

Back Alleys and Backpages

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Underwriting Cont'd: And by a major grant from the National Endowment for the Humanities, exploring the human endeavor.

Noel: Hey it's Noel. Before we get started, just a quick heads up this episode features numerous references to sex, suicide, and other content which may make some listeners uncomfortable.

Tyler: It's a beautiful day in August as I arrive at Riverside Cemetery near Commerce City Colorado, just outside of Denver.

[Cemetery Scene]: God, it's hot out.

Tyler: Riverside is Denver's oldest cemetery. Founded in 1876, it's the resting place of countless pioneers, settlers, and notable figures from the city's history.

Tyler: It's the middle of summer, and I can't help but notice that in addition to the thousands of dead bodies surrounding me, the entire landscape is also dead. It's dry and dusty as the burnt grass crackles under my feet, not unlike what most of this region must have looked like when white settlers first arrived here centuries ago.

Tyler: There are all kinds of people buried here. I notice a plethora of religious insignias and a diversity of surnames, including a large blue and white dome that I assume is Greek Orthodox, and several clusters of graves with Japanese characters on the headstones. The markers vary from flat headstones flush with the ground, to more traditional upright headstones -- some with little fenced in areas of astroturf in front -- and giant monuments with elaborate statues on top.

[Music]

Tyler: Off in the distance, beyond the numerous office parks that surround the cemetery, there's a factory of some kind. The smokestacks almost look like they could be a part of the cemetery, rising out of clusters of the huge obelisks engraved with the names of some of Denver's most famous families. But I'm not here to visit the resting places of Clara Brown, Augusta Tabor, or John Evans. The four people whose graves I'm looking for aren't the kinds of people most Coloradoans have probably read about in their history books.

[Cemetery Scene]: So here it is. Ella Wellington.

Tyler: Ella Wellington's headstone is upright but small, with a front panel at a slight angle. Years of intense Colorado sunshine, rain, and snow have almost completely eroded the engraving. It's barely legible, and I only know which one it is because in the picture on findagrave.com, I can see its proximity to a more recent headstone that I can read.

[Cemetery scene 2]: It actually doesn't say Ella Wellington. It just says Ella. And you can just barely make it out. But it says "Ella died July 27th, 1894. At rest." And it's almost completely smooth by now. But here she is.

[Music fades]

Noel: A few weeks ago, I went on a walking tour of Denver's Market Street with Ann Sneesby Koch. She curates newspapers at History Colorado and she told me about Ella Wellington.

Ann Sneesby Koch: Ella had run off from Salt Lake City. She had abandoned her husband and children in Omaha and ran off with a man named Sam Cross. And he abandons her once they get to Denver. And so she starts running with the fast crowd.

Noel: Ella started out as a sex worker in Denver. As she made her way up in the industry, she amassed a small fortune. She also gained a fair amount of political influence as she rubbed shoulders with politicians and authorities and donated to philanthropic causes. Eventually, she leveraged that influence to buy one of Denver's most notorious and opulent saloons: The House of Mirrors.

Tyler: And just a heads up that the tape you're about to hear contains a graphic description of suicide.

Ann Sneesby Koch: In July of 1894, she's like a few days into a really good debauch. I mean, there's drinking and dancing and high kicking and lots of high kicking. And one of her friends from her Omaha days comes around and she asks her friend, she's like, well, how are my my husband and children? And after learning that everybody's fine, everybody's moved on, she says, "Oh, I'm so happy. Just so happy. I'll blow my goddamn brains out. And she takes a 38 caliber bullet to the brain."

Noel: As someone who specializes in working with historic newspapers, Koch makes a point of highlighting the way Ella was talked about in the press.

Ann Sneesby Koch: As The Rocky Mountain News was sure to point out, she was wearing a 2000-dollar ruby necklace and says: "Ella Wellington chose her death clothes. A close-fitting,

silken garment with point lace trailing from sleeve and skirt, a necklace valued at two thousand dollars was about her neck and her fingers were covered with rings set with diamonds and rubies. The bed was curtained with demasque and the finest lace. And throughout the room, everything indicated that the occupant had lived in luxury, sinful as it might have been. Her life's blood had bespattered the silken gown and stained the white bed and downy pillows.”

Tyler: This kind of flowery, sensationalized language was typical of all newspaper reports at the time, especially those involving something as salacious as murder. But Koch says the media's attitude toward its victims misses the point.

Ann Sneesby Koch: Yeah, it's nuts how they're written about. So when a tragedy strikes, they're written about in this very flowery, and I would say condescending way that covers up their humanity with a lot of flowery prose and the fact that they were wearing a two thousand dollar necklace

[Music]

Noel: But the reality of the lives and deaths of sex workers is far more nuanced and complex than most newspapers or podcasts take the time to understand.

[Introduction]

Tyler: From History Colorado, this is *Lost Highways: Dispatches from the Shadows of the Rocky Mountains*. I'm Tyler Hill.

Noel: And I'm Noel Black. On each episode, Tyler and I explore overlooked stories from our home state of Colorado and the American West.

Tyler: On this Episode: how women made a way for themselves in the American West by engaging in sex work, finding independence and fortune along the way, and how modern-day sex workers seek that same independence in a new sort of Wild West—the internet.

Noel: We should say up front that this is by no means a comprehensive overview of the many debates around sex work.

Tyler: This episode sets out to explore the history of sex workers in Denver by hearing from contemporary sex workers.

Noel: Because the arguments against sex work are widely known in the mainstream culture, we chose not to include those views in this episode. And some of the views expressed by our interviewees may not reflect those of our listeners.

Tyler: But part of the mission of this podcast from the start has been to challenge ourselves and our listeners to see history from unexpected angles.

Noel: In other words, it's complicated. And rather than try to make a black and white issue out of it, our aim has been to acknowledge that multiple things can be true at once.

