

Project 180, a Prostitution Diversion Program: An Assessment of Version 1

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Introduction

Project 180 is a pre-trial diversion program initiated by the Harris County District Attorney's Office (HCDAO) in the fall of 2017 for defendants charged with prostitution (selling). The program was initiated upon recognition that there is widespread victimization among the population of people arrested and charged with selling sex, including childhood sexual abuse, sexual assault, and human trafficking. The program has three main objectives: 1) to reduce the stigmatization that can result from a prostitution conviction, 2) to provide connections to community-based social services for people arrested for prostitution, and 3) to pursue traffickers and pimps who are involved and profit from the exploitation of sex sellers in the community¹. Initially intended only for prostitution sellers between the ages of 17-24, the program was ultimately expanded to include sellers aged 25 or older for whom this was their first prostitution arrest.

This report is an assessment of the first fifteen months of the Project 180 program. Multiple data sources have been compiled to inform this report, including information gathered by the Harris County District Attorney's Office, data specifically collected by the Harris County District Attorney's Office Sex Crimes Division, data collected by the Houston Area Women's Center, and data from a survey given to Project 180 participants. The main research questions that we aimed to answer during the first year of the program were:

1. Does Project 180 reduce the harm of traditional criminal justice intervention for prostitution sellers?

¹ Harris County District Attorney's Office Sex Crimes Division. (2019): *Project 180: Prostitution Diversion Program, Information Sheet for Judges*. Houston, TX: HCDAO.

2. If we attempt to reduce harm to sellers in the form of criminal justice intervention and retribution, will sellers be open to receiving help with underlying social needs from outside resources? What forms of help are needed?
3. What is the impact of shifting resources away from prosecuting sellers to prosecuting facilitators?

The next section of this report briefly outlines the methodology used to collect and analyze the data used for this study. This is followed by three sections that each address one of the research questions listed above in more detail.

Methodology

The findings in this report are largely based on data that is already collected by participating agencies. The Harris County District Attorney's Office provided information on prostitution-related offenses from January 2014 – May 2019. Primarily, the analyses in this report involve offenses that happened between 2017, the year that the first Project 180 participants opted into the program, and mid-2019.

Beyond the offense-level information provided by the District Attorney's Office, specific individual and case-level information was requested from the Sex Crimes Division, which maintains a separate database of information regarding these Sex Crimes cases. This information individual- and case-level information helped to supplement the offense-level information provided. In particular, information about prostitution-seller cases was requested for all Project 180 eligible cases, regardless of whether the seller opted to participate in the program. The objective of this oversampling was to understand whether there were patterns in Project 180-eligible clients who opted not to participate in order to address any real or perceived deterrents to the program. The final dataset for

understanding prostitution sellers included 2,175 cases from 2017-2019 that were selected either because the primary charge was prostitution or there was evidence that the defendant was included in Project 180, demonstrating the relevance of the case even if the primary listed charge was something else. Of these 2,175 cases, 348 had been found eligible for Project 180 and signed a P180 contract, while the remaining 1,827 cases were not associated with the program. More information about these cases is presented in the section below.

Additionally, data was contributed from the Houston Area Women’s Center (HAWC), the primary service provider for the first year of Project 180 implementation. Specifically, information was requested about client contact attempts, initial client screening sessions, and whether clients followed up for voluntary services beyond the project-mandated screening session.

Finally, beginning in April 2018, we began to request that Project 180 participants complete a brief, anonymous exit survey during their final meeting with District Attorney staff. This is the only data collected specifically for the evaluation of the program. The survey included measures of participant satisfaction with the program, what services they discussed with the provider at HAWC (or an alternate service provider agency, in some cases), whether those services met their needs, and whether they had already engaged with some voluntary follow-up services or planned to in the near future.

Project 180 Participants

Between 2017 and July 2019, there were 348 cases in which a contract with Project 180 was recorded. The table below highlights how the Project 180 cases compare with the non-Project 180 prostitution cases. Project 180 participants are highly representative of the population of prostitution arrestees in terms of race/ethnic

composition. Project 180 participants are significantly younger than non-P180 prostitution arrestees, but that is to be expected given that the program was originally intended for 17-24-year-old persons. There is also a significant difference in the gender of P180 participants. Specifically, males are underrepresented among P180 participants. Males represent over 10% of the non-P180 prostitution arrestees but less than 1% of the Project 180 participants². Nonbinary gender is not systematically recorded in the HCDAO database, therefore those who identify as transgender or any other non-binary gender classification are most likely underrepresented in this data, as only the few known transgender individuals were recorded as such for this report.

