

# **RAPID POLICY ASSESSMENT: PROJECT PARIVARTAN**



## **Module II: Existing Data**

*Topic Areas:  
Law Enforcement*

*Tools*

# Law Enforcement Data

In this part of Module II of the RPA, researchers gather and analyze existing data about crime and the operation of the criminal justice system.

## **Purpose**

The information collected will provide a foundation upon which to build the remaining research of the RPA. Criminal justice statistics are an important measure of crime, the extent of the country's reliance on incarceration, and the extent of drug use.

## **Process:**

This tool includes the following three steps:

### ***Step 1:*** Obtain data

*Be sure that each table or other data item you find is clearly labeled as to source and time period covered.*

*As you collect data, compare what you find with the domains below to check how well you are doing. Do NOT stop just because you find one source of data covering a topic on the list, because different sources may have different statistics on the same disease or behavior.*

*We expect that most of the data sources you find will be in tables or contain tables. There is no need to re-enter the data or create new tables in most cases.*

*Reports and published studies or reviews will often include analysis and discussion of the most important data and trends in the epidemic. Part of the work of this Module is to identify and summarize these expert assessments.*

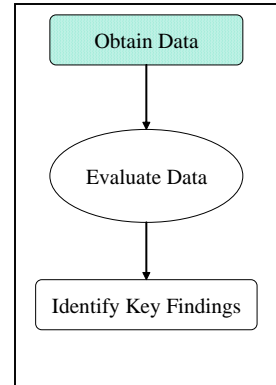
***Step 2:*** Assign a number or other identifier to each data source or set of data and fill out the Data Evaluation Form for each one. Sometimes one source, such as a national AIDS center, will provide more than one set of data. Evaluate each set independently.

***Step 3:*** Review the data and identify and list key findings on the Key Findings Form.

# Step 1: Obtaining Data

- **Domains:** In each area, use existing information or data coming out of the qualitative interviews to identify specific offenses relevant to each domain. For example, arrests of MSMs may not be made based on the sodomy statutes, but on public indecency charges. For each crime identified as relevant, collect:

- 1) Statistics:
  - a) Arrests
  - b) Prosecutions
  - c) Convictions
  - d) Sentences



*Where possible, collect data that breaks down statistics by gender, ethnicity, age or other demographic criteria.*

- 2) Analysis and discussion
  - a) Identifying the most important data
  - b) Summarizing any trends or important points identified in criminological reports or studies.

## 1.0 Criminal law domains:

### 1.1 [reserved]

### 1.2.[reserved]

### 1.3 [reserved]

## 1.4 Sex work and trafficking

### 1.4.1 Violations of explicit laws on sex work

- By gender?
- By other specifics (selling, buying, running a brothel, etc)

### 1.4.2 Violations of other statutes frequently applied to sex workers

## 1.5 Homosexual identity or behavior

- By gender
- By particular behavior

2.0 [reserved]

3.0 Data on civil law suits:

- Are there data on numbers and outcomes of anti-discrimination claims brought by HIV+ persons?
- Are there data on numbers and outcomes of privacy claims brought by HIV+ persons?

4.0 Are there data on the structure, personnel and resources of the legal system?

- Numbers of police, prosecutors, judges, and salaries of each group
- Budgets, distribution of court houses and jails
- Backlog, if any of cases in the court system

5.0 Are there data on incarceration?

- The number of people held in pretrial detention?
- The average time in pretrial detention?
- The number of people held in jails and prisons
- The estimated capacity of jails and prisons
- Number of people on post-sentence supervision (parole)
- Number of people receiving alternatives to incarceration (probation, community service, mandatory drug treatment)
- Do any of these data specify numbers for sex work related incarceration?

6.0 Are there data on the availability of private or publicly funded lawyers for people charged with crimes?

## Step 2: Evaluate Data

### Assign a number or other identifier to the data and fill out the Data Evaluation Form

For each source from which you have obtained data, and for distinct sets of data from a single source, use the Data Evaluation Form to record source, citation, and any important information about the reliability or availability of the information.

*Complete citation - For all data, make sure you have a complete citation for the source. Then assign a number or other unique identifier to the source. This number will allow you to identify the source easily, and to refer to the source in other tables and forms. Record both citation and source on the data evaluation form.*

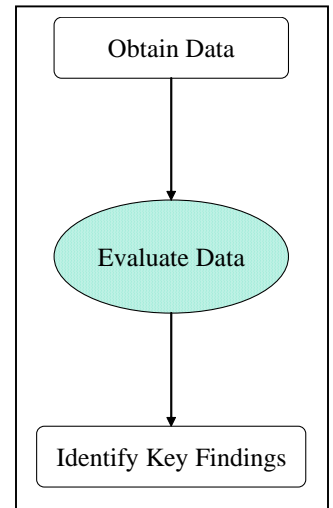
*A single source, may provide more than one relevant data set. In such cases, assign a different identifier to each data set and evaluate them separately.*

*In the box on disease or topic give a short description of the basic subject matter of the source.*

*In the box on limitations on validity, record any limitations on the validity or accuracy of the data of which you are aware.*

*In the box on notes on access record any barriers to access you encountered.*

See form in previous section.