Tyler: We feel that it's important to tell this story because it's important to understand the complicated lives of a group of people who've been excluded from history.

[Theme Music Ends]

Noel: We initially sat down with Ann Sneesby-Koch about two years ago, and she told us about what have been dubbed "The Triplet Murders." Authorities at the time thought that Denver might be facing one of its first serial killers. The story seemed like a great opportunity to try and fill in the gaps and read between the lines of the purple prose in condescending news articles about the lives of these women.

Tyler: So, this year, when we got started on the episode, I gave Ann a call for some context. To start with, she told me, sex work brought in a lot of money, which often ended up in town coffers and partially paid for the infrastructure of the American West.

Ann Sneesby Koch: It did quite a lot to enrich the city's treasury. In one way, it was that if you were a woman who ran a brothel or a parlor house, you would have to purchase a liquor license. So, you're supporting vendors who sell liquor or cigars or food.

Noel: Add to that the ways in which madams and their employees would often be slapped on the wrist with various fines and shakedowns.

Tyler: And the charity work that these now-wealthy women often engaged in, both out of altruism but also in part to curry favor and social capital by way of philanthropy.

[music]

Liara Roux: Hi, I'm Liara Roux. I am a sex worker and an organizer. Both online and offline.

Tyler: I first met Liara a few years ago when I was working in the news. I was trying to pitch a story about SESTA/FOSTA.

Noel: That's a combined acronym for the Stop Enabling Sex Traffickers Act and the Allow States and Victims to Fight Online Sex Trafficking Act. They were two controversial pieces of anti-sex trafficking legislation that had serious implications for consensual sex workers as well.

Tyler: Roux told us that just like many Colorado stories, this one starts with gold.

Liara Roux: Obviously, there was the gold rush, and a lot of men moved out west to search for gold or to build railroads or just to try to start a new life.

Noel: Roux echoes Koch's point that sex work was partially responsible for the development of a lot of Western cities. Especially as countless miners left their families behind to find their fortunes out west.

Tyler: And many entrepreneurial women seeking a new life in the West started moving out there too.

Liara Roux: Often these towns in the West were sort of built around a place where you could get alcohol and interact with women. So, there would be like the saloon and the brothel. I think you often see women having a little more power, because there weren't the same presence of this sort of patriarchal power structure that was very present on the East Coast.

Noel: In other words, men weren't the only ones who saw the West as a land of opportunity.

Liara Roux: It was a lot easier for women to sort of be in charge of their own destiny. And in order to facilitate men's access to sex, they had to sort of allow women to own property because

otherwise there would be nothing to motivate women to do that. Why would they want to occupy the same space in society, basically, if they had to, you know, travel thousands of miles to get there? You know, they're able to sort of crowdsource the money and resources that might traditionally come from the man that they're married to. From this larger pool of men, which makes it a lot easier for them to be less dependent on any one person.

Noel: In this way, women were subverting a long-standing system by which they primarily had access to money through one man. By engaging in sex work, they could earn a lot more money for themselves than if they became a teacher or a laundress. Roux claims that even the women who had to give a cut of their earnings to the owners of the parlor houses and brothels were subverting the expectations for women. And this is just one reason, she says, why sex work has been such a controversial profession.

[Music]

Tyler: That ability to make their own money and depend less on patriarchal power structures is a big reason why people still get into sex work. It's a key part of the story, and one we'll get to later when we talk to more modern-day sex workers about SESTA/FOSTA and why their labor has historically been criminalized.

Noel: But for now, let's go back to Ann Sneesby Koch, who told us about what life would have been like for a sex worker in the late 1800s as western cities like Denver grew and developed.

Tyler: Koch says that, historically, sex work has been an appealing profession for a variety of reasons.

Ann Sneesby Koch: Some came to Denver to enter a life of sin, as was called, because it seemed exciting and glamorous to live in the big city. If you're growing up on a homestead on the eastern plains, coming to Denver to live a life of glamor where you wore beautiful clothing and met interesting people and made your own money—that seemed very appealing, much more appealing than living leave it living on the homestead. But the majority chose it because they needed to pay rent, to buy food, to support themselves because they had either been divorced or deserted or widowed, having arrived in the West.

Tyler: As far as the quality of life for sex workers in the West in the late 1800s, there was a broad spectrum of living and working conditions, and a set hierarchy for the people engaging in that kind of work.

Ann Sneesby Koch: The first are parlor houses. They were opulent. They were well appointed. They had beautiful furniture and beautiful drapery. They had banquet rooms and billiard rooms and music and dance halls and ballrooms and the competition to work in a parlor house was very keen. Yeah, once their looks or their allure started to slide, she was let go and might move down to a brothel. And, so that brings us to brothels.

Tyler: Koch says that brothels themselves varied in luxury as well.

Ann Sneesby Koch: It was a general term, as someone said, for anywhere where two gals hung their shingle. High end brothels could be as nice as parlor houses. And then there was low end brothels that just dealt in volume.

Noel: And below brothels on the hierarchy is what were called "cribs."

Ann Sneesby Koch: The cribs themselves could have a back and a front and a back room, one for receiving guests and one for conducting business, about the size of a walk-in closet.

Noel: And if working in a crib wasn't an option, women would work the streets or stay in tents near military outposts.

Tyler: Those women were the most prone to the violence and marginalization that was a daily part of life for all sex workers at the time.

Noel: Though parts of the profession were dangerous and exploitative, we want to be careful not to fall into the trap of portraying these women as inherently victimized, the way that media both then and now tends to do.

Tyler: At the same time, we also want to be careful not to overly-romanticize sex work, which comes with its own set of pros and cons.

Noel: One of the main arguments we felt like the people we talked to for this episode were trying to make is that the life of a sex worker was and is just like any life. They feel it's important to humanize people whose lives are often seen as tragic or salacious.