Table 1: Demographics of Defendants in Prostitution Cases, 1/1/2017-8/10/2019

	P180 (n=348)	Non-P180 (1,827)
Sex		
Female	98.8%	87.7%
Male	00.6%	12.2%
Other/Unknown	00.6%	00.1%
Age		
Average	27 years	33 years
Range³	17-63 years	16-74 years
Race/Ethnicity		
Asian	15.2%	13.0%
Black	46.8%	42.4%
White-Hispanic	12.3%	10.8%
White-Non Hispanic	24.4%	29.9%
Other/Unknown	1.3%	3.9%

² This figure is what is represented in the data received by the HCDAO. An initial check of select outlying cases reveals that there is likely coding error of some males who were actually buyers misrepresented as sellers by the arresting officer.

³ The culture and practice around arresting and charging youths aged 17 and below for prostitution has changed significantly since the period of data collection began. It is anticipated that in the future, we will not see any individuals aged 17 or younger represented in the population of prostitution arrestees.

Harm Reduction and Criminal Justice Outcomes Among P180 Participants

A primary objective of Project 180 was to reduce harm to prostitution sellers in the way of criminal justice intervention and to reduce the lasting legal impact and stigma of a prostitution arrest by providing for case dismissal upon successful completion of the program. Additionally, the program sought to have these cases dismissed within 60 days of the P180 contract signing, when possible. Recidivism, although often a criminal justice outcome measure of interest, was purposefully not a targeted outcome in this study. In the first place, it would be too soon to measure recidivism. But second, the program was created to reduce harm, not necessarily to reduce recidivism. While it is worthwhile to begin to analyze recidivism (limited to any future prostitution selling arrests) for P180 participants as the program continues, the value of the program can and should be measured primarily in other ways, such as whether participants are following up with the community-based resources that they are introduced to through the program.

Case Outcomes and Dispositions

Project 180 is demonstrably meeting the goal of harm reduction in the way of reducing criminal sanctioning for prostitution arrestees. Compared to other prostitution cases, Project 180 cases are significantly more likely to be dismissed and less likely to result in charges or criminal sanction. Of the 348 Project 180 cases that were initiated since the program was implemented, almost 90% (89.4%) of participants have had their prostitution charge dismissed, compared to only 30.2% of non-P180 prostitution arrestees from the same time period. While more than a quarter (26%) of the non-P180 prostitution arrestees eventually pled or were found guilty and were given a criminal sanction, only

1% of the P180 participants were. Additionally, once signing the P180 contract, P180 participants were significantly less likely to bond forfeit than non-P180 participants. However, there were several cases of clients who were eligible for the program but never had the chance to learn about it or enroll because they bond forfeited before their first court appearance.

Table 2: Case Outcomes for Prostitution Arrestees, 2017-2019

Case Outcome	P180 (n=348)	Non-P180 (1,827)
Dismissed	89.4%	30.2%
Closed/Sanction	1.1%	26.2%
Bond Forfeited	4.0%	8.7%
Active	5.5%	26.8%
Deferred Adjudication	0.0%	5.7%
Other	0.0%	2.4%

Not only were Project 180 participants significantly more likely to ultimately have their cases dismissed (after they fully met the conditions of the program), but they were much less likely to incur a traditional criminal justice sanction in the form of jail time, probation, or a fine. Those who were given sanctions for prostitution charges were overwhelmingly sentenced to a short period of incarceration in the Harris County Jail. Only four people who signed up for Project 180 have currently been sentenced, either because they were found guilty of or pled guilty to another charge before completing the program or because they bond forfeited and were subsequently sanctioned after signing their contract but before completing the program⁴.