## Step 3: Identify Key Findings

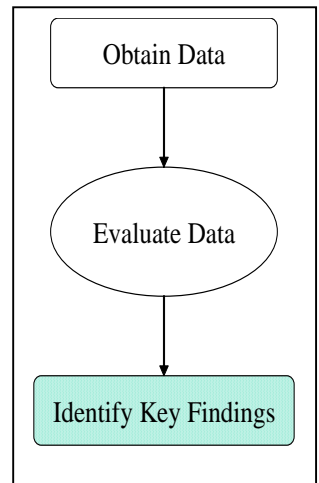
### Review the data and identify and list key findings on the Key Findings Form

At the end of each part of this module, we ask researchers to review the data they have collected to identify key findings. Researchers will have available the published statistics as well as the discussion and analysis in any published papers. The goal of this step is to identify the important information that can be used in the RPAR.

To identify key findings you should do several things. One is to note the important, relevant conclusions of the studies and reports you reviewed, these will usually appear in “Discussion” “Findings” “Conclusions” sections of the report. Not all findings or conclusions of all reports will be relevant to this project, but some may be. Additionally, you must look at the actual data for important findings. Some examples follow.

Important information to look for:

- Trends (changes over time) of the same disease or behavior in the same group. For example, are the numbers of cases of HIV (or AIDS, or TB, or hepatitis) among IDUs increasing or decreasing? Are the numbers of IDUs in treatment up, down, or remaining steady? Are arrests up or down for possession of heroin?
- Changes geographically. Are different parts of the city, region or country reporting disease (drug resistant TB) or behavior (methamphetamine use) that was previously rare?
- Changes among demographic groups. Has the distribution of new HIV cases appeared to shift from IDUs to sexual partners of IDUs? Are many new cases in the 15-24 year old age group?
- Absolute numbers can also be noteworthy, even if the numbers do not represent a trend or change. For example, are there focal points, age, ethnic, or risk groups where the epidemic is particularly severe?



The Key Findings form will be used to prepare your presentation for the CAB and as part of your action planning process.

## Data Evaluation Form

Source and Citation	Disease or topic	Limitations on validity	Notes on access



*10-17-05*

**RAPID POLICY ASSESSMENT:  
PROJECT PARIVARTAN**

**Module III: Qualitative Data**

*Key Informant Interviews  
Tools*

# Qualitative Data: Key Informants

## *Module III: Tools*

*This version of the Rapid Policy Assessment and Response Module has been created by Scott Burris, Kim Blankenship, Patricia Case, Tyler Crone, Kavita Misra, Sarah Hanck and Leo Beletsky as a “first draft” in the collaboration between Project Parivaratan and the Lawyer’s Collective. The next step will be review and discussion among the collaborators leading to a final draft to be deployed in East Godavari. Specific questions for discussion are highlighted in the text.*

### **Purposes**

- To learn qualitative data about key domains:
  - Police behavior towards male and female CSWs and towards HIV/AIDS and other STD-infected CSWs
  - Knowledge of, attitudes towards, and perceptions of laws relating to commercial sex work and STD infection
  - Access to social and harm reduction services
  - Social stigma and its institutional expressions
  - Social risk
  - Social attitudes

### **Intended Products**

1. Qualitative data regarding knowledge, attitudes, and perceptions about police behavior toward IDUs, people with HIV/AIDS, commercial sex workers and other populations marginalized by laws regulating sexual behavior.
2. Qualitative data on access to harm reduction services, including what structural barriers, if any, which prevent people with HIV/AIDS, commercial sex workers and other populations marginalized by laws regulating sexual behavior from accessing those services.
3. Qualitative data on stigma, social risk, and social attitudes as they apply to people with HIV/AIDS, commercial sex workers and other populations marginalized by laws regulating sexual behavior.

# **Module III**

## **Qualitative Data: Key Informants**

### *Tools*

#### **Introduction to the module:**

Module III interviews cover the following topic areas:

1. Reserved
2. Enforcement of prostitution laws
3. Enforcement of laws on homosexuality and deviant sexual behavior
4. Enforcement of laws on criminal HIV exposure or transmission
5. Operation of courts and prisons
6. Reserved
- 6.A The politics of sex work regulation and HIV prevention
7. Harm reduction and public health interventions
8. Advocacy resources
9. Reserved
10. Reserved
11. Sex workers' access to social and legal services

