



A
17-249
12/19/17

Prioritizing Safety for Sex Workers

This Department Bulletin serves to establish a guideline for officers who encounter a sex worker who is a victim or witness of a violent crime and/or who may be subject to arrest.

San Francisco prioritizes the investigation of violent crimes and this bulletin is adopted to help create a climate where all victims and witnesses, regardless of age (juvenile and adult), have equal access to reporting such crimes.

In light of recent events in the San Francisco Bay Area and abroad, officers are reminded that, pursuant to DGO 2.01 and 3.01, any officer misconduct against sex workers, including retaliation, coercion or coercive intimate acts, is subject to disciplinary and/or criminal action. Sex workers are vulnerable to violence and face barriers in reporting violent crimes to law enforcement in San Francisco. The criminalization of sex work is one of the primary barriers to reporting violence to law enforcement. Sex workers report fear of arrest as a barrier to reporting violent crimes.

This bulletin institutionalizes the Department's existing prioritization of violent crimes and aims to ensure equal access to safety for persons engaged in sex work and other forms of sex trade including trafficked persons. The Department seeks to promote the safety, dignity, and well-being of all San Franciscans, including sex workers; and to reduce violence, trafficking of persons, and abuse, including labor violations, within the sex industry. The Police Department and the District Attorney's Office have developed complementary policies for persons of any age engaged in sex work and other forms of sex trade who experience or witness violent crimes.

Prioritizing Violent Crimes

In an effort to reduce reporting barriers for victims or witnesses to violent crimes, members will not arrest persons for involvement in sex work or other forms of sex trade when they are **victims or witnesses** of sexual assault, human trafficking, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary or other violent crime.

When responding to juveniles involved in commercial sexual activity, members shall follow the procedures for juvenile victims of sexual assault, as described in Department General Order 6.16 (Sexual Assaults). For the purpose of this guideline, "sex work" is defined as a provision of sexual services for money, goods, or services.

Additionally, members will not arrest persons for offenses including California Penal Code sections 647(a), 647(b), 653.22, 372 and misdemeanor drug offenses, when they report being the **victim or witness** of a sexual assault, human trafficking, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary or other violent crime. However, if a misdemeanor drug offense violation occurs, and the **violation reports being a victim or witness** of a sexual assault, human trafficking, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary,

or other violent crime, officers shall seize and book evidence as appropriate and document the circumstances of the contact in an incident report. This will facilitate a referral of the case to the District Attorney's Office for a warrant consideration.

Referrals to Victim Advocates

In addition to documenting information in a police report, officers shall refer sex workers reporting violent crimes to community resources and Victim Services in the District Attorney's Office (per SFPD Special Victims Unit Follow Up and Referral Card 142 Rev. 12/17). The Department will collaborate with community based organizations that serve sex workers to ensure existing referral cards are reviewed annually and appropriately updated.

Training

The Department will work collaboratively with the District Attorney's Office on a training program on sex work and crimes against sex workers to ensure that this bulletin is implemented in a manner that furthers the goals of the reporting of violent crimes and building trust and rapport with this community. The training shall be developed and implemented in collaboration with community based organizations that serve sex workers.

Notification

If a person identifies themselves as a victim of human trafficking or a sex worker reports being the victim or witness of a sexual assault, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary or other violent crime, the member shall notify Special Victims Unit during business hours (0900-1700) Monday - Friday.

Notifications for any of the above incidents shall be made to the SVU at (415) 553-9225.

After hours, weekend and holiday notifications for any of the above incidents shall be made to the Department Operations Center at (415) 553-1071.

If the person is a juvenile engaged in commercial, sexual activity, the responding officer shall contact Family and Children Services Child Abuse Hotline at (415) 558-2650.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, both sworn and PSA members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.

SERVICES FOR CHILDREN

Child Abuse Hotline 415-558-2650
Comprehensive Crisis Services 415-970-3800 or 415-970-4000
Child Trauma Program 415-206-5311
L.I.N.C. 415-885-7636
TALK Line Family Support Center / Parent referral (24 hr) 415-441-KIDS (5437)
Safe Start 415-668-0494

SERVICES FOR YOUTH

Huckleberry House 415-621-2929
Larkin Street Youth Service 415-673-0911
National runaway safe line 1-800-RUNAWAY 800-786-2929
or text: 66008

SEXUAL ASSAULT

S.F. Trauma Recovery Center 415-821-3222
SF Women Against Rape (Crisis Line-24 hr) 415-647-7273

TTY FOR HEARING IMPAIRED