For those who received a jail sentence for misdemeanor-level prostitution selling offenses during the timeframe of this study, the average sentence was for 21 days. As it

⁴ This figure does not take into account those individuals who have bond forfeited and have not yet been sanctioned for that.

costs approximately \$57/day⁵ to house an inmate through the Harris County Jail system, the incarceration of the average prostitution seller cost the county \$1,197. In other words, for every single Project 180 participant who completed the program and had their case dismissed without a jail stay, Harris County saved, on average, \$1,197. At the time this data was collected, 311 P180 participants had their charges dismissed, totaling \$372,267 in saved expenditures for Harris County. Importantly, and to the point of the program, these participants were also spared the collateral consequences of incarceration, including separation from family, stigmatization, and loss of any legitimate employment, among others.

There is a significant difference in the number of active cases between the two groups. While only 5.5% of Project 180 cases are currently active, more than 1 in 4 (26.8%) of the non-P180 prostitution cases are active. This speaks to the efficiency of P180 compared to the traditional criminal justice process and, as is explored in more detail below, the goal of moving charges toward dismissal expediently.

Time to Program Completion

A second goal of Project 180 was to reduce the amount of time that participants had mandated contact with the criminal justice system. Specifically, one of the original goals of the program was to have cases dismissed within 60 days. However, an important caveat to this goal is that there is one step on the P180 process that is completely under the control of the client: the day that they set and show up for their appointment with the Houston Area Women's Center or other designated service provider. As is noted in the section below, it sometimes took several attempts for service providers to contact P180

⁵ Figure taken from a Harris County Sheriff's Office website: <https://www.harriscountycit.org/jail-mental-health-unit/>

participants to set up these meetings. As this is an evaluation of the Harris County District Attorney's Office and the time it took clients to go to their appointments with an outside agency is outside of the purview of the HCDAO, it seems reasonable **not** to measure the 60-day goal from the date the P180 contract was signed, but rather from the date the participant completed their interview with the service provider.

Measured as such, P180 is exceeding their goal of dismissing cases in 60 days. The average length of time between the participant's service provider interview and the date their case was dismissed was 35 days, though this timeframe ranged from 0 (same day) to 132 days. Of the 228 participants for whom we have information about the date of service provider interview and the date of case dismissal, 30 (13%) took longer than 60 days to dismiss after the interview. It is worth noting that some of these took significantly longer than 60 days to dismiss, and it is recommended that P180 staff prioritize the upholding of this 60-day goal in the next iteration of this program.

Service Provision Access and Interest Among P180 Participants

Where did P180 Clients Access Services?

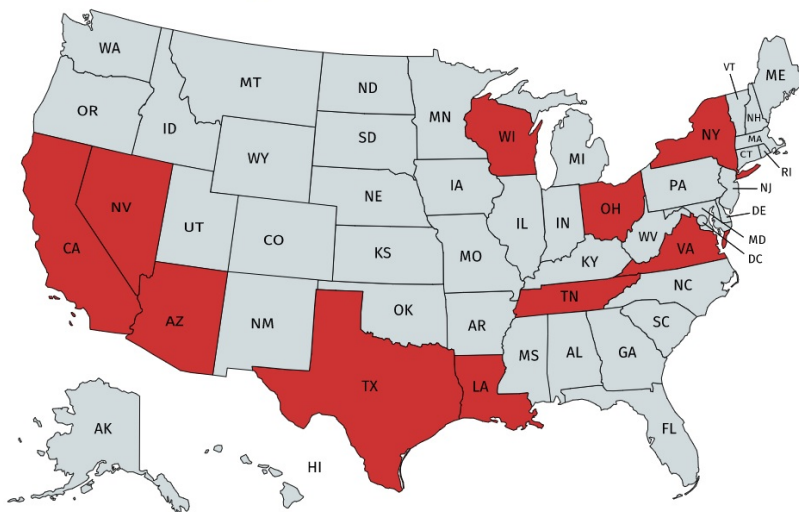
During the first year of Project 180, the Houston Area Women's Center was the primary service provider partner for the Harris County District Attorney's Office. The objective of this partnership was for Project 180 participants to meet with a case manager, unaffiliated with the criminal justice system, who could assess participants' immediate and long-term needs, and then introduce the services that are available to them, free of charge, in the community. The types of services that the case manager

might discuss with Project 180 participants included counseling, job training, parenting support, healthcare, housing and more.