#### **Key Informant Interviews**

1. There will be a total of 31 system and interactor interviews (see Table A below) and 12 sex industry interviews (see Table B). Data from CSWs will be collected during the general Parivartan sex worker interviews.
2. The interview guide is integrated, make sure you follow the skip patterns for SI and key informant interviews. Every day you should plan your interviews. Pack all the required materials in a bag; things such as extra tapes and batteries, interview guides, incentives, pens, paper, and anything else you might need to conduct interviews.
3. Qualitative interviewing is meant to produce exploratory data. Interview guides are meant to be just guides, not rigid questionnaire forms. Asking additional follow-up questions related to the comments of the participant is encouraged after asking the main questions. Prompts are written to make sure that certain areas are covered, but do not need to be asked again if the respondent has already covered that topic completely.
4. If new questions occur to the interviewer or new areas not covered on the Guide open up that are related to the experiences of CSWs with law enforcement or aspects of the occupation of sex work, the interviewer may pursue those topics. Avoid “yes or no” questions and always aim to encourage the participant to say more and tell stories about their experiences. We want the participants own words; avoid excessive prompting or “putting words in the mouths” of respondents.
5. After every interview, label and date the tape, write notes, and begin to organize your data by entering findings into a table that corresponds to our numbered topic areas. You may have to listen to relevant parts of the tape in order to remember how people responded. Be sure to find a confidential space to do this.

## Number and Type of Interviews

You have learned about system, interactor and CSW key informant interviews. We are asking you to recruit and interview particular types of people as well. For system and interactor interviews, if you are unable to recruit a type of person you may interview another type of person. For example, if you are unable to recruit two police officers and can only get one, you might recruit a member of the local military as the second interview. However, before making any substitutions, ask yourself if you have exhausted every means of recruiting a police officer. It will be a much better assessment if you adhere as closely as possible to the numbers in Tables A and B. In choosing an alternative person to interview, choose someone who's role, or relationship to CSW, is as similar as possible to that of the person you were supposed to interview.

**Key informants inclusion criteria:** Key informants will be recruited from known contacts, on the street, from programs or wherever you are likely to find knowledgeable and talkative interview participants who are willing to share their knowledge. Inclusion criteria for key informant interviews are as follows:

- 1) Willing and able to independently consent to be interviewed
- 2) Is 18 years old or above
- 3) Meets one of the sampling category criteria
- 4) Is reported to be aware of issues relating to sex work in the system where s/he is active
- 5) Is resident in, primarily works or is believed to have direct knowledge of events in locations of interest (Rajahmundry, the highway, etc.)

### A. System and Interactor Interviews

System/Interactor	Number
<b>Legal systems</b>	
Prison officials	1
Judges	1
Legal academics	1
<b>Legal interactors</b>	
Police	2
Prosecutors	2
Prison guards	2
Legal services (criminal and civil)	2
<b>Social Service and Civil Administration Systems</b>	
Policy-makers or local authorities	2
Social service agency administrators (to be defined, and include agency responsible for issuing ration cards)	2

<b>Social Service Interactors</b>	
Social service agency staff	2
Loan providers	2
Landlords	2
<b>Public health systems</b>	
Public health authorities	2
<b>Public health interactors</b>	
Public health clinicians (HIV/TB)	2
STD clinic staff	2
<b>Advocacy interactors</b>	
NGO staff working with CSWs	2
NGO staff working in HIV	2
<b>Total</b>	<b>31</b>

## B. Street Informant Sex Industry Interviews

Category	Number
Madams/Brothel-keepers	2
Clients	2
Lodge owners	2
Rickshaw or taxi drivers	2
Other brokers	4
<b>Total</b>	<b>12</b>

### General Directions

Collect data on each of the questions asked below, unless the subject does not want to answer, or does not have information relevant to the specific question. Informants might answer several questions at once. In that case the questions are there to remind you to collect information on each one. Also, for some questions, prompts are included to help you get more complete information if the informant gives very brief answers.

### Definitions

In working with sampling categories the key is definitions and inclusion criteria. Before recruiting key informants, please write clear and careful definitions for each category of key informant even if “everyone knows” what a good definition is for the category. For example, madams and brokers are both legally the same, people who directly profit from the earnings of prostitutes. What is the difference between them? Gender? Place? Relationship to the CSW? How is a lodge owner different from a brothel keeper? Discussions between investigators about the definitions of each category often reveal important theoretical distinctions and areas in need of clarity. This is an important and interesting step and should not be skipped.

Definitions will be sharpened as interviews are conducted. In many ways, new definitions and distinctions between groups will emerge as interviews proceed. Nevertheless, investigators

should attempt to clarify who they are trying to recruit ahead of time, but can flexibly change definitions and inclusion criteria as they proceed. Where a definition cannot be known or agreed upon in advance, it is completely acceptable to use self-definition. In that case, inclusion criteria might be written as “Persons (male or female) who self-identify as pimps and report engaging in pimping in the last 12 months”.

Here’s another example that includes a definition and a time frame. Try to put time frames in every definition so that the behavior of interest is current. Twelve months is about the right time frame to capture current work, and also captures people who may intermittently work. In addition, other constraints may be added (such as age, residence, or gender).

**Ex. 1. Commercial sex worker:** A person who has received money in exchange for sex at least once in the last 12 months

The next example has additional constraints. Note that the definitions are for the purposes of this study, and are constructed to provide guidance to interviewers and not to define all commercial sex workers.

**Ex. 2. Commercial sex worker:** A woman over the age of 18 who has received money in exchange for sex at least once in the last 12 months and is resident in Rajamundry.

