about oppression” (NASW, 2008, para. 16). These ethical standards obligate the social work profession to address the erroneous conflation of sex workers and women who are being trafficked --a misconception that has served to further oppress marginalized women and perpetuate harmful assumptions of female sexuality.

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# THE ROLE OF SEXUALITY IN SEX WORKER RIGHTS DISCOURSES

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The question of sexuality is one that is inherently present in conversations around sex work, but it is often ignored in public discussions and policy strategies that focus on sex workers' rights. It is inherently present because of the nature of sex work, the centering of the body and desire, and the history of stigma around a woman's right to her sexuality. The sex workers' campaign in Bangladesh in 1991 that rallied around the threat of brothel eviction, focused on the right to abode and the right to work instead of making an argument about the right to pleasure and the right to express one's sexuality (Azim, 2012). Azim (2012) states that the campaign "seemed to be mired in a discourse of poverty and exploitation... [it] could not move the discussion to include issues of sexuality, marginalization and socially unacceptable practices and spaces" (Azim, 2012, p. 271). Similarly, the Bharatiya Bar Girls Union in India chose the angles of right

to dance and right to culture, as well a focus on "caste and community lineages," to fight the ban on dancers at establishments serving alcohol (Sukthankar, 2012, p. 318-9). The Union strategically avoided the topic of sexuality and in fact made clear distinctions between the dancers and sex workers (Sukthankar, 2012).

Why is sexuality such a feared topic? Why is it strategically avoided in rights arguments around sex work? Azim (2012) recognizes that "sexual pleasure and even power" (p. 278) were part of conversations in private spaces but that publicly the movement tended to be about exploitation and control. Activist Apoorva Kaiwar acknowledges that a discussion around sexuality in the context of the bar girls was valuable but that "it could not be the basis for organizing" (as cited in Sukthankar, 2012, p. 320). Azim (2012) highlights the use of sexuality in other contexts, such as discussions of rape

and sexual harassment and health, but notes that in these contexts sexuality is seen as a danger, a quality that makes women vulnerable.

The legacy of colonial ideas of the civilized subject, which involves Christian views of purity, is one reason why sexuality may be avoided in these rights discussions. Cox and Pawar (2006), in their discussion of the colonial roots of the social work movement, conclude that colonial powers focused on "health, education, and law and order... often confined to the support and protection of those classes whose roles were important to the colonial system" (p. 6). The welfare of those that did not classify as useful to the colonial powers was only considered through the lens of civilization and Christianization. What was considered civilized was exclusively a Western conceptualization. Under this conceptualization, women were not supposed to have a sexuality or express sexual desires. The role of the woman was to support the man, to be subservient and quiet. If women were entitled to a sexuality, then the entire patriarchal structure of society would be brought into question. Paradoxically, during the feminist movement of the early 20th century in India, which evolved during a time of anti-colonialist nationalism, sexual pleasure was seen as a foreign contaminant from the West and therefore rejected again in Indian feminist discourses (Kapur, 2012).

Another potential reason for the absence of sexuality in these discussions is economic. Colonial powers were focused on building a workforce and thus outlawed forms of sex that did not focus on reproduction (Anandam, personal communication, May 25, 2016). Neoliberalism focuses obsessively on the market, which constructs the body in a specific way based on its usefulness in generating profit. Durbar's, a large and influential sex worker's collective in Kolkata, India, right to work argument for sex work is strategic because it recognizes the power of neoliberalism. Sex workers use an economic focus to justify their work. Sexuality, pleasure, and desire have no power in a neoliberal world, because they are not connected to market value. Discussions about female sexuality, therefore, threaten the very structure of society – both the

patriarchal and capitalistic bases upon which it was founded.

The absence of the topic of sexuality in the sex worker rights movement has clearly been strategic. However, sex work inherently raises controversial questions about female sexuality and empowerment. Even though the movement has been strategic in its use of the 'sex work is work' slogan, sex work still threatens to reorganize the ways in which people interact on social, economic, and political levels. Many sex workers have children and are involved in family life, many are engaged in adoption and polyamorous relationships within the sex worker community, many are self-employed and/or involved in the Durbar sex workers' collective. These arrangements challenge dominant narratives about what constitutes a family, a romantic relationship, a partnership, an employment relationship. I believe that this queering (by which I mean to refer to queer theory's goal of destabilizing and questioning the norm) of relationships, family structures, economic participation, and political citizenry is essential to truly free all marginalized populations.

