Ballot Pamphlet Summary - San Francisco 2008

"Enforcement of Laws Related to Prostitution and Sex Workers"

THE WAY IT IS NOW:

State and local laws prohibit prostitution. State and federal laws prohibit human trafficking for prostitution or forced labor. Criminal laws also prohibit crimes such as battery, extortion and rape, regardless of the victim's status as a prostitute or sex worker.

In 1994, the Board of Supervisors established a Task Force on Prostitution (Task Force) to examine prostitution in the City and to recommend social and legal reforms. In 1996 the Task Force released a report recommending that:

• City departments stop enforcing and prosecuting prostitution crimes;

• City departments instead focus on neighborhood complaints about quality of life infractions;

• The City redirect funds from prosecution and incarceration to providing services and alternatives for those involved in prostitution.

To date, the City has implemented some of the Task Force's recommendations. In 2003, the City adopted an ordinance transferring the licensing and regulation of massage parlors from the Police Department to the Department of Public Health (DPH). In 2006, DPH adopted another recommendation by establishing an anonymous telephone message line for sex workers to voice concerns about their working conditions.

The District Attorney's office, in cooperation with the Police Department and a local non-profit organization, manages the First Offender Prostitution Program. This is a diversion program with separate programs for prostitutes and clients who have been arrested. It is partially funded by fees from clients who have been arrested.

THE PROPOSAL:

Proposition K would prohibit the Police Department from providing resources to investigate and prosecute prostitution. It would also prohibit the Police Department from applying for federal or state funds that involve racial profiling to target alleged trafficking victims and would require any existing funds to implement the Task Force's recommendations.

Proposition K would require the Police Department and the District Attorney to enforce existing criminal laws that prohibit coercion, extortion, battery, rape, sexual assault and other violent crimes, regardless of the victim's status as a sex worker. It also requires these agencies to fully disclose the investigation and prosecution of violent crimes against sex workers.

Proposition K would prohibit the City from funding or supporting the First Offender Prostitution Program or any similar anti-prostitution program.

The Board of Supervisors would be able to amend this measure by a two-thirds vote if it found the amendments would reduce criminalization of prostitution and violence against sex workers.

A “YES” VOTE MEANS: If you vote "yes," you want the City to:

- stop enforcing laws against prostitution,
- stop funding or supporting the First Offender Prostitution Program or any similar anti- prostitution program,
- enforce existing criminal laws that prohibit crimes such as battery, extortion and rape, regardless of the victim's status as a sex worker, and
- fully disclose the investigation and prosecution of violent crimes against sex workers.

A “NO” VOTE MEANS: If you vote “no,” you do not want to make these changes.