The investigative team in India should write definitions with time frames for all categories in Table B (even if the definitions are quite open) before initiating recruitment or interviews. The interviewers should be provided with clear, written guidance about whom they may or may not recruit. In cases where the definitions of particular roles are unclear, investigators may wish to add other definitional questions to the module such as:

Ex 1. What is the difference for sex workers between a lodge and a brothel? How would you define the differences?

# Key Informant Interview Guide

## *Enforcement of Sex Work/Prostitution Laws* *Topic Area 2*

**To the interviewer:** This set of questions is designed to get specific information from the informant about what actually takes place between law enforcement personnel (police, the military, or other officials or law enforcement entities) and sex workers. We want to get data on how and when police choose to arrest CSW, whether or not there is harassment, corruption, extortion, or violence.

### **Prostitution, soliciting, and law enforcement**

2.1 Can you tell me about how police treat sex workers?

#### **Prompts**

*Do police treat different kinds of sex workers (CSW's under 18 years old, Hijra, male or transgendered) differently? Probe for type of sex work, age, gender, minority status, migrant status, and occupational group differences.*

*Encourage people to give examples or tell stories about experiences throughout. For example, can you give me a specific example of how police treated a sex worker, or different kinds of sex workers?*

2.2 How do police know who is a sex worker?

#### **Prompts**

*Do police use prevention and treatment settings to locate sex workers? How does this differ by type of sex work?*

2.3 Tell me what happens when a sex worker is about to be arrested or thinks she/he is about to be arrested.

#### **Prompts**

*What is the law they are typically accused of breaking?*

*Tell me about strategies sex workers use to avoid arrest? How does this differ by type of sex work?*

*What kinds of questions do the police ask them?*

*Are some people more likely to actually get arrested than others? (Probe for type of sex work, race/ethnicity, caste, class, religion, age, appearance, gender, and geographic location)?*

2.4 Tell me what happens after a sex worker is arrested.

**Prompts**

*Is someone arrested for sex work likely to be convicted?*

*Do they usually face a fine? A jail sentence? How long?*

*Do different sex workers get treated differently? If so, what factors explain why different people get treated differently? (e.g. type of sex work, nature of evidence, social/political connections, economic status of sex worker, quality of representation, locality, the particular court's history of convictions, press, bribes)*

2.5 Tell me about how police treat other people in the sex business, like brokers, rowdies, and madams?

**Prompts**

*What about lodge owners? Rickshaw drivers who connect clients and CSWs?*

*Do police treat different people or categories of people differently? Can you give examples?*

2.6 How do police know who is working in the sex business, like a broker or a madam?

**Prompts**

*How do they know which lodges or lodge owners or employees are facilitating prostitution? Rickshaw or taxi drivers?*

*How do they identify brokers?*

2.7 Tell me what happens when a broker or a madam or other person who earns money from prostitutes is about to be arrested or thinks she/he is about to be arrested.

**Prompts**

*What is the law they are typically accused of breaking?*

*Tell me about strategies they use to avoid arrest? How does this differ by type of sex work?*

*What kinds of questions do the police ask them?*

*Are some people more likely to actually get arrested than others? (Probe for race/ethnicity, caste, class, religion, age, appearance, gender, type of sex work, and geographic location)?*

2.8 Tell me what happens after the arrest of a person who earns money from prostitutes.

**Prompts**

*Is someone arrested for being a madam or a broker likely to be convicted?*

*Do they usually face a fine? A jail sentence? How long?*

*What factors explain why different people get treated differently? (e.g. nature of evidence, social/political connections, economic status of sex worker, quality of representation, locality, the particular court's history of convictions, press, bribes)*

2.9 Tell me how the police treat people they suspect of being clients?

**Prompts**

*Do they usually get arrested?*

*Are there things that clients typically do or say to avoid arrest? Can you think of an example?*

*What typically happens to them after arrest? Are they fined? Sent to jail? Publicly identified?*

**Trafficking and Underage Sex Workers**

2.10 Tell me about underage sex workers (under 18) here.

**Prompts**

*Are underage girls or boys brought to the area from the rural areas or from outside this region to conduct sex work?*

*How are they recruited? Are any taken against their will?*

*Who is involved in recruitment or trafficking? How are officials involved?*

2.11 Tell me about how police deal with trafficking?

**Prompts**

*How much attention do police pay to the issue?*

*Can you give examples of steps police have taken to address trafficking here?*

2.12 How do police find out about cases of trafficking or under-age sex workers?

2.13 Tell me what happens when police find an underage sex worker?

**Prompts**

*Is the sex worker arrested or taken into custody? Do the authorities help get the sex worker back to her family? Is there any social support?*

*Can you give examples?*

2.14 Tell me what happens when police identify a trafficker?

**Prompts**

*Are traffickers typically arrested? On what charges?*

*Are there things that traffickers can do to avoid being arrested or prosecuted?*

2.15 Tell me what happens to an arrested trafficker

**Prompts**

*How long might he or she remain in jail? On what factors does this depend?*

*Is someone arrested for trafficking likely to be convicted?*

*What factors might affect the outcome of a trial? (e.g. nature of evidence, social/political connections, economic status of sex worker, quality of representation, locality, the particular court's history of convictions, press)*

*What kind of sentence/fines might they face if found guilty?*

**Extortion and Violence**

CRIMINAL JUSTICE AND GOVERNMENT INTERVIEWS SKIP TO 2.20

2.16 Do police sometimes use violence against sex workers or others in the sex business? Can you give me some specific examples of this?