Sukthankar (2012) states that, "one of the primary stances of antiabolitionists is that sex workers are, wittingly or unwittingly, the critics of bourgeois morality, and therefore deserve the support of all who would challenge its dominance" (p. 310). Sukthankar refers to bourgeois morality here but I believe this assertion can be expanded to include neoliberalism and other oppressive global structural forces. A larger collective identity may be what is necessary to intentionally and effectively bring sexuality into the conversation. In order to deconstruct the patriarchal and capitalistic structure of society, the boundaries of the collective identity need to be expanded and who falls into the in- and out-groups must be reframed.

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# THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN: A NATIONAL ISSUE WITH LOCAL IMPLICATIONS

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## Problem Definition

Human trafficking is a global issue that affects thousands of individuals each year. As increasingly fast-paced globalization has brought about economic benefits over the past several decades, it has also introduced a range of new social problems, including a worldwide increase in the trafficking of persons, usually for sex or forced labor (Estes & Weiner, 2002; Okech, Morreau, & Benson, 2012). Often the phrase "sex trafficking" is associated with imagery of impoverished nations and illegal border crossings. Yet in the United States, there are more United States citizens who are victims of sex trafficking than foreign nationals (Kotrla, 2010). Most of these victims are women and children (Okech et al., 2012), and research estimates that between 244,000 and 325,000 children are at risk annually for sexual exploitation (Estes & Weiner, 2002).

Commercial sexual exploitation of children (CSEC) is defined as "the sexual exploitation of children entirely, or at least primarily, for sexual reasons...every case involves maximum benefits to the exploiter and an abrogation of the basic rights, dignity, autonomy, physical and mental wellbeing of the children involved" (Estes & Weiner, 2002, pg. 10).

The United States' response to the global increase in trafficking of persons and commercial sexual exploitation was the Victims of Trafficking and Violence Protection Act of 2000, more commonly known as the Trafficking Victims Protection Act (TVPA). The main goal of TVPA was to eradicate all forms of human trafficking in the United States through educating law enforcement on victim identification, providing comprehensive services for victims, and prosecuting perpetrators of human trafficking (Okech et al., 2012). The act identifies anyone

under the age of 18 used in a commercial sex act as a victim of sex trafficking, and it reduces the burden of proof for victims by assuming coercion, rather than requiring that coercion be proved (Annitto, 2011). The original enactment of TVPA focused mainly on foreign-born adults and children trafficked in the United States. Subsequent reauthorizations of the Act included new provisions to aid United States-born victims of trafficking by expanding law enforcement efforts and increasing education on trafficking (Okech et al., 2012).

Despite its admirable intent, the Trafficking Victims Protection Act has several key limitations (Okech et al., 2012). Notably, the emphasis of the TVPA is the prosecution of traffickers, rather than the identification and rehabilitation of victims. Moreover, it seeks to aid victims of trafficking, but does not provide the means to identify them. A general lack of awareness of the prevalence of sex trafficking, particularly the sexual exploitation of children in the United States, means that victims of trafficking go unidentified, even when they encounter service providers. The obligation to aid victims of trafficking falls to local service providers, law enforcement, and community members who often lack sufficient training to recognize these individuals, or respond appropriately. Even when victims of trafficking are identified, there are few services in place to specifically address their needs.

### Scope of the Problem

Trafficking is a criminal activity conducted through secrecy and manipulation; as such, it is difficult to obtain data on how many people are trafficked each year, and who is likely to fall victim to trafficking (Okech et al., 2012). Studies show the majority of sexually exploited youth are Caucasian females (Annitto, 2011), and those at greatest risk for sexual exploitation are youth who are runaway, throwaway (forced to leave their homes and not permitted to return), or homeless (Estes & Weiner, 2002). Research attempting to identify victims of commercial sexual exploitation indicates there is no single underlying factor that contributes to the

exploitation of children. Family dysfunction, including violence, mental illness, sexual assaults, and drug dependency is a significant indicator of CSEC vulnerability (Estes & Weiner, 2002). An individual's prior history of abuse and trauma also predicts likelihood of sexual exploitation. A study on homeless youth in New York City found that 78% of youth who admitted to engaging in commercial sex acts had histories of childhood rape or molestation (Bigelson, Vuotto, Addison, Trongone, & Tully 2013).

