



GAVIN NEWSOM  
MAYOR

POLICE DEPARTMENT  
CITY AND COUNTY OF SAN FRANCISCO

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FILED

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HEATHER J. FONG  
CHIEF OF POLICE

July 22, 2008

DEPARTMENT OF ELECTIONS

John Arntz  
Director of Elections  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102-4634

Re: Law Enforcement of Laws Related to Prostitution and Sex Workers

Dear Director Arntz:

The idea to decriminalize prostitution in San Francisco demonstrates a true lack of understanding of the real problem. It is purported that some women may be comfortable as sex workers. Most are victims of threats, exploitation and violence. The women are forced into dangerous situations where they must meet with strangers and engage in sexual conduct. Children are forced to work in the sex industry and can be found on our streets as well as the internet. Prostitution is directly related to many other serious crimes (rape, robbery, assault, narcotics, etc.). If you have a factual understanding of prostitution, it is clearly not a victimless crime.

The 1994 Task Force report has provided some ideas, but it is over a decade old. The sex industry has evolved and become sophisticated with the internet, the awareness of child prostitution and international human trafficking.

The First Offender Prostitution Program (FOPP) is an excellent program that targets the customer of prostitution. It provides education to the male offenders ("John"), who solicits a prostitute and gets arrested. They have the option of choosing to go to a class in lieu of prosecution. They pay for the class and receive eight hours of valuable information. The result has been few repeat offenders. Some of the money from the class fee is also used to provide services to the women arrested for prostitution and sent to the SAGE Program. A recent federal government audit reported that the FOPP was a positive program and instrumental in a large reduction in recidivism.

In 1999 the San Francisco Police Department's Vice Crimes Unit started the nation's first "Crimes against Prostitutes Team" (CAP Team). Four Police Inspectors in the Vice unit were assigned to focus on crimes committed against prostitutes. They investigate robberies, kidnapping, assaults and other crimes committed against individuals working in the sex industry whom are being victimized. The department has and will fully investigate the cases under the same policy as any other case. There is still a CAP Team policy in the Vice Unit today.

Allegations by the dancers that the Police Department has ignored their criminal complaints are just not true. Information on criminal activity has been and will be investigated. As with any case evidence is needed to prove a crime occurred and meets the charging standards for prosecution.

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The Vice Crimes Unit is a complaint driven unit. This means that the majority of the investigations are the result of citizen's complaints. Citizens complain about the criminal activity that has a detrimental effect on their quality of life. We receive the majority of complaints about prostitution activity on the street, the internet, massage parlors, apartments, houses and adult theaters. The complaints involve people affected directly and indirectly and it is not isolated to the downtown business area. Complaints regarding prostitution activity are occurring all over the city. The impact of this conduct affects businesses and residents causing the citizens become frustrated with the deterioration the conduct has on their neighborhood. Juveniles involved in prostitution are a priority for investigations. They can not consent to engage in sexual conduct and they are often being forced into the activity by the use of threats, force, and/or being exposure to narcotics to gain compliance.

A common negative factor is the associated crimes to prostitution. Prostitution activity usually causes an increase in robbery, assault, rape, kidnapping and other violent crimes. Pimps, prostitutes and Johns all come to the area to conduct business. Money, sex, drugs, alcohol and guns can create a charged environment.

It is the police department's effort in investigating prostitution that rescues adults and juveniles from the sex trade. The exploitation of these people often has connection to the crime of human trafficking. By preventing the police department from investigating prostitution, the sexual exploitation of human beings and the practice of human trafficking will be able to flourish. If we decrease the enforcement of prostitution, San Francisco becomes the choice location for the sex industry. Human trafficking will have a home in our city. We will have an uncontrolled sex industry that could increase rapidly in all neighborhoods throughout the city.

The result of San Francisco being the only city not enforcing prostitution laws: (1) San Francisco becomes identified as the "destination city for the sex tourist", (2) pimps, prostitutes and Johns arrive to do business here, (3) increase in sex workers violence, (4) increase in the number of children working in the sex industry, (5) increase in human trafficking, (6) increase in other serious and violent crimes, (7) more quality of life issues and crimes and (8) potential increase in STD and other medical issues.

Very truly yours,



David Shinn  
Deputy Chief of Police  
Investigations Bureau

cc: Heather Fong, Chief of Police