2.17 Tell me about specific forms of extortion/baksheesh or threat that might be used by the police against people involved in the sex business (e.g. brokers, madams, lodge owners, etc.).

**Prompts**

*Can you think of examples involving sex workers, clients, madams, or brokers?*

*If there are payments, how are they organized? Is there a regular "system" of pay-offs?*

*Do police trade protection for sex?*

*Do police use raids or other measures to enforce pay-off schemes?*

*Can you give me any examples of police taking money, sex or other payments in return for ignoring or protecting a sex business?*

CRIMINAL JUSTICE AND GOVERNMENT INTERVIEWS ONLY; OTHERS SKIP TO 2.19

- 2.18 Tell me about the use of force or violence in dealing with sex workers/ clients of sex workers/brokers/ madams? When is it necessary and why?
- 2.19 Who should I talk to next for more information about law enforcement and sex work?

## Key Informant Interview Guide

### *Enforcement of Laws on Homosexuality and “Deviant” Sexual Behavior Topic Area 3*

**To the interviewer:** This set of questions is designed to get specific information from the informant about what actually takes place between law enforcement personnel (police, the military, or other law enforcement entities) and men who have sex with men (MSMs) as well as gay, transgendered, or bisexuals and others. We want to get data on how and when police choose to arrest same-sex or transgendered people on grounds of Section 377 of the Indian Penal Code and whether or not there is harassment, corruption, extortion, or violence.

#### **MSMs, homosexuality and law enforcement**

- 3.1 Can you tell me more about how police treat sex workers who are MSMs, gay, hijra, transgendered or bisexual people? (Please give me some specific examples)

#### **Prompts**

*Do law enforcement officials treat men, women, transgendered or bisexual people, or hijra differently?*

- 3.2 How do police decide whom to stop or investigate or arrest on charges related to homosexual activity?

#### **Prompts**

*How do police know that particular men have sex with men, for example, or work in the sex industry?*

*Do police use prevention and treatment settings to identify participants in the sex industry?*

*Do police use MSM outreach and advocacy settings, bars or clubs to identify MSMs, gay, hijra, transgendered, or bisexual people for stops, questioning, or arrest?*

- 3.3 Tell me what happens when an MSM, gay, hijra, transgendered, or bisexual person is about to be arrested or thinks he is?

#### **Prompts**

*Typically, what is the charge or justification?*

*Are some people more likely to be arrested than others? (Probe for race/ethnicity, appearance, gender, caste, class, age, religion, type of sex work, and geographic location)?*

*Are there ways that people can avoid being arrested? Can you give me some examples?*

3.4 Tell me what happens after the arrest of MSMs, gay, hijra, transgendered or bisexual people.

**Prompts**

*What is the usual punishment for someone arrested on this charge? How long will they stay in jail before being released before trial?*

*Is someone arrested for homosexuality likely to be convicted?*

*In general, how long are sentences?*

*Are there trials? What are they like?*

*Do they have someone speaking for them, like an advocate?*

*What kinds of characteristics of a defendant would make prosecutors likely to charge a person using a more serious charge/serious crime (i.e. such as race/ethnicity, appearance, gender, caste, class, age, religion, geographic location)*

3.5 Tell me about the ways or occasions when the police use force or violence against MSMs, gay, hijra, transgendered, or bisexual people?

**Prompts**

*Are some people more likely to be victims of violence than others? (prompt for race/ethnicity, appearance, gender, caste, class, age, religion, and geographic location)?*

*What usually happens during such incidents? Can you think of a specific example?*

3.6 Who should I talk to next for more information about enforcement of laws related to MSM's, gay, hijra, transgendered, or bisexual people?

## Key Informant Interview Guide

### *Enforcement of Laws on Criminal Exposure or Transmission of HIV Topic Area 4*

**To the interviewer:** This set of questions is designed to get specific information from the informant about what actually takes place between law enforcement personnel (police, the military, or other law enforcement entities) and persons with HIV/AIDS who may have exposed others. We want to get data on how and when police choose to arrest persons suspected of HIV exposure or transmission, and whether or not there is harassment, corruption, extortion, or violence.

#### **Law enforcement and people with HIV who are suspected of transmitting the virus**

- 4.1 Tell me about how police or officials treat those people with HIV who are suspected of exposing others to HIV or transmitting HIV?

##### **Prompts**

*Do the police take unofficial action against people they suspect of exposing others to or transmitting HIV?*

- 4.2 How do officials or police identify people who have or may possibly transmit HIV?