Between February 2018 and May 2019, a total of 218 individuals attended the Project 180 introductory information session at the Houston Area Women’s Center. An additional 58 Project 180 participants attended information sessions at different local organizations. Reasons for this might include an existing relationship with a service provider or to accommodate language or cultural preferences. Secondary Houston-area service providers included YMCA International, the Chinese Community Center, The Landing, BCFS Common Thread, Boat People SOS, Healthcare for the Homeless, The Women’s Home, and Rescue Houston.

Forty-eight P180 participants completed their service provider interview outside of Houston, including 22 who did so outside of Texas, either because that was where they were from or where they were going. Figure 1 below illustrates the other states where P180 participants were referred to local service providers for their introductory information sessions/needs assessments.

Figure 1: States Where Project 180 Participants Met with Service Providers



Client Engagement with the Houston Area Women’s Center

Upon receipt of a client’s Project 180 contract from the DA’s Office, a case manager at HAWC would attempt to reach out to the client to set up their information session. The HAWC case manager would reach out as many times as necessary to successfully schedule the information session with each client. Contact attempts for clients ranged from 1 to 13. Impressively, almost half (49%) of clients required only one contact attempt from HAWC, in which they scheduled their information session and then attended it. On average, case managers needed to reach out to clients twice to successfully schedule the information session.

In total, 90% of those referred to HAWC followed through with their appointments. This includes 27 clients who were originally referred to HAWC but completed their information session with a different service provider. Age was a significant predictor of whether a client would follow through and show up at their HAWC appointment. Clients older than 25 years old were significantly more likely to complete their appointments at HAWC; 100% of the Project 180 clients in the 25+ age group followed through with their HAWC appointment. Sixty-seven percent (67%) of those aged 25+ only needed to be contacted once to complete their HAWC appointment, while 55% of those aged 17-24 required only one contact attempt.

Voluntary Client Follow-up Engagement with Social Service Providers

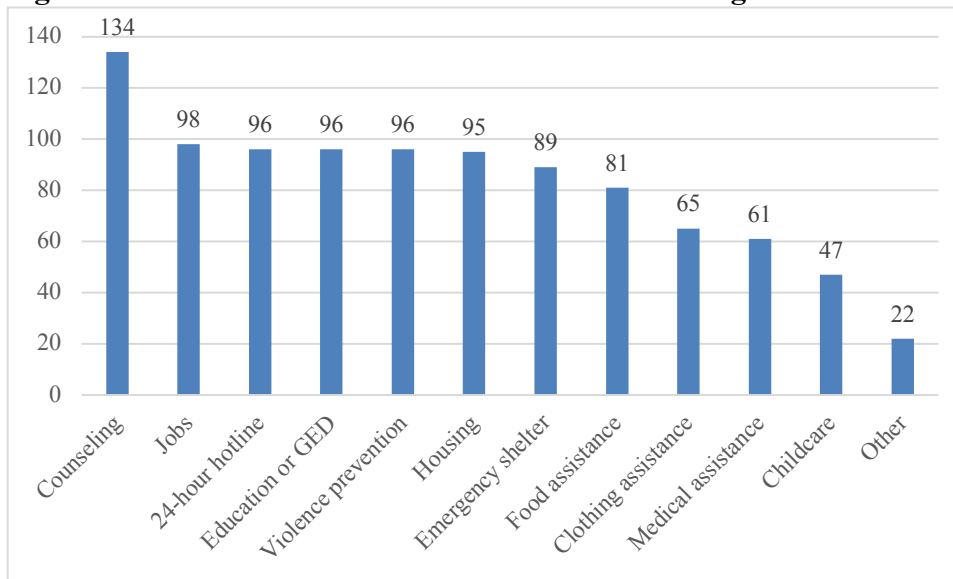
Data from Project 180 participant exit survey⁶ captured the extent to which participants learned about available social services that might be useful to them as well as

⁶ Not every P180 participant completed the exit survey, so these responses are only based on those who did. In total, 164 participants aged 17-24 and 66 participants aged 25+ completed the survey. However, they were not required to answer every question so the data reported is only from those who chose to answer each individual question.

whether they had already or intended to follow up with those service providers.

Participants most frequently reported discussing counseling, jobs, a 24-hour hotline, educational opportunities, violence prevention, and housing, though all of the topics can be found in Figure 2 below. Other topics discussed included language classes, resume building, pregnancy, and guardianship.