Although there are no specific socioeconomic or demographic predictors for CSEC, studies highlight a common pathway that leads to youth sexual exploitation (Annitto, 2011; Bigelson et al., 2013; Estes & Weiner, 2002). Often, young people are made vulnerable through their experiences with dysfunctional homes and abuse. They are targeted, either by manipulative adult traffickers, or by peers who are already engaged in commercial sexual exploitation. Adult traffickers "charm" youth to break down their sense of self, and isolate them from social support. These adults manipulate young people by promising love, money, and stability. Lack of knowledge, experience, and positive social supports lead youth to become dependent on traffickers, and become ensnared. Youth are subsequently coerced to engage in sexual acts for the exchange of money or goods. The average age at which youth are coerced into sexual exploitation is between 11-14 years of age, although children as young as five-years-old have been identified as victims of sexual exploitation (Kotrla, 2010).

### Research

How does personal history of abuse contribute to risk for commercial sexual exploitation for children? Finkelhor and colleagues (2005) examined the interrelationships and associated outcomes among various types of victimization experienced by children ages 12-17. Results showed that 1 in 12 children experienced sexual victimization in the past year, and that girls were more likely to be sexually victimized than boys. Most sexual victimization was perpetrated by family members or acquaintances. Analysis revealed that juvenile victims experienced three

different victimizations per year on average, indicating that multiple victimizations are the norm. Furthermore, children who reported sexual abuse had a 97% likelihood of additional victimization (Finkelhor et al., 2005). Childhood abuse and maltreatment have been cited as indicators for increased risk of commercial sexual exploitation, and research shows that children who experience sexual abuse are far more likely to engage in commercial sex than non-abused children (Macias-Konstantopoulos & Bar-Halpern, 2016).

The internet has become ubiquitous to modern life, and it provides an arena of relative anonymity for adults to prey on youth. Internet sex crimes against children include child pornography, sexual exploitation facilitated by technology, or perpetrators of CSEC meeting victims online. Mitchell and colleagues (2011) examined how the internet is used to conduct CSEC. Using nationally representative data on CSE cases that resulted in arrest, the researchers found that the majority of offenders of internet-facilitated commercial sexual exploitation of children (IF-CSEC) were non-Hispanic, White males who were unmarried and employed full-time. Victims were usually female, ages 13-17. Many were runaway youth, and youth at risk from family members and acquaintances. The most common IF-CSEC was the purchase, possession, or distribution of child pornography that the offender did not produce.

Covenant House is a non-profit organization that serves homeless youth in metropolitan areas. In 2013, Covenant House sought to identify and assess homeless youth in New York City who were victims of sex trafficking to provide services and gather data on CSEC nationwide (Bigelson et al., 2013). Their sample included a random selection of street and shelter youth ages 18-23 who were asked to respond to a sex trafficking assessment tool. Results showed that nearly 15% of youth seeking shelter at Covenant House were victims of sexual exploitation (Bigelson et al., 2013). The authors noted that the true number of CSEC victims was likely much higher, due to the highly secretive nature of the issue and the fact that many victimized youth are unable to seek services at a

shelter. Additionally, many participants indicated that they were compelled into commercial sexual exploitation by family members or friends, and they experienced intimidation, threats, and abuse.

Street youth who are victims of CSEC might also use sex as a method for survival. Greene, Ennett, and Ringwalt (1999) conducted a study on youth age 12-21 who used survival sex to meet subsistence needs, such as money, food, or shelter. The study found that over 27% of homeless youth on the streets and nearly 10% of youth in shelters had engaged in survival sex (Greene et al., 1999). Results were positively related to youths' age, time away from home, and previous psychiatric hospitalizations. Engaging in survival sex was additionally correlated with other risky behaviors, such as substance use and criminal acts. The study showed that youth were twice as likely to report using sex for survival if they had a history of family abuse (Green et al., 1999).

### Policy Solutions

Policy on trafficking in the United States thus far has focused on all types of human trafficking, with an emphasis on prosecuting perpetrators rather than rehabilitating victims. Although the Trafficking Victims Protection Act attempted to redirect the focus of federal policy from prosecuting criminals to identifying and aiding victims of trafficking, a paradigm shift in how the United States intervenes to help those who fall prey to traffickers is necessary. Given research to suggest it as a growing area of national concern, trafficking policy should address the commercial sexual exploitation of children (Estes & Weiner, 2002; Kotrla, 2010).