Ann Sneesby Koch: It's a microcosm of the world. I mean, there's stories that are desperate and stories that are sad and stories that are poignant and stories that are hilarious. And I mean, it was a small, little slice of the world. And you know, they functioned within this world like the rest of us function within our worlds.

Noel: If you read between the lines of some of the condescending newspaper reports, you can also see glimpses of humor and mischief.

Koch Ann Sneesby Koch: Just a few arrests that I have found in The Denver Post and the Rocky Mountain News and the Denver Republican include two French prostitutes who are displaying their wares from the window. Mary Lane tree, 23, who lived on 19th Street between Market and Blake insisted that she was only selling lemonade in her house. And this is the best one: one Market Street Habitué was arrested for a meretricious display of wearing a flaming red silk dress, red hat, red shoes and stockings, carrying a red fan and leading a poodle, having been dyed red on a red leash.

[Music]

Noel: But life as a sex worker on Denver's Market Street in the late 1800s could also be harsh, brutal, and dangerous.

Tyler: Which brings us back to the Triplet Murders...

Ann Sneesby Koch: So we're talking about the victims of the Triplette murders that occurred in Denver's red light district in the fall of 1894. And three women were murdered between September 1894 and November 1894. It works out about one woman per month was killed.

Tyler: Koch says that each of the three victims of the Triplet Murders illustrate the various motivations for getting into sex work that she discussed earlier.

Koch cont'd: And the first woman who died was thirty-seven-year-old Lena Tapper.

Noel: Lena Tapper was a German immigrant who was working in a crib on Market Street.

Ann Sneesby Koch: So, Lena, I think, represents a group of women who entered into sex work needing the money or independence or she was, like many sex workers in Denver, and

immigrant and this could be a more lucrative way of earning money than taking up one of the more respectable trades. I don't know that if she was divorced or if she had been abandoned by the man that she moved to Denver with, which often happened. But she was found lying on her bed and she was strangled.

Tyler: Just under two months later, on October 28th, 1894, there was another murder on Market Street.

Noel: The victim was a 23-year-old French immigrant named Marie Contassot, who had come to Denver with her sister specifically to take up sex work.

Tyler: Marie and her sister had recently come into a lot of money from a Parisian relative. Ann Sneesby Koch says that might mean she entered the profession for the adventure. And authorities at the time suspected her financial position may have been the motive.

Ann Sneesby Koch: She was found dead by her boyfriend—her pimp—Tony Saunders, who'd been sleeping in an upstairs bedroom.

Noel: The third murder came just a few weeks later on November 13, 1894.

Ann Sneesby Koch: Kiku Oyama. She was another immigrant. She was from Japan and she was between 19 and 24 when she died. She had immigrated from Japan to be part of the 1893 Columbian Exposition in Chicago. When the exhibition ended, they moved to Denver. And a year later, she's dead—she's found dead on November 13.

Tyler: These three women from three different ethnic and socioeconomic backgrounds, all with presumably different reasons for becoming sex workers are not only a cross

section of Market Street at the time, but of Denver as a whole. It was a booming city that was much more diverse and complicated than stereotypical depictions of the Wild West would have you believe.

Noel: Koch once again draws attention to the dehumanizing way that the newspapers at the time talked about the deaths of these women, or any murder for that matter.

[Music]

Ann Sneesby Koch: The Denver Post declared it all the work of a professional strangler. And it was the devilish cruelty of an inhuman fiend possessed with a mania simply to take human life, to kill defenseless women, perhaps merely for the fiendish purpose of gloating over their death agony. The Post further describes the women in the wake of the murders, the women along the row as being apprehensive that she should awaken and find fierce fingers, grasping their throats, choking out their lives of wretchedness to which they cling as ferociously as if their paths were strewn with roses instead of thorns.

Noel: The story of the investigation that followed is somewhat convoluted. But basically...

Ann Sneesby Koch: It was such a sensational story because everybody wanted to believe it was Jack the Ripper. Everybody like we Denver's finally got its own ripper, you know, strangler's row. And at the end, there's no good answer. They never convict anybody.

[Music]

Noel: Koch explained that all we have to go off of is newspaper reports. And those just don't tell the whole story.

Tyler: But that's when Ann said this:

Ann Sneesby Koch: There's real lives there. There's, you know, like poor Ella Wellington. Like all we know about it is what she was wearing when she killed herself. But there's something deeper there that. There's a novel in there somewhere. There's a novel in all of these.

Tyler: It was at this point that I realized that maybe this is the whole point of the story. I started working on this episode thinking that it was an opportunity to finally tell the real stories of these women, the ones that deserve to be told. But we can't. We just don't know enough. Because their lives have been erased, fetishized, commodified, and ultimately discarded.

Noel: And maybe the fact that this story is nearly impossible to tell is the exact reason that it needs to be told. When we started this podcast, our goal was to tell stories that had been overlooked. Stories that didn't necessarily fit the formula that this kind of show is supposed to follow.

Tyler: On one of my first days on the job, Noel and I talked about how we wanted to look at history from a different perspective, to examine history from the margins.

Noel: And this story is the perfect chance to do that. So we're going to look at the past through the lives of sex workers in 2020.

Tyler: The people who live those lives often walk a fine line between financial independence on one side, and stigma, violence, and danger on the other side.

Noel: And though that may sound like a contradiction, like many other things, sex work exists in a gray area between its benefits and its dangers.

Tyler: Here's Phoenix Calida, a sex worker and activist, who we'll hear more from later.

Phoenix Calida: But, you know, it's important to keep in mind that neither the historical perspective nor the current perspective actually involves listening to sex workers themselves and letting sex workers assess the needs of the community and speak up from there. So, I think that's really important just to sort of like as a sort of a caveat, I guess, or nuance to keep in mind.

[Music]

Noel: Calida says this lack of understanding contributes to the dangers that sex workers often face.