Figure 2: Services Discussed in Informational Meeting with Service Providers

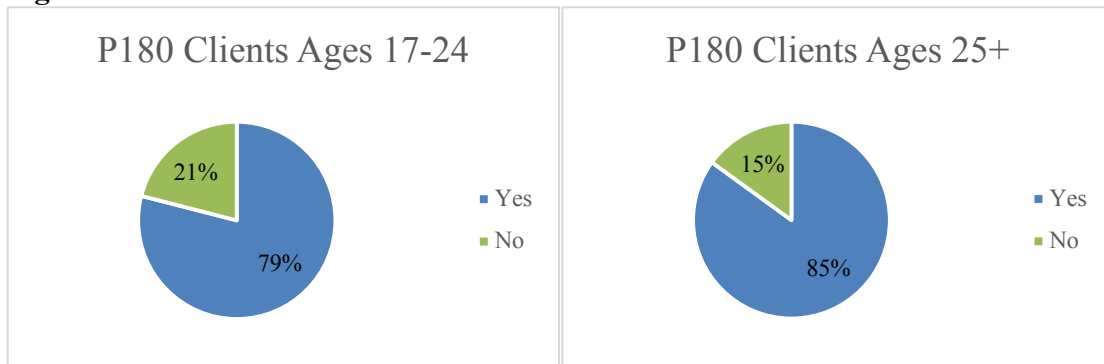


Of those participants who chose to disclose whether they had used any of these services already by the time they were exiting the program, 24% of those in the 17-24 age group reported accessing services and nearly 1/3 of those 25 years or older (29%) reported already accessing services. The most frequently utilized services were counseling, job information, and education/GED support. Twenty-one participants reported that they had already used counseling services, 14 had followed up for services related to jobs or employment, and 13 had followed up for services around education or GED acquirement. Less frequently accessed services included food pantry/food assistance (10), housing support (5), the 24-hour hotline (3), violence prevention training

(3), healthcare/medical assistance (3), clothing assistance (2), emergency/short-term shelter (1).

Overwhelmingly, participants indicated that they thought they would use the services that had been discussed with them in the future. In total, 81% indicated that they thought they would use the services discussed with them in the future. Clients aged 25+ were slightly more likely to indicate that they would seek services: 85% indicated that they would, while 79% of the P180 clients aged 17-24 reported that they would.

Figure 3: Client Intention to Pursue Future Social Services



Impact of Increased Attention to Identifying/Prosecuting Traffickers

Trafficking-Related Charges, Pre- and Post-Project 180

While it is too soon to determine the full impact of P180 on the number of prosecutions of traffickers, we can explore emerging patterns in trafficking-related charges. Human trafficking cases are complex, resource intensive, and difficult to prosecute. The process takes time. Therefore, this analysis is necessarily descriptive and exploratory, as we cannot reasonably expect to see an increase in human trafficking prosecutions within 15 months.

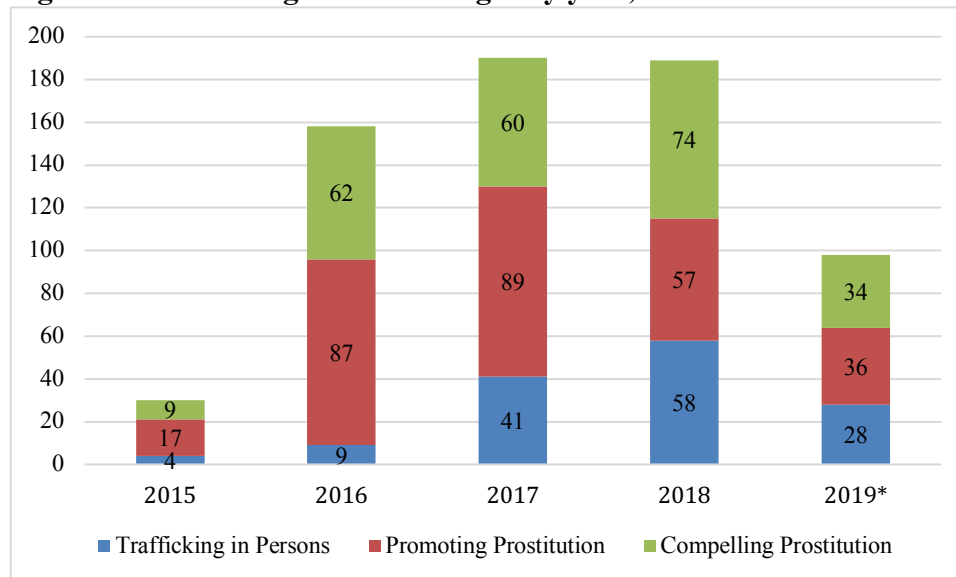
The analysis in this section includes 665 cases from January 2015 - August 2019 with any of the following trafficking related charges: trafficking in persons, promoting prostitution, and compelling prostitution. Table 3 and Figure 4, below, illustrate the breakdown of trafficking-related cases by year.