In order to effectively identify and aid sexually exploited children, the United States must move away from criminalizing youth engaged in commercial sex acts, and instead adopt a victim-centered approach. Such an approach recognizes prostituted children as victims, not criminals, who deserve aid rather than prosecution for commercial sex acts. Additionally, shifting policy to view sexually exploited children as victims is consistent with the FBI policy that children are not legally able to consent to prostitution

(Annitto, 2011), and is likely to result in increased voluntary participation in services and prosecution of traffickers (Wasch et al., 2016).

Since the advent of TVPA, many states have adopted Safe Harbor laws that eliminate the criminality of prostitution for youth and ensure they are not prosecuted for crimes. New York was the first state to pass Safe Harbor legislation in 2010, and by the end of 2015, two-thirds of states had followed suit (Wasch et al., 2016). Under most Safe Harbor laws, youths charged with prostitution are legally presumed to be severely trafficked persons and therefore cannot be prosecuted (Annitto, 2011). Youths are not required to prove force, fraud, or coercion related to commercial sexual acts, and they are typically eligible to receive specialized services (Wasch et al., 2016).

It is imperative for all states to adopt Safe Harbor laws, and to recognize that prostituted children are victims in need of services. In 2015, TVPA was reauthorized as the Justice for Victims of Trafficking Act of 2015. The Act encouraged states to adopt a victim-centered approach by establishing block grants for states to “develop, improve, or expand domestic child human trafficking deterrence programs” (Justice for Victims of Trafficking Act of 2015, 2015, p. 5). The federal government recognized the importance of removing sexually exploited children from the criminal justice system. The responsibility of creating policy to ensure the safety of victimized children now falls to state legislators.

State policy on sexually exploited children cannot simply end with prohibiting prosecution. Diverting youth from criminal prosecution is the first step; the second is providing adequate therapeutic and rehabilitative services. Research indicates that youth who are most vulnerable to sexual exploitation are those who experience dysfunctional and often abusive home situations, and have a history of trauma (Estes & Weiner, 2002). Furthermore, evidence shows that most sexual victimization of children in the home is performed by an adult family member or acquaintance of the child (Estes & Weiner,

2002), and children who are sexually victimized have a 97% likelihood of experiencing additional victimizations (Finkelhor et al., 2005). It is not surprising, therefore, that children enduring such circumstances may fall prey to manipulative adult sex traffickers, and go on to experience even greater trauma.

State policy must ensure adequate provision of service programs for sexually exploited youth, including proper education and training for law enforcement personnel and service providers, as well as sufficient funding for programs. Shelters serving homeless youth should be available and accessible; if youth are unable to find space in shelters, the risk of resorting to survival sex increases (Bigelson et al., 2013). Commercially sexually exploited children are exposed to numerous traumas, including violence, psychological and emotional abuse, malnutrition, drug use, and sexually transmitted diseases. Victims of CSEC require specialized services provided by multidisciplinary professionals to meet their complex needs (Okech et al., 2012). States must enact policies to ensure the creation, maintenance, and funding for programs serving commercially sexually exploited children.

### Conclusion

The commercial sexual exploitation of children is a growing, national problem that requires immediate attention. As technology develops and globalization increases the movement of goods and services across borders, it is inevitable that human trafficking will continue. It is the responsibility of developed nations such as the United States to prevent all forms of human trafficking, particularly that which occurs within national boundaries. By enacting and reauthorizing the Trafficking Victims Protection Act, the United States has already taken the first steps. Yet special attention must be paid to vulnerable youth who are forced to engage in commercial sex acts, and whose experiences require specialized care. State and federal governments must work to protect children and intervene to end their commercial sexual exploitation.

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IDENTITY

# SYSTEMATIC SUBJECTIVITIES

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In *Recovering Subversion*, Nivedita Menon (2004) criticizes modern legal systems, stating that they are inadequate at producing justice and equality. In her analysis, she mentions the rigidity of the law and describes India's transition under British conquest from rulers having authority to an inflexible legal system. "The move was towards erasing the kind of ambiguity and multiplicity that marked existing forms of jurisprudence" (Menon, 2004, p. 50). According to Upendra Baxi, "modern legal systems are marked by 'a quest for...certainty, consistency and uniformity'" (Menon, 2004, p. 51).