Phoenix Calida: I don't think people realize how devastatingly harsh and lethal that sex work stigma is, like there's a reason that serial killers target sex workers, and it's because they know that they will be able to get away with those crimes a lot longer because society in general does not value sex workers. And that's really disheartening and frustrating, but it's true. And I just wish people would look at these stories and give sex workers the dignity and humanity that they deserve.

Noel: Obviously, the world has changed since the late 1800s and early 20th Century, but the dangers and precarious conditions that sex workers face today are still rooted in the same attitudes. And they'll tell their own stories

Tyler: Right after this...

[Music]

[Underwriting]: To learn more about the stories you hear on *Lost Highways*, check out History Colorado's 8 museums around the state. Like the El Pueblo History Museum in Pueblo, which features a series of exhibits, events, and more related to the Borderlands of Southern Colorado. From a place of meeting between indigenous tribes, to a physical border between nations, from the boundary between mountains and plains to everyday convergences of cultural and ethnic borders. This exhibit illuminates the site's specific geopolitical border history, as well as the region's historic and ongoing borders of cultures, ethnicities, landscapes, industries, religions and identities.

Noel: Before the break, we had been talking about how difficult it is to tell the stories of the women who worked on Denver's Market Street in the 1800s, and how speaking to modern day sex workers may give us some insight into the issues that they still grapple with.

Tyler: You've heard from a couple of them already, but let's start with having them introduce themselves:

Liara Roux: Hi, I am Liara Roux. She/her pronouns, I guess—it's easy enough. When I was growing up, I was terrified that my parents would disown me and financially abandoned me if they found out that I was queer. And so that's part of what motivated me to start doing porn, especially, because I felt like it was an easy way for me to make enough money to live

comfortably—being financially independent. For me, I didn't even have to worry at all about coming out to them. I just told them, told them that I had a girlfriend and that was it. You know, what could they say besides just walking away? They had no power over me.

Phoenix Calida My name is Phoenix Calida. My pronouns are they/them, and I am the director of communications for SWOP USA. Sex Workers Outreach Project. I had a child when I was a teenager and he was born with some health issues and I was working as a waitress. I was working doubles all the time. I would work like 60, 70-hour weeks. I needed to buy this medication; it was brutal. And then I was like, I can't you know, I can't physically keep up with this, but I need this money because my child needs this medicine. What do I do? And so that's kind of that was my how I got into sex work.

Maya Morena: My name is Maya Morena, I am a sex worker, and I'm currently working at Third Way Funds, a sex worker giving circle. My pronouns are she/her. Being undocumented really adds another layer, because it's criminalized if an employer hires you. If you're not allowed the right to work, like how do you survive in this society? So, a sex worker is somebody of any gender whose labor or livelihood is the exchange of sexual or erotic entertainment, services, products, directly or indirectly, for money or resources.

Monica Jones: So, my name is Monica Jones. I'm the executive director of the outlaw project. Bachelor's in Social Work. Pronouns: she/her. So when we talk about, like, why trans women and gays are in sex work, we have to think about the police and other bodies already. So, like, even though for a while, like, you can just be fired for being trans. Right? But, now what the Supreme Court saying is that it's illegal discriminate against trans individuals, but there are states that are right to work states, right? Like, I live in Phoenix, AZ, and that's a right to work

state. And so your employer does not have to give you a specific reason why you're being fired. And, so, they might say, like, oh, you're trans, ok, we're firing you because you showed up one minute late to work. So that gives anyone an excuse. These are the experiences that trans people face day to day work in a general, nine to five job, right. Whereas in sex work, it's nondiscriminatory, because there's always someone for someone.

Tyler: As you can tell from their introductions, the people we talked to are also pro-sex work organizers. They're also experts in their own rights. Not only because of their personal experience, but because their work as activists requires them to be well-researched about the issues facing their community both historically and in the modern day.

Noel: We chose not to interview dissenting voices or alternative viewpoints to this perspective because the goal of this episode is not so much to debate the very complicated and nuanced topic of sex work itself. Instead, we set out to shed some light on the historical experiences of a deeply marginalized community by talking to people who are part of it now. And we think that's an important part of our work as both journalists and historians.

Tyler: We can't do that with the victims of the Triplet Murders, who likely had varied and nuanced feelings about their work, just like the modern day sex workers we'll be hearing from.

Tyler: Liara Roux says that we all engage in some kind of work in order to survive. And she feels that sex work is deserving of the nuanced discussions we have around all kinds of work.

Liara Roux: So, within the sex work community, people often split people into either consensual or non-consensual sex workers. Non-consensual sex workers are obviously. Well, there's a gradient to it. Some people who are doing sex work non-consensually are being abused by a partner who's making them do it. Other people are in something more like a trafficking ring, where it's this organized crime group. Typically, the organized crime groups are more rare. It is more common for someone to be forced to do sex work by an intimate partner in exchange for money.

Noel: And then there are consensual sex workers, who also exist on a scale of how much they enjoy their work, just like the women Ann Sneesby Koch told us about who worked on Denver's Market Street in the 1800s.

Liara Roux: Consensual sex workers are people who are doing it either for survival or because they've chosen it as their career. And again, that's sort of a gradient where there's people who hate sex work, but they feel like they have to do it because it's the only reason they can get money. And they hope to one day leave the industry. Then there's people who probably approach it like any other job, like McDonalds, you know, where they're like, this is not great, but whatever, you know, I need money. And then there's people who really enjoy it, who can't see themselves ever doing another job and get really into it or super excited about it.

Noel: And that brings us to another gray area that we ran into while working on this episode. Many of the people we spoke to argue that sex work is one of the most accessible ways for women and other marginalized communities to make money independently, and provides opportunities for autonomy and freedom that are less common in other kinds of work.

Tyler: At the same time, the very systems that make it so difficult for those communities to make a living doing other work sometimes creates situations like those that Liara Roux just mentioned, where someone may not be entirely enthusiastic about engaging in sex work, but feels like it's their best option.

