

1 [Supporting California State Senate Bill No. 233 (Wiener) - Immunity From Arrest]

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3 **Resolution supporting California State Senate Bill No. 233, authored by Senator Scott**  
4 **Wiener and co-authored by Assembly Members Bill Quirk and Laura Friedman,**  
5 **establishing protections for sex workers when reporting a crime and preventing**  
6 **condoms from being used as probable cause to arrest those suspected of sex work.**  
7

8 WHEREAS, The passage of the Stop Enabling Sex Traffickers Act and Allow States  
9 and Victims to Fight Online Sex Trafficking Act (SESTA-FOSTA) led to the closure of websites  
10 and online platforms that were once used by people engaging in sex work to screen clients,  
11 share knowledge, and report bad behavior, putting them at greater risk of violence, sex  
12 trafficking, and other forms of abuse; and

13 WHEREAS, Sex workers have a well-founded fear of arrest or harassment by police  
14 officers and this fear prevents them from reporting crimes; and

15 WHEREAS, Those most impacted by violence against sex workers are predominantly  
16 women, and women of color, transgender women, the poor, and immigrants are even more  
17 disproportionately impacted by this violence; and

18 WHEREAS, Using the number of condoms a person is carrying as probable cause to  
19 arrest those suspected of sex work is bad public health policy as it discourages sex workers  
20 from practicing safer sex and contributes to the spread of HIV and other sexually transmitted  
21 infections; and

22 WHEREAS, Using the number of condoms a person is carrying as probable cause to  
23 arrest those suspected of sex work is also bad public safety policy as it discourages those  
24 carrying multiple condoms from reporting crimes or otherwise cooperating with law  
25 enforcement and puts them at risk for wrongful arrest; and

1           WHEREAS, The Human Rights Commission (HRC) and the Department on the Status  
2 of Women (DOSW) alongside community groups like St. James Infirmary worked to change  
3 policies regarding sex workers resulting in a first-of-its-kind department-wide bulletin being  
4 issued by the San Francisco Police Department (SFPD) in 2017 stating not only that sex  
5 workers reporting serious crimes would not face arrest, but that any officer misconduct against  
6 sex workers, including retaliation, coercion or coercive intimate acts, is subject to disciplinary  
7 and/or criminal action; and

8           WHEREAS, California State Senator Scott Wiener introduced a Senate Bill No. 233  
9 (SB233) protecting sex-workers reporting a crime from arrest, harassment, or coercion; and

10          WHEREAS, SB233 also prevents the number of condoms an individual carries as  
11 being used as evidence of prostitution and probable cause for arrest; now, therefore, be it

12          RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
13 gives its full endorsement of SB233; and, be it

14          FURTHER RESOLVED, The San Francisco Board of Supervisors hereby directs the  
15 Clerk of the Board to send a copy of the Resolution to the State Legislature.



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190175

Date Passed: February 26, 2019

Resolution supporting California State Senate Bill No. 233, authored by Senator Scott Wiener and co-authored by Assembly Members Bill Quirk and Laura Friedman, establishing protections for sex workers when reporting a crime and preventing condoms from being used as probable cause to arrest those suspected of sex work.

February 26, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190175

I hereby certify that the foregoing Resolution was ADOPTED on 2/26/2019 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

3/8/19
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

3/8/19
Date