Though some would argue that uniform legal codes ensure equality because the same rules and decisions apply to everyone, regardless of situation or background, this may have a negative result; context cannot be considered within a uniform legal system. Menon (2004)

quotes critical race theorist Patricia Williams: "That life is complicated is a fact of great analytical importance...but law too often seeks to avoid this truth by making up its own breed of narrower, simpler, but hypnotically powerful rhetorical truths" (p. 43).

In criminal court, decisions that greatly affect people's lives are often left to one person, a judge, who is not beyond the influence of the realities and experiences of his or her own life.

In actual [legal] practice, decisions are at the mercy of individual judges who make 'law' through their interpretation of ambiguous and open-ended practices. These interpretations reflect social and individual biases and practices and the law is thus distorted from its purpose of neutral arbitration in the interests of social justice. (Menon, 2004, p. 52)

As theorized in social materialism, the material aspects of peoples' lives inform their beliefs, actions, and politics, and it is thus impossible to free anyone's perspective from bias, including judges.

Through advocating for the decertification of juvenile offenders being tried in adult court, I have seen the ways in which these subjectivities can play out in a courtroom and affect people's lives. In Philadelphia, youth between 15 and 17 who commit certain crimes are automatically tried within the adult system, which is more punitive than the rehabilitation-focused juvenile system. The adolescent's attorney can file a motion for a decertification hearing, where a judge will evaluate several factors to determine whether the case should be heard in the adult or juvenile system. These factors include the child's age, details of the crime, previous criminal history, sentencing options available in both the adult and juvenile systems, and the impact of the crime on the victim and the community. Although both the prosecutor and the child's lawyer present arguments, ultimately, only the judge decides whether the young person will be sentenced in adult or juvenile court.

The sentences and the environment in both systems are vastly different. For example, in a case I assisted with last year, a 15-year-old was charged with felony murder for being present during an attempted robbery where the victim was shot and killed. The 15-year-old was not responsible for the actual shooting, nor did he own the gun. If convicted and transferred to the juvenile system, this adolescent faced up to six years in a juvenile placement. However, if the case were kept in the adult system, he faced a mandatory minimum sentence of 35 years. When the judge who had been hearing these cases for many years left the bench this past summer, it was difficult to predict the outcome of this specific case with a new judge and plan advocacy accordingly, illustrating the subjectivity of the system. It is impossible to remove anyone's attitudes, opinions, and perspectives from how they understand a situation, and judges are not immune to this.

As Menon (2004) points out, "courts interpret 'equality' as formal equality rather than contextualizing it within a historical framework of current inequalities" (p. 57). The context of this teenager's life, which may include mitigating factors that help to explain why he was involved with the crime, may or may not influence these decertification hearings. During my time volunteering with these cases, every client has been a young person of color from either North or West Philadelphia, and the majority has been male. This is not a coincidence, and reflects systemic issues of race, class, and gender. However, the legal system does not necessarily consider the societal inequality and oppression that extends back to the origin of the United States, long before the kids that are accused of being criminals today born.

Although Menon (2004) focuses on the biases that exist within the legal system, this same concept is important to consider elsewhere, especially for those working directly with people, like social workers. Gray (2005) states that to avoid "professional imperialism," social workers need "the insight and ability to step outside of our Western paradigms" (p. 235). It is difficult but imperative for social workers to continuously question our motives, reactions, ideas, and morals and to remember that everyone, including the most enlightened and experienced social worker or judge, is a product of their lived experiences and their environment. Everything, including the law, is a construction based on the creators' perspective.

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# MINORITY STATUS MAJORITY OPPRESSION

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When looking at the demographic make-up of any “helping” profession, it is not uncommon to see a picture dominated by individuals who identify as female. Simply put, there are not a whole lot of men in social work. Of course, possessing a male body in one these spaces is not without its benefits, as men in the U.S. continue to hold most faculty positions in psychology graduate departments, for example, where female students outnumber males 3:1 (Willyard, 2011). Nevertheless, from the moment I declared a psychology major in college, to my first post-graduation job as a caseworker at a foster care agency in New York, to beginning a graduate program in social work, I have had the experience of being a social minority.

As someone who identifies and presents as male and who is also white, I say this with caution. I also say this with intention. I want to make it very clear that my minority status is unique compared to most. My minority status does not originate from a power-driven social

system or assumptions of superiority. My minority status does not come with any real lack of opportunity or a blinding mixture of overt and subtle hatred, prejudice, or disparity at my expense. My minority status comes from the fact that many of my fellow members of the elite club that is white maleness, simply find other career paths more worthy of their time. They choose to consume, and are consumed by, the blissful terms that white supremacy has set before us at the expense of others. I feel lucky and humbled to have even the smallest glimpse of this reality though, and believe that my odyssey into the queer world played a significant role in getting me there.