Liara Roux: I think it's important to note, too, that anyone who really enjoys their job is going to have shitty days. That's like saying, you know, a lawyer comes home from work and he's like, oh my god, that was absolute hell. Like my client was such an annoying piece of crap. He ended up yelling at me, you know, and then he takes, you know, he's drinking a lot of liquor that night. You know, I don't think anyone would look at that one night and say, oh, you know, lawyers are all being abused. We should destroy the industry.. But, you know, if you have the same scene— sex worker comes home from her job, she's crying, you know, she's so stressed out, her client yelled at her, she's drinking. Suddenly, you know, people are like, oh my god, like this poor woman. Her job is violating her soul.

[Music]

Tyler: Financial independence has always been a major reason to enter sex work. After all, you need to make money in order to survive, and for a lot of people who -- for whatever reason -- are unable to work more traditional jobs, sex work is the most efficient way to do that. Not to mention it's a way to make money without depending on other people or owning any capital. That independence and freedom was a major draw for women who moved to the American West to work in places like Denver's Market Street, and it's still a major draw for sex workers today. In doing research for this story, I discovered that many scholars and sex workers argue that a lot of laws that criminalize sex work do so in order to keep that from happening.

Noel: Take, for example, the Chinese Exclusion Act, which we've talked about at length in other episodes. It was passed in 1882 and prevented any Chinese citizen from entering the United States. It came at a time when a lot of male Chinese laborers had been building the infrastructure of the American West, and their wives and families were beginning to immigrate to join them. Here's Maya Morena.

Maya Morena: And the idea was that all Asian women are immoral. They couldn't possibly be wives. They were all being trafficked here. They were all just sex slaves, basically. Which is kind of funny, it had the opposite results of what its intention was. It was supposed to eliminate prostitution, it was supposed to eliminate trafficking. Quote, unquote. But because Asian men—who a lot of them were coming here to build the railroads and stuff—because their wives and their girlfriends were being deported and weren't allowed here, prostitution actually increased.

Tyler: In our bonsai episode and our episode about migrant labor, we've discussed the Chinese Exclusion Act as a way to "protect American jobs from immigrants," but it was actually also a

crackdown on so-called human trafficking. Here's Stephanie Wahab, a professor at the school of social work at Portland State University.

Noel: Wahab says laws like these are perfect examples of where various systemic issues start to intersect and demonize various ethnic groups.

Stephanie Wahab: We can start looking at the intersections of migration, race—racism, I should say—classism, xenophobia, and sexism. And curtailing Chinese immigration and then curtailing women coming to the United States for the purposes of prostitution laid the groundwork eventually for the Mann Act, or you know, what that's referred to as the white slavery laws.

Tyler: The Mann Act was passed in 1910. It made it a felony to transport "any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose" across state lines.

Noel: In other words, it was one of the United States' first anti-human-trafficking laws.

Tyler: But it was also tied to racism and a cultural fear that was called "The White Slave Panic"

Stephanie Wahab: The emancipation of African-American slaves added to some of the racial anxieties around that time of the Chinese Exclusion Act as well. It's like a braid, as I think about it, many different social forces, economic forces woven together to create these laws.

Noel: In the early 1900s, a period of social reform known as the "Progressive Era" took hold in the United States. In addition to challenging corruption, activists and politicians of the Progressive Era also pushed for various moral standards to be coded into law.

Tyler: While previous eras, like the Victorian Era, saw an increased emphasis on morality, activists of the Progressive Era also sought to legislate it.

Noel: For example, the 18th Amendment to the Constitution, which ushered in prohibition, and anti-human-trafficking laws like the Mann Act were passed.

Tyler: The FBI had just been formed, and enforcing the Mann Act was one of their top priorities. And the law was often used as a way of cracking down on interracial dating. A couple famous incidents of this are boxer Jack Johnson and Musician Chuck Berry, who were targeted for their relationships with white women.

Noel: Like the rise of segregation laws, the "white slave panic" emerged after the abolition of slavery, and only grew in the progressive era. It was also around this time that women started to gain more autonomy. Here's Monica Jones.

Monica Jones: It was the fear of black men, free black men seeing white women in brothels. So, I feel like sex work has been criminalized due to the direct correlation of the freedom of slavery, so it was this whole idea of the plight of the white woman. So, let's not have these white women working in brothels.

Phoenix Calida: And so they created these laws about transporting sex workers over state lines for like prostitution purposes, basically.

Noel: This is Phoenix Calida. They say that the racial tensions that gave rise to early anti-trafficking laws are still at the root of anti-trafficking and anti-sex work laws today.

Phoenix Calida: And so that's sort of like mentality has never really died. And so even though when it comes to people in trafficking situations, it's a lot of folks from lower income backgrounds, nonwhite backgrounds, the people who are still getting the most attention are like middle class white girls or the target of fear mongering audience is like middle class suburbia. You know, white suburbia. They're like, oh, the pimps are going to come get your daughters type thing. And it's just like that's just not how it is in reality. And so it's like super frustrating the amount of myths that are around this that it really is.

Tyler: One problem that sex workers and pro-sex work activists see with these kinds of laws, both historically and in the present day, is that they conflate human trafficking with consensual sex work because they are rooted in a morality that thinks all sex workers are inherently delinquent, and that they need to be rehabilitated and protected for their own good.

Noel: Here's Maya Morena, reading an excerpt from famous eugenicist Walter E. Fernald called "Report of the Commission for the Investigation of the White Slave Traffic, So Called."

Maya Morena: "The early reports from the field investigators in the different cities and towns revealed the existence of large numbers of young girls who habitually have immoral relations with boys and men without expecting or accepting financial reward or gain. But for the absence of the element of hire, these relations of young girls with boys and men are not to be distinguished from those of professional prostitutes."

Noel: The report goes on to say...