Table 3: Trafficking-related charges by year, 1/2015-8/2019

	2015	2016	2017	2018	2019*	Total
Trafficking in Persons	4	9	41	58	28	140
Promoting Prostitution	17	87	89	57	36	286
Compelling Prostitution	9	62	60	74	34	239
<i>Total</i>	30	158	190	189	98	665

*2019 figures only include charges from 1/1-8/10. Yearly figures will be higher.

Figure 4: Trafficking-related charges by year, 1/2015-8/2019



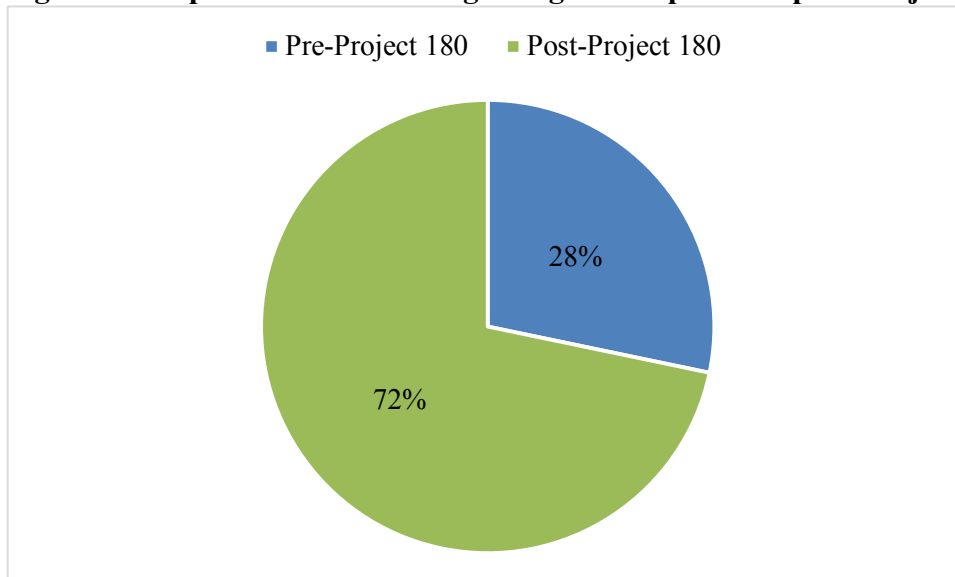
*2019 figures only include charges from 1/1-8/10. Yearly figures will be higher.

The number of human trafficking-related charges continues to increase each year. This is a promising trend, and is attributable to both the Harris County District Attorney’s Office and their law enforcement partners who are identifying these cases and seeking charges against perpetrators. Specifically, the intelligence staff devoted to Project 180 have made a significant impact on the number of charges brought against traffickers: in

2018, 63 of the human trafficking charges were the result of investigations of Project 180 cases⁷.

To assess the impact of Project 180 on prosecutorial outcomes in these trafficking-related charges, data from pre- and post-Project 180 implementation will be compared. Although Project 180 began in late 2017, investigations funded by Project 180 may have included trafficking-related charges from earlier in the year. Therefore, for this analysis, we compare charges and outcomes from 2015-2016 (pre-Project 180) to those from 2017-2019 (post-Project 180). As illustrated in Figure 5, almost one-quarter of the trafficking related charges from between January 2015 and August 2019 were filed post-Project 180 implementation.