Coming to terms with my identity as a gay man was lengthy, arduous, and utterly confusing. After finally coming out to myself and the people who made up my social sphere, I felt liberated, excited, and ready to throw myself into the queer world. The following years were some of the most difficult of my life, but not because of

my sexuality. If anything, my newfound sexual freedom was an escape from reality. It was a fantasyland where I could say, think and do whatever I wanted. While it did not reveal itself to me initially, after a few years as an out gay man, I had a revelation that forever changed the way I looked at the gay community and the broader spectrum of LGBTQ rights in the United States and beyond.

The revelation came after June 26th, 2015, a night when a group of predominantly gay men and I jubilantly celebrated the legalization of same-sex marriage in the trendy Manhattan neighborhood of Chelsea. We drank, danced, and fucked around like it was just another Pride weekend in NYC. I looked back on that night and realized that this victory, this momentous pillar of equality, would not be a cause for celebration for all. I asked myself what a Supreme Court ruling meant for a black high school student in the child welfare system whose home placement of over four years was currently being jeopardized by his desire to wear makeup, or for a gay man of color who recently discovered that he was HIV positive but was too afraid to seek treatment for fear of being ostracized by both of his communities. In that moment of reflection, it became very clear to me that being gay, and being proud of being gay, was a privilege itself. A hard-earned privilege for most, but certainly a privilege that is much more attainable when elevated by gender, racial, and/or economic class.

In her article "Punks, Bulldaggers and Welfare Queens," Cathy J. Cohen (1997) discusses the past and present failures of most queer activists and organizations to establish themselves beyond what she describes as a "single-oppression model," and describes how this creates a divide between "heterosexual" and "queer" that excludes other crucial components that make up and influence one's identity (p. 441). Expanding upon that, she highlights the "process of ignoring or at least downplaying queers' varying relationships to power" (Cohen, 1997, p. 450). Using examples of past queer rights demonstrations that reflected primarily white, middle-class values, she writes how these repeated practices minimize the

oppressed experiences of other members of the LGBTQ community who interact with multiple layers of oppression and exist independently of their sexual or gender identities. In the queer community, where white, gay men are often the unofficial spokespeople and most visible public leaders, this is not altogether surprising. A white-dominated, patriarchal society benefits all white men, regardless of their sexual identity.

As queerness is a spectrum itself, so is the hope of emancipation attached to it. Thus, as white gay men or women, or other relatively advantaged members within the gay community, achieve their own personal liberation, the societal equilibrium is quickly reset and the discourse on civil rights can quietly come to an end. Let it be known that my intention is not to make light of the internal turmoil that accompanies such deviations from heteronormativity, as it can be truly profound. I do believe however, that members of the LGBTQIA+ community operating under more advantageous relations to power, because of gender, race, or economic status, have a responsibility to address systematic inequalities in a more comprehensive and honest way. It is no wonder, for example, that Cohen (1997) finds the "queer" label to be restrictive when it is lauded as a symbol of collective equality and human rights, but simultaneously excludes membership from marginalized groups within it. As a member of the queer community who is happily told by friends, straight and otherwise, that "being gay doesn't matter anymore," I find this deeply upsetting. Are we not concerned by the shockingly high rates of HIV diagnoses among LGBTQ youth of color in the United States. or the disproportionate rates at which they enter the child welfare and juvenile justice systems? What about the innumerable implications beyond that? Being gay, bisexual, lesbian, transgender, queer, or otherwise absolutely still matters, in the United States and around the world. In a society where intersectionality fosters invisibility, being gay, bisexual, lesbian, transgender, queer, otherwise and black or brown matters more than ever.

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# GRACES AND SCARS: DEFINING MYSELF

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I was instructed to lie down on the table; its cool surface made the hairs on my arms reach up towards the light above. Everything happened so fast from there but I remember each moment languidly drawn out, held in time. A woman with a sturdy gait approaches and begins to pedantically work through each task. Her mechanical, disassociated manner made me unsure if she knew I was a child, or even a human. Her movements were rough as she strapped my hands and feet to the table. I looked to my mom to intervene. Warmth returned to my one tiny hand as my mom safely, securely, delicately held it. Feeling the shock of the cold plastic tube in my nasal cavity, tears welled up in my eyes. I tried to release myself from the holds as the tube slid its way down my throat, tears streaming down my cheeks. As I gagged and choked for air, my mom whispered prayers into my ear, not knowing any other way to console her child being tortured as she sat helplessly beside her, not knowing any other way to justify consenting to a procedure

that would inflict pain. I wished I could have been ejected through the fluorescent rectangle on the ceiling, transporting me from the table to the sky above where I could drift along the wisps of clouds.