Maya Morena: "Their parents can have no idea where they go or with whom they associate. They talk freely with men and boys of the town or strangers and urge that they be taken to

theaters, moving pictures, recreational parks, automobile rides. Many have been observed with men entering immoral cafes, hotels, and lodging houses."

Noel: Women were leaving the house more, organizing politically, and achieving new levels of independence that would eventually result in gaining the right to vote in 1920.

Tyler: But when it comes to the passage she just read, Morena is especially interested in the line that mentions the "absence of the element of hire," and points to it as a reason that people weren't actually afraid of women engaging in sex work, they were afraid of something else entirely.

Maya Morena: It goes on, but like what's interesting is that they really didn't differentiate between women who were having sex for free and women who were going out on their own and they were basically inventing this new thing called dating. These women are going to the urban areas and getting jobs, going to amusement parks, you know, after they had a hard day's work or going to a bar and getting a drink or going to the dance hall. Men and women could mingle together, people of different races, nationalities. And when you read this report, it becomes very obvious they really were afraid of that. They did not like this. They wanted things to return to the way they were before, where women didn't work and they weren't fighting for the right to vote and they weren't just dating whoever they wanted.

Noel: Now is probably a good time to mention that a lot of the social reforms happening in this era were led by women. And when it comes to sex work, a lot of the controversy within feminist circles centers around the argument about whether embracing one's sexuality, capitalizing on it, and using it to one's advantage is liberating, or catering to the male gaze.

Tyler: And depending on who you ask, sex work can be seen as a liberating way to achieve financial independence like it was for many of the women working on Denver's Market Street in the 1800s, or it can be seen as inherently exploitative.

Stephanie Wahab: So ultimately that the sense was that women either needed to be rescued from themselves, from aggressive men, from patriarchy, or they were kind of immoral. This idea that women, as long as sexism and misogyny patriarchy exist, that women cannot be the agents of their own sexual desires and behaviors, that that is shaped by these kind of macro forces.

Noel: We've already talked about how sex work is often a way for various marginalized demographics to make their own money and achieve independence. Whether that's a young woman from a homestead moving to Denver in the 1800s, or a person with a disability in 2020 who can't work a traditional 9-5 job because of accessibility issues. But how did it get that way to begin with?

Tyler: We talked to Silvia Federici. She's a retired academic who worked in the social science department at Hofstra University, and also an activist heavily involved in the Women's Movement. She's been talking and writing for years about what academics call "the division of labor," or how so-called "men's work" came to be paid, while so called "women's" work, like housework and reproductive labor came to be unpaid.

Silvia Federici: For a large number of women in many different countries, at different times, the task that was expected of them that was imposed on them. Was that of becoming those who cater to the reproduction of the workforce, you know, those who in a way would be employed

not in producing goods for the market as most wage workers, but in producing the workers. In producing the people's capacity to work, people's capacity to appear every day in the workplace.

Noel: Federici says that in order to understand why sex work is often such a unique opportunity for marginalized people, you have to go all the way back to the advent of our current economic system.

Silvia Federici: A peasant, an agricultural person who sows, raises crops is producing and reproducing at the same time. To the extent that they're actually using what they produce. This changes dramatically with the rise of capitalism where you begin to have a separation between the two.

Tyler: Federici argues that in subsistence economies, everyone's work is of equal value. If you're out in the field producing food, it's just as valuable as if you're in the home taking care of children, cooking the food, and doing other tasks that enable others to go out in the field. But in the transition to wage-based economies, all of a sudden the person working in the field—which Federici calls "productive" work—is being paid. While the person creating the conditions that make it possible for others to work -- or what Federici refers to as "REproductive work," remains unpaid. To illustrate this, some scholars use the image of an iceberg.

Silvia Federici: The iceberg is -- the visible part is production. This is what is visible. This is what is recognized as work. This is what is compensated -- miserably most often, but compensated. And then there is the submerged area, the part which is invisible under the water. And this is reproductive work, even though it is the support. It is the pillar.

Noel: That started to change with industrialization, when people who had formerly been farmers flocked to the city, and many women and children went to work in the factories. But that didn't

last long, because the conditions in the factories were so bad that women often stopped having children. And a lower birthrate results in fewer workers.

Tyler: The Industrial Revolution saw a mass migration of families to cities as the economy changed and subsistence farming wasn't as viable of an option. Just like the women who were moving to cities in the American West seeking independence, adventure, and financial gain by way of sex work. And another factor in the declining birthrate was that while children are helpful on a farm, it wasn't as economically advantageous to have lots of kids at a time when factory work was becoming more common.

Silvia Federici: Basically you had a working class that was not reproducing itself. You know, that the conditions of living for most workers were so abysmal. And, so you begin this reform movement. In the States, it peaks in the progressive era.

Tyler: Federici argues that those in power started taking steps to keep women in the home so that they could produce more laborers, thus giving rise to the idea of the nuclear family. This was accomplished, says Federici, in part by raising male wages and also making it more difficult for women to get jobs in factories. This insured that women could devote their time not only to having children, but to caring for their husbands in a way that made them more productive workers.

Noel: Around this time, there were also pushes by women's groups to have more control over their reproductive and economic rights, and that came with significant cultural change. Either way, Federici says that these conditions came together in a way that resulted in more women staying home.

Silvia Federici: The women are sent home. The children are sent to school. Male wages are raised. You have the family wage. It was intended to support the family, which meant it was intended to support a non-working wife. And then you have, you know, the development of the full time housewife.

Noel: It also meant that women were more dependent on men for their money. And it created a dynamic where women who DID have their own money—like sex workers—were not participating in the system that was generating so much wealth for factory owners.