Figure 5: Proportion of trafficking charges filed pre- and post-Project 180



To reiterate, there are many possible factors to account for this trend including increased attention by law enforcement on the identification of trafficking cases, a shift in culture within law enforcement and the District Attorney’s Office toward pursuing justice

⁷ Stallings, J. (2019). *Project 180 18-Month Summary: Prostitution Diversion Program*. Houston, TX: Harris County District Attorney’s Office.

against traffickers, and the implementation of Project 180. While it is promising to see such a rise in criminal charges against traffickers, an important corollary for future study will be the prosecutorial outcome information for these cases.

Charges Involving Child Trafficking Victims

Of the 665 trafficking-related charges recorded between 2015-2019, 43% of those charges specified that the victim(s) involved was a child younger than 18 years old. On average, almost half (47%) of the trafficking-related charges filed each year involved a minor victim. In raw numbers, the number of charges involving minor victims rose between 2015-2018 (we do not have complete data yet for 2019).

Table 4: Human Trafficking Charges Specifying Minor Victims, 1/2015 - 8/2019

	HT Cases with Charges Specifying a Minor Victim	Other HT Cases
2015	22 (73%)	8 (27%)
2016	69 (44%)	89 (56%)
2017	69 (36%)	121 (64%)
2018	92 (49%)	97 (51%)
2019	33 (34%)	65 (66%)

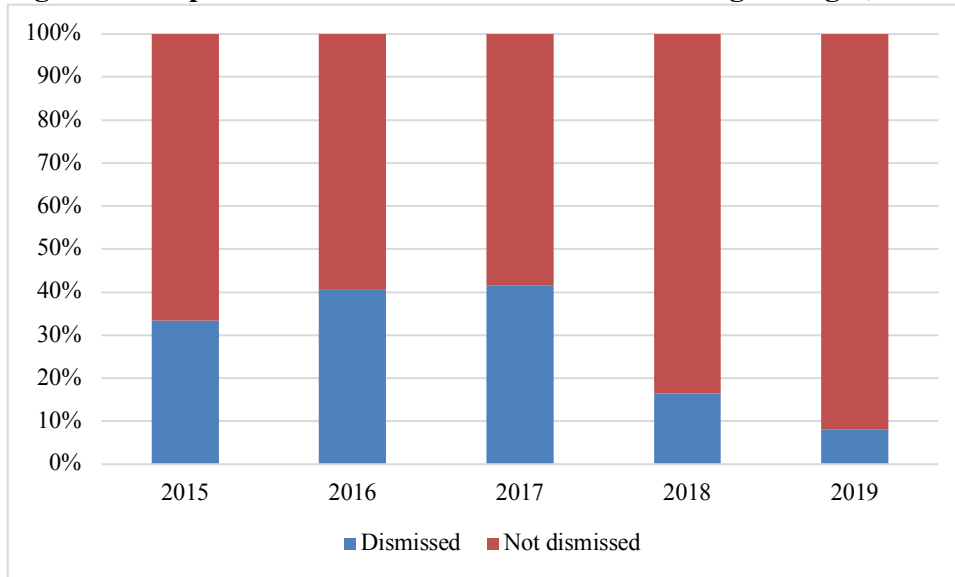
Trafficking Case Outcomes and Dispositions - Preliminary

The limited disposition information that we have for these cases indicate that they are difficult to successfully prosecute. Of the 665 cases with human trafficking-related charges, almost half (326) are still active. Of the 339 cases that have been closed, 192 of the charges were dismissed (57%). To put this in perspective, of the prostitution sellers that are not Project-180 participants, 30.2% had their charges dismissed. An alleged trafficker is significantly more likely to see their charge dismissed than an alleged

prostitution seller. This disparity highlights how difficult prosecuting trafficking cases can be⁸ compared to other types of cases, in terms of the evidence and resources required.

However, since the implementation of Project 180, which has focused HCDAO resources on the prosecution of these cases, the number of cases has increased significantly and the number of cases being dismissed is decreasing. While we need final case disposition information to know whether these cases ultimately end in conviction, it is clear that there are efforts to investigate and prosecute these cases underway.