This was not the first time around in the hospital for my five-year-old self. I was diagnosed with cystic fibrosis (CF) at birth, a life-threatening, genetic disease that causes persistent lung infections and progressively limits the ability to breathe (Cystic Fibrosis Foundation, 2017). CF also affects the absorption of nutrients in the body due to thick mucus plugs that prevent digestive enzymes from working. Weight loss is also common, increasingly during an exacerbation, because people with CF are using more energy to breathe and fight proliferating infection. Therefore, many children with CF struggle to gain weight and are deemed as children who “fail to thrive.” And so, my doctors recommended placing a feeding tube to pump an extra 4,000 calories into me each

night. I remember countless benign doctor visits for routine check-ups, but this procedure was my first distinct memory of feeling harmed by another in the presence of my mom. The trauma caused an undeniable shift in my awareness as a small child. The world around me became less safe, my innocence altered permanently.

Developmentally, I was like many other five year olds. According to Erikson (1963), children at this stage present as goal-oriented, competitive, curious, able to identify with a caregiver and develop core social values. At this stage in my life, I had developed a certain level of autonomy and initiative. Sitting on my parents’ bed sorting through my brother’s Hooked on Phonics cards, I had taught myself to read at around three years old. I began taking tap and ballet classes with a few of my friends. I was carefree, imaginative, and full of wonder as my parents gently guided me along. My older brother ran in and out of focus, sometimes being the source of laughter and at other times being the source of tears. My personality was continuing to undergo changes as I experienced contact with others and my environment. Yet, the traumatic effects of the feeding tube placement altered my personality, triggering a more cautious response to strangers and others around me.

Consistent with literature on trauma and attachment (Pifalo & Hamel, 2015), the sudden and unexpected shock from the feeding tube placement caused me to develop subsequent reservations that fueled a tighter attachment to my mom. I always needed her close by and never wished to be apart for too long. However, my own resiliency and my external sources of supports allowed me to rebound from this traumatic event and eventually continue on as a vibrant, social child. The influence of my parents seemed to always carry me through the pain, “tipping the balance of impact” this negative experience and future experiences had on my life. Recent research has suggested that biological factors may be possible components related to resiliency (Webb, 2011). Neural plasticity “orchestrates nearly constant neurochemical, structural, and functional central nervous system alterations in response to

experience” (Cicchetti & Blender, 2006, p. 252). These constant neurological alterations are in fact genetically coded to protect against adversity. Therefore, an extreme experience can produce either pathological or adaptive responses (Webb, 2011). The combination of factors including inherent, biological, and external sources of support helped to guide me through and adapt from the negative experience of the feeding tube placement.

Not only was the procedure traumatic, but it left a constant visible marking that acted as a reminder of a type of pain that seemed to always loom ahead. As a result, I was stripped of my innocence and made to feel fearful and uncertain of other people, even under the care of my parents and doctor. This loss of innocence was my first distinct memory, defining a clear separation that indicated that my life experiences would differ from those of my peers. The doctor’s office became more threatening than safe for me, not knowing what kind of news would be delivered that would cause more pain and discomfort. This visceral memory fueled a fear that began to deteriorate my ability to make decisions and perceive myself as living a normal life in years to come. I can only imagine the self-shaming and guilt that would manifest in a mother, whose primal instinct is to nourish her child, when placed in a position like mine was. I imagine as my parents consoled me through enduring uncertainty and pain, they derived resiliency through a reciprocal exchange, drawing out each other’s inherent strengths.

And so, our resilience prevailed. I got a permanent PEG tube placed in my stomach before I turned eight, and for the remainder of my growing years, I felt more normal. The years following were filled with joy, love, and unbounded grace. However, the delivery of bad news related to my health always reawakens the fear, creating new opportunities to develop acceptance of my situation. As I learn to recognize my biological stress response to fight or fly, I can transcend suffering in the face of pain and uncertainty.

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