Silvia Federici: Whereas in, say, the Middle Ages, they could be, you know, silk workers, they could be artisans, in their own name. The crucial century for the development of a capitalist economy sees a massive increase in prostitution. We have a report that in all the cities of the countries that were going through the transition to a money-based economy, the women were appearing selling their bodies on the streets. This is a new division of labor. I define this process, the development of the patriarchy of the wage, because you see very clearly the formation of a new organization of work where the power of the men over women is sustained by the male wage.

[Music]

Tyler: In addition to these economic changes, the increased emphasis on morality during the Progressive Era led to a lot of similar conditions that we have today, where sex workers are seen as a threat because they're working outside of the system.

Lira Roux: Sex work destabilizes any society whose cornerstone and foundation is built upon any sort of relationship where women only receive access to resources through men.

Noel: Roux says that though these laws may not be explicitly designed to limit the independence of women and other marginalized groups, the end result is the same.

Liara Roux: I don't mean that all these senators are kind of getting together and saying, hey, you know, like, we hate women, we want them to suffer. You know, I think it's more about maintaining a system that causes suffering, it's something that allows people to stay in power and hold power over people.

Noel: And the same argument could be said for the women on Market Street. They may not have experienced condescension from newspapers, violence from clients, and derision from high society because of any grand conspiracy against them, but because of systemic issues of class, race, and gender.

Tyler: Here's Phoenix Calida.

Phoenix Calida: Sex workers fall really far outside of those societal norms because now we're having women who are not only having sex outside of marriage, we're having women who are finding a way to survive without having to rely on a husband or a father. And so that's like very upsetting and patriarchal values. And then you add in the fact that so many sex workers are also not heterosexual. There's a lot of trans sex workers and non-binary sex workers. And it's like, all these people are living the way that society doesn't—no, you have to be hetero, you have to be cis, you have to do all these things, and sex workers don't do any of these things. We don't like them, you know?

Tyler: Monica Jones uses her own experience to illustrate why she feels that sex work is just like any other work, and how it gave her access to potentially life-saving resources that she may not have been able to get otherwise.

Monica Jones: How I got into sex work was like, I'm 21, I'm 20, moving out of my parent's house and living in a studio apartment with only a couch, Right? And I start transitioning. And I met someone at a bar and I hit it off with this person. And this person offered me a certain amount of money to go home with them. And I took that money, right? And so I realized, like, hey, I can do this and make a great living off of it. You can have access to pay for hormones, you can have access to pay for surgeries, you can have access to housing. And so sex work, just like a regular job, provides you with access to resources.

Tyler: To some listeners, the business aspect of engaging in sex work may appear to conflict with some of the things that the sex workers we talked to for this episode have said about their jobs posing a threat to the status quo.

Noel: Several of them, as well as Sylvia Federici, refer to this status quo as capitalism. But even within the Lost Highways team, we've had debates about whether sex work operates within capitalism or outside of it. Either way, our interviewees see themselves as subverting a gendered economic system that has historically associated men and women with different types of work and then failed to value them equally.

Tyler: In this sense, it's important to remember that academically, capitalism isn't simply defined as any time anyone makes or spends money. Our interviewees are talking about the ways in which people make money and generate value. Namely: you go to

work, use someone else's resources to make something that generates profit for them, and they give you a portion of that profit as a wage.

Noel: Sex work does involve a certain entrepreneurial spirit. And the claim to exist outside of the system is maybe less true for people who work in brothels, parlor houses, etc. But the systems that sex workers who are self-employed claim to circumvent are those having to do specifically with wage labor and the traditional relationship between business owners and their employees.

Monica Jones: Sex work is an economic power where you can get economic security. So that might lead to some type of power and moving up on social ladders and stuff like that.

And so if you're a black woman, you're engaging in autonomy of your own body, right? So, there's no middleman and that's a threat to white capitalism.

[Music]

Tyler: In all of these conversations, it was made clear to me that the reasons sex work has been criminalized in the past are basically the same reasons that it remains criminalized today.

Noel: They say that many of the laws that we've talked about were actually rooted in racism, xenophobia, or patriarchal values. And that those laws were built off one another, all under the guise of curtailing human trafficking.

Tyler: But the internet made things complicated for lawmakers because it made sex work more accessible.

Noel: Just like Denver in the late 1800s, the internet was, in its early days, a place where the ideals of freedom were far ahead of the law. For years, sex workers were able to connect with clients with relative safety from violence and interference from the law.

Tyler: And just as with the hierarchy of parlors, brothels, and cribs, there was everything from websites for high-end escorts, to more easily accessible sites like Craigslist personals.

Noel: But as commerce and so much of our daily activities have increasingly migrated online, so too have the laws that regulate it.

Noel: Which brings us to one of the more recent examples of controversial anti-trafficking legislation: SESTA/FOSTA.

Tyler: Once again, SESTA/FOSTA is a combined acronym for the Stop Enabling Sex Traffickers Act and the Allow States and Victims to Fight Online Sex Trafficking Act. They were passed in 2018 in an attempt to make it harder for people to conduct human trafficking online.

Noel: These laws in and of themselves aren't the problem that those we interviewed have been talking about, so much as an example of it. They illustrate the debate about whether sex work is liberating or exploitative and the difficulties people living at any time period have often faced when making money outside the system in an attempt to gain more freedom.

Tyler: Because the controversy around SESTA/FOSTA shows that the ideological underpinnings, and the reasons we can't properly tell the stories of the women on Market Street are the same reasons that modern day sex workers' stories aren't being heard either.

[music]

Liara Roux: SESTA/FOSTA was a bill ostensibly designed to curb child sex trafficking, which is why it was so popular. Nobody wants to be against a bill like that.

Maya Morena: I think the big selling point behind SESTA/FOSTA was that this would help sex trafficking victims online. But what it actually does, it eliminates some of the rights under Section 230, I believe.

Noel: That's Section 230 of the Communications Decency Act of 1996,

Maya Morena: It's the idea that a platform is not responsible for what people post on there.

Tyler: SESTA/FOSTA changes parts of that law in order to hold websites accountable for what's posted on their platform.