##### **Prompts**

*Do police use STD clinics, HIV/AIDS health settings, bars or clubs to identify persons who might have exposed others to the virus for stops, questioning, or arrest?*

- 4.3 Tell me what happens when the police arrest someone they believe may have exposed others to HIV or transmitted HIV.

##### **Prompts**

*What is the charge/reason for arrest?*

*If someone is arrested for this, will she or he stay in jail a long time or be released before that?*

*If someone is arrested for this likely to be convicted?*

*Are there strategies people can use to avoid arrest?*

*Do people with HIV get treated more roughly by the police or in jail?*

- 4.4 When someone gets arrested for being suspected of transmitting HIV, is that the official crime they are ultimately charged with?
- 4.5 In bringing these cases, do prosecutors usually use the most serious charge possible, or a lesser charge, or does it depend on certain characteristics of the defendant?
- 4.6 Are laws or practices against exposure or transmission applied differently to men and women?
- 4.7 What kinds of people do you believe expose others to HIV?

***Prompts***

*Are people afraid of getting HIV from those with HIV/AIDS?*

*If it is known that someone is suspected of exposing others to HIV/ or transmitting HIV will he lose his job house/friends/medical care/state benefits/ chance to go to school?*

# Key Informant Interview Guide

## *Operation of Courts and Prisons* *Topic Area 5*

**To the interviewer:** This set of questions is designed to get specific information from the informant about the function of the legal system, practice related to the rights of defendants, and conditions in prisons and jails.

### **Protection of rights of defendants**

- 5.1 Tell me what happens to sex workers (male, female, or transgendered) when they are taken to court and the prisons?
- 5.2 Tell me about how male, female, and transgendered sex workers' defendants receive legal representation here?

### **Prompts**

*In practice do CSW defendants receive legal representation from a defense lawyer?*

*Who pays for lawyer or provides representation?*

*Is it harder for people from these groups to get a lawyer than for people in other groups?*

*Is legal representation of defendants adequate?*

*Are defense lawyers as experienced as prosecutors?*

*How can the work of defense lawyers be improved?*

- 5.3 And how is it for other people involved in the sex industry, like madams and other power brokers, or clients? [Use prompts from 5.2 above, if needed]

### **Pre-trial detention**

- 5.4 In practice, are defendants able to post bond/bail, be released before trial, see an attorney, and have a speedy trial?

## **Trials**

5.5 Tell me about how trials are conducted.

### **Prompts**

*Are trials open to the public?*

*Can defendants appeal a guilty verdict?*

*How often do defendants appeal?*

## **Function of legal system**

5.6 Tell me about the impact of efforts to control sex work on the function of legal system?

### **Prompts**

*Has there been a change or a trend overtime in arrests for sex work?*

*How has this affected defendants' time in pretrial detention?*

*Has there been a change or trend overtime in arrests for CSW or homosexuality?*

*How has this affected pretrial detention?*

*How are brokers/madams treated by law enforcement in a way that is different from how CSW's are treated?*

5.7 Tell me about the impact of law enforcement efforts on human trafficking? Are these efforts working?

### **Prompts**

*Has there been a change or trend overtime in arrests or crackdown on human trafficking?*

*How are human traffickers treated differently by police, courts, and other officials from brokers/madams, CSW, or others with sex-related offences?*

5.8 Are there sentencing guidelines for sex-related offenses, including sex work, and if so, how do they affect actual sentences?

### **Prompts**

*Do judges feel bound by them?*

*Do judges adhere to these sentences?*

- 5.9 Is bribery or other forms of corruption sometimes a factor in what happens to people who are on trial for sex business-related crimes?

**Prompts**

*Do prosecutors or judges ever take money, drugs, sex, or other bribes in exchange for release or to avoid arrest?*

*Do defense attorneys ever take money, drugs, sex, or other bribes in order to present a strong defense?*

*Do defendants ever have to pay bribes to be released pretrial?*

*Who usually gets out of legal trouble by bribing officials in the legal system?*

*Are there people whose legal problems are increased because they cannot bribe officials?*

- 5.10 Tell me how police or officials get rewarded for cracking down on commercial sex work?

**Prompts**

*CSW*

*Underage CSW*

*Brokers/madams*

*Traffickers*

- 5.11 Tell me about the ways that the legal system is not working well and different ways that you would recommend for fixing it.

**Prison/jail conditions**

- 5.12 Tell me about the conditions in prison for commercial sex workers or people involved in other aspects of the sex business.

**Prompt**

*Tell me about prison conditions with respect to these factors (ask about only topics not already mentioned)*

*Food*

*Crowding*

*Medical care*

*Violence*

*Sexual assault*

*Anything else?*

- 5.13 Are CSWs treated differently from the other prisoners? How?
- 5.14 Are pregnant sex workers incarcerated? Tell me about what happens to their children?