Figure 6: Proportion of Dismissed Human Trafficking Charges, 2015-2019



Of those cases that did end with a guilty finding or guilty plea, the sanction was overwhelmingly incarceration. Of the 111 who received a sanction, 110 had a sentence that included a jail or prison sentence, while only 3 received probation (usually following a period of incarceration) and 4 received a fine. The sentences included widely varied

⁸ For more information on the challenges of prosecuting human trafficking cases, see Farrell et al. (2012) [*Identifying Challenges to Improve the Investigation and Prosecution of State and Local Human Trafficking Cases*](#). Washington, D.C.: National Institute of Justice.

incarceration lengths, ranging from 2 days in county jail to 45 years in state prison. The average sentence was 3.7 years.

Conclusion and Recommendations

Key Findings

Findings for this report indicate that Project 180 is meeting its goals. In terms of harm reduction to prostitution sellers, the evidence indicates that once a person signs a Project 180 contract, they are overwhelmingly likely to complete the terms of the contract and subsequently have their prostitution charge dismissed. The significance of this outcome cannot be overstated, especially for first-time sellers, who are granted a future without having to report a prostitution (or possibly any criminal) conviction when applying for jobs, school or housing. The avoidance of jail, the most likely sanction if they did not go into the program, is also highly beneficial in terms of avoiding disruption of any legal employment or other pro-social life activities. From a criminological perspective, these individuals also avoid exposure to others with more chronic offending patterns within the jail setting.

This analysis also finds that by and large, clients are willing to engage with community-based services and, even if they do not immediately pursue additional resources through the community, the majority report that they intend to do so at some point. Future research should follow up with our community-based service partners to see whether these clients are indeed returning for more services. Exit surveys also find that participants are generally very satisfied with their experiences in Project 180.

Finally, while it is too soon to tell whether this program has resulted in an increase in human trafficking related prosecutions and convictions, the current data

suggests that Project 180 has resulted in *more human trafficking charges brought* against alleged traffickers and *fewer human trafficking charges are dismissed*. Both of these trends are very promising. Without access to specific data on these open cases, it is beyond the scope of this report to analyze further the impact of Project 180 on prosecutions, but future outcome data might be able to address the impact of the program on case outcomes.

Recommendations

This analysis finds a few areas for focused improvement.

Establish the correct proportion of arrested male sellers in Harris County and improve male participation in Project 180. First, it is necessary to establish a baseline understanding of the true prevalence of male prostitution sellers in Harris County. It is recommended that a protocol be put in place to screen all prostitution cases and fix internal coding when arrest records are incorrect so that the data accurately reflect the prevalence of male sellers. Project 180 should strive to include at least a proportionate number of male participants. As the future of the program seeks to involve more community-based organizations, it is recommended that a priority be finding a suitable agency to work with male participants, as their pathways to prostitution offending and reasons for offending may be different from the females and their current and future needs may be very different.

Expand gender classification in records. Second, the Project 180 staff should find a way to record transgender or nonbinary gender classification. Similar to the needs described above for males, it is important that this population be adequately recorded and

their participation captured so that we understand the scope of this population's involvement in prostitution and in this program.

Close cases within 60 days. By and large, Project 180 staff are adept at meeting the 60-day deadline for case closure. However, this deadline is not met for all cases, despite the participants fulfilling their obligations. It is unclear whether this is due to pending investigations into potential trafficking situations, but if the client has upheld their end of the contract, the District Attorney's Office must do the same.

Expand exit survey. Our exit survey is currently offered in English. To better accommodate P180 participants, we need to translate it into Spanish and Mandarin as well. It might be worth meeting with the project team to assess how well the exit survey is working and to discuss whether there is any additional information that we would like to gather from participants. One obvious change that is needed, now that the program is expanding beyond just utilizing the services of the Houston Area Women's Center, is to gather information about which community-based agency participants went to for services. It might also be worthwhile to gather a bit more demographic and victimization history information to better understand the population that the program is serving.

Standardize data collection among community-based service agencies. While this report utilized the data gathered by HAWC, we are missing engagement data from participants who went to other social service providers. It would be helpful if all participating service providers collected the same information about P180 client visits so that it can be compiled and analyzed systematically.

Gather qualitative data from P180 stakeholders. Although the data utilized in this report offers interesting insight into the function and success of Project 180, the next

program evaluation should be expanded to include information gathered from Project 180 stakeholders, including program social work, legal, and investigatory staff, to better understand both the challenges and successes of the program, which cannot be measured nor understood through quantitative analysis. This information will also be helpful for potential program replication in other jurisdictions.