Noel: Those changes have led to websites cracking down on adult content in order to avoid being held responsible if something illegal is happening.

Tyler: But the sex workers and activists I talked to for this episode say that, once again, the definition of human "trafficking" is so broad, that anti-trafficking legislation often causes more harm than good.

Noel: Morena is undocumented, and illustrates that point by explaining how anti-trafficking laws are often used when it comes to immigration. She uses the example of a man named Scott Warren from the faith-based humanitarian group "No More Deaths" who was arrested in 2018 and tried for three felony charges because he'd been providing aid to undocumented immigrants.

Maya Morena: There was an advocate from the organization, No More Deaths, that would house immigrants and give them food and water. He would leave out water for the immigrants and the border control. Border control agents would actually slash the water bottles.

Tyler: And you wouldn't think that this sort of humanitarian work would be illegal. But...

Maya Morena: Because he was doing humanitarian work, he was going to be charged with trafficking. I think, I think people don't understand what trafficking means.

Noel: Warren was eventually acquitted, but only after a long and distressful ordeal of a trial.

Tyler: It's hard to actually define human trafficking from a technical standpoint. And because the laws are often so vague, it's a charge that all kinds of people end up facing. That can include humanitarian workers, friends and family, romantic partners, and others who don't exactly come to mind when you hear the word "trafficking." The sex workers we talked to for this episode say that people are sometimes coerced into sex work, but that—legally speaking—it's often more complicated than that and rarely as sensational.

Noel: That fear of human trafficking has been in the public consciousness for a long time. And the anti-trafficking non-profit industry -- often run by the same demographics that were most concerned about the white slave panic -- is extremely popular. Even before SESTA and FOSTA were passed, other websites that people used to conduct sex work online were being targeted by authorities.

Tyler: The two most prominent examples were backpage and the personals section on Craigslist.

Noel: Eliminating ways of conducting sex work online not only makes it more difficult for sex workers to do their jobs, but makes it more dangerous as well.

Liara Roux: So, the cool thing about working online is that you have the ability to screen your clients. And then, sort of make up their mind whether they want to see them or not.

Phoenix Calida: And, again, sex workers were like shutting down Backpage already made a bunch of sex workers unsafe. You already can't find the victims of sex trafficking from their ads anymore because there is no longer a digital footprint. Don't make this problem worse.

Noel: The loss of these online resources has forced a lot of people who were conducting sex work online to start working on the streets.

Phoenix Calida: And it is much more dangerous for sex workers to be working outdoors. And the amount of sex workers I know who, previous to SESTA/FOSTA, compared to now who have suffered abuse while working has just it's gotten exponentially worse. And I don't see an end in sight because they can't post online and they can't screen.

[music]

Noel: This story may seem like it ends in a very different place from where it started. But the constant refrain that we've heard as we've listened to modern day sex workers talk about their experience is that they face a lot of the same challenges as women like Ella Wellington, Lena Tapper, Marie Contassot, and Kiku Oyama. One of the key differences is that Monica Jones, Phoenix Calida, Maya Morena, and Liara Roux are around to tell their own stories, and make their own arguments. The real challenge for them—just like the women of Market Street—is getting people to listen.

Maya Morena: So we have like a community online, we can share information and sometimes like a sex worker will go through a tough time, like they'll become homeless, and sex workers will pull in support for each other. So as we're being kicked off like payment processors and the internet, there's no way for that support to reach us. There's no place for us to scream for help.

Noel: Ann Sneesby Koch says that this is an example of how sex workers have always done what they could to take care of each other.

[music]

Ann Sneesby Koch: But it's interesting that the actual stories that get printed there, the girls are always, you know, somebody led them into this life of sin and their only way out is to die by suicide. And then their frail sisters in sin would take up a subscription and she's buried in a decent way.

[Music]

Tyler: This anecdote comes back to me while I'm looking for the graves of Lena Tapper, Marie Contassot, and Kiku Oyama at Riverside Cemetery. I think about the women of Market Street pulling together whatever cash they can come up with and taking up collections to pay for their burials as I walk through a forest of tall, fern-like weeds that have overgrown this section of the cemetery.

Tyler: A lot of the headstones in this block are extremely old and made of soft stone that's been eroding for more than a hundred years. Many of the names, dates, and

epitaphs are barely legible. I've been here all afternoon, walking around the burnt grass and the dust. After a while, I give up, never having found their graves. But maybe it's better that way. Maybe it's important to remember them as human beings who contained multitudes, just like anyone else, rather than victims of salacious crimes who only found redemption in death.

[footsteps fade out]

Tyler: Lost Highways is a production of History Colorado and History Colorado Studios.

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Noel: Again, if you enjoyed this podcast and want to support it, PLEASE become a member of History Colorado. You can get 20% off your membership at historycolorado.org/podcastdiscount. Plus, you get all kinds of great benefits like free admission to our 8 museums around the state, where you can learn more about the stories we tell on Lost Highways. AND a subscription to the award-winning Colorado Magazine, which includes access to insightful articles and compelling perspectives on Colorado's past we've published since 1923.

Tyler: And even if you don't become a member, you can still get \$2 off admission to any of our museums just by mentioning the podcast.

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Tyler: And to Amanda Lane of History Colorado, and Noah Allyn our intern, who recently transcribed all our episodes.

Noel: If you'd like to see the transcripts, either as a matter of accessibility, or because you'd like to use Lost Highways in your classroom, you can find them at historycolorado.org/lost-highways.

Tyler: The music for this episode was by Earth Control Pill. Our theme is by Conor Bourgal.

Noel: Many thanks to our editorial team:

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Tyler: And to our Advisory Group, which includes:

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and Cara DeGette

Noel: Finally, thanks to the entire staff at History Colorado. I'm Noel Black

Tyler: And I'm Tyler Hill. Thanks for listening.