**Other programs in prison**

- 5.15 Are there STI treatment programs in prisons? (If Yes) Can you tell me more about them?
- 5.16 Are there HIV/AIDS education programs in prisons? (If Yes) Can you tell me more about them?
- 5.17 Are there programs in prison to “rehabilitate” prisoners or prevent recidivism, teach trades, continue education, and teach anger management or parenting skills? (If Yes) Can you tell me more about them?
- 5.18 Are there drug treatment programs in prison? (If Yes) Can you tell me more about them?
- 5.19 Are there programs for people getting out of prison, to help them find jobs, housing, medical care, drug treatment, or other necessities? (If Yes) Can you tell me more about them?
- 5.20 Tell me about “remand homes” where sex workers are sent for rehabilitation.
- 5.21 Who should I talk to next for more information about operation of the legal and court system?

# Key Informant Interview Guide

## *The Politics of Sex Work and HIV Prevention*

### *Topic Area 6A*

**To the interviewer:** This set of questions is designed to get specific information from the informant about the policy and politics of sex work and HIV/AIDS.

#### Sex work policy

6.1 Can you tell me about sex work policy here? (If yes) Which of these are elements of the policy regarding sex work in your country?

*Ask all the elements first and then ask respondent to rate each element's national priority using the following scale:*

*High priority = 1; low priority = 2; disfavored = 3, don't know=4*

Policy	Element (Y/N)	Priority
Interdiction of trafficked people at national borders		
Arresting sex workers		
Arresting brokers, madams or brothel owners		
Arresting clients		
Local policing to reduce sex work		
Focus control efforts on sex worker traffickers		
Control of underage sex work		
STI treatment		
Rehabilitation programs for former sex workers		
Harm reduction: a. condom distribution b. needle distribution c. HIV medication	a. b. c.	a. b. c.
Regulation/legalization of sex work		
Regulation/legalization of drug use		
Other elements (specify)		

6.2 How is policy relating to sex work implemented here?

#### **Prompt**

*What have you recently heard of or read about specific efforts by the government, officials, or police to control commercial sex work?*

*What do people in the city/region say about these efforts?*

6.3 Tell me your opinion about why your country has these policy priorities? Who is for or against it? Who has an interest in maintaining these policies?

**HIV/AIDS policy**

6.4 Which of these are elements of the HIV/AIDS prevention and control policy for sex workers in your country?

*Ask all the elements first and then ask respondent to rate each element's national priority using the following scale:*

*High priority = 1; low priority = 2; disfavored = 3, don't know=4*

<b>Policy</b>	<b>Element (Y/N)</b>	<b>Priority</b>
Locally designed or implemented prevention initiatives		
Education efforts targeted to sex workers		
Street outreach education programs targeted to sex workers		
Confidential public counseling and testing programs		
Anonymous public counseling and testing programs		
Counseling and testing programs targeted especially to high risk groups		
Supportive social services for those infected		
Medical treatment for sex workers		
Harm reduction programs		
Other programs (list)		
a.		
b.		
c.		

6.5 Tell me about how HIV/AIDS policy is actually implemented here.

6.6 What are the specific things the government or officials are doing to limit the spread of HIV/AIDS in Rajahmundry? How have these efforts changed in the last 10 years?

6.7 Who should I talk to next for more information about sex work policy?

6.8 Who should I talk to next for more information about HIV/AIDS policy?

# **Key Informant Interview Guide**

## ***Harm Reduction and Public Health Interventions***

### ***Topic Area 7***

***To the interviewer:*** These questions are designed to get specific information from the informant about the harm reduction and public health interventions.

#### **HIV Testing**

7.1 Can you tell me more about HIV testing and counseling policies and their availability here?

#### ***Prompts***

*Is testing mandatory or voluntary? For whom is testing mandatory?*

*Are test results kept confidential? Does the government have access to them?*

*Where are HIV tests available here (private clinics? Government clinics? NGOs?)*

7.2 How likely is it that an \_\_\_\_\_ (see below) has been tested?

#### ***Prompts***

*Ask category by category:*

*IDU?*

*Sex worker?*

*Someone in the general population?*

*Pregnant woman?*

*Why or why not?*

#### **Basic medical care for CSW and HIV+**

7.3 Tell me about the ability of a CSW to get basic medical care?

#### ***Prompt***

*Is there basic care available that is provided by the government, by NGOs, by private sources?*

#### **Other harm reduction programs**

7.4 Tell me about the availability of condoms here.

**Prompts**

*Are they widely available for free? Low cost? At market prices?*

*Where are condoms available?*

7.5 Tell me about programs that distribute condoms.

**Prompts**

*Do local health clinics distribute condoms?*

*Do brothel owners? Brokers? Rickshaw drivers?*

*Other sex workers?*

7.6 How much does it cost to buy a condom? In a pharmacy? On the street? From a program?

**Barriers to interventions for CSWs and HIV**

7.7 Tell me about the primary barriers to reducing HIV/AIDS here?

**Prompts**

*Are current efforts working? Why or why not?*

*Which groups or institutions are responsible for the success or failure of these efforts?*

7.8 Tell me about the primary barriers to addressing issues surrounding sex work here?

**Prompts**

*Are current efforts working? Why or why not?*

*Which groups or institutions are responsible for the success or failure of these efforts?*

*Religion*

*Corruption*

*Other policy priorities*

7.9 Who should I talk to next for more information about harm reduction interventions?

# Key Informant Interview Guide

## *Advocacy Resources* *Topic Area 8*

**To the interviewer:** This set of questions is designed to get specific information from the informant about resources for advocacy.

### **Government agencies, NGOs Community/civic agencies**

8.1 Can you tell me what kinds of local, civic, or religious organizations serving CSW exist here or in nearby areas?

#### **Prompts**

*Harm Reduction*

*General health care*

*STD or HIV prevention*

*Drug treatment*

*Health care advocacy*

*Legal advocacy*

*Counseling*

8.2 Tell me about what makes it easier or harder for sex workers to access these organizations and their services?

#### **Prompts**

*Different kinds of sex workers ability to access*

*Health care advocacy*

*Legal advocacy*

*Counseling*

8.3 Which organizations reach the most people involved in sex work?

8.4 In general, what do they do for the community?

**Prompts**

*Is their impact positive or negative?*

*FOR PEOPLE IN SEX BUSINESSES: what do people say about their services?*

*Do some people benefit from these efforts more than others?*

8.5 Do sex workers vote and/or participate in politics?

**Prompts:**

*Are sex workers eligible to vote?*

*Do sex workers actually vote?*

*What are the barriers to voting or organizing?*

8.6 What kinds of local/civic organizations or resources would you like to see exist?

**Prompts**

*Of the advocacy and other services CSW and others in the sex business need most, which are not currently available here?*

*Are there existing organizations that can provide these services?*

8.7 Who should I talk to next for more information about advocacy resources?

8.8 Can you tell me about illegal or informal organizations that influence sex work here, like gangs or organized crime groups?

**Prompts**

*Is this positive or negative?*

*Do some people benefit from these efforts more than others?*

8.9 How do they influence the sex business and how law enforcement operates?

8.10 What kinds of local/ civic organizations would you like to see exist?

8.11 Are there other community or civic agencies that could be doing more to shape/change public health interventions for HIV/AIDS?

**Key Informant Interview Guide**  
***Sex Workers' Access to Social and Legal Services***  
***Topic Area 11***

***To the interviewer:*** This set of questions is designed to get specific information from the informant about barriers to sex workers accessing social and economic services including housing, credit, education and health care.

**Protection from Rape and Intimate Partner Violence**

11.1 Can you tell me about sex workers and physical abuse or beating, either in private or professional situations?

***Prompts:***

*What usually happens when there is an incident of violence?*

*Who are the persons most likely to physically abuse sex workers?*

*Do most sex workers experience violence? How often?*

*Would sex workers report such abuse to the police? If not, why do think this is the case?*

11.2 Where can sex workers turn for help if they are beaten?

***Prompts***

*Can they go to the police? Will the police do anything?*

*How do madams or brokers or pimps help them?*

11.3 Tell me about sex workers and sexual assault and rape here.

***Prompts:***

*What usually happens when a CSW is raped?*

*How often does this happen?*

*Who are the persons most likely to rape a sex worker?*

*Would sex workers report such a rape to the police? How would they report it?*

*How would the police respond to such a report?*

*Can you think of time when someone got in trouble with the law for raping a sex worker?*

*Can you think of a time when a sex worker got in trouble for reporting a rape?*

11.4 Are sex workers able to file reports with the police for any other crimes committed against them?

**Prompts:**

*If yes, what kinds of crimes?*

*If not, why do you think this is the case?*

**Access to Social and Financial Services**

11.5 Tell me about sex works and loans or other financial assistance here.

**Prompts**

*Are sex workers able to get loans?*

*Are they allowed to use a bank/post office to manage their money? If not, why not?*

*Do banks, post offices, and other financial institutions treat known sex workers differently than other clients? How do they know who is a sex worker?*

11. Tell me what happens when school authorities know that a child's parent works as a sex worker here.

**Prompts**

*Can sex workers and their children attend public schools and other training programs?*

*Do sex workers encounter problems with getting their children admitted to school?*

*Are there rules or regulations that may help or make it more difficult for children of sex workers to go to school?*

11.7 Tell me about sex workers and social welfare services here.

**Prompts**

*Ration cards? Can sex workers obtain ration cards? In their name?*

*How many individuals/family members are generally included on this ration card?*

*Income support?*

*Public housing?*

11.8 Tell me about sex workers and publicly funded health care or medical insurance here?

**Prompts**

*Do sex workers face any barriers or limits on getting access to publicly funded health care or medical insurance?*

**Housing**

11.9 Tell me about sex workers and housing for CSWs here.

**Prompts**

*Do CSWs sometimes have trouble with landlords?*

*Do landlords sometimes prefer CSWs as tenants?*

11.10 (IF TROUBLE) What happens when a landlord wants to evict a sex worker from an apartment?

**Prompts**

*What were the circumstances that led to this?*

*Could a sex worker appeal this eviction or take any legal action to appeal the eviction?*

11.11 Are there other things that make it easy or hard for sex workers to rent apartments or commercial space here?

**Prompts**

*Do neighbors usually know that the person is a sex worker?*

*If not, what would happen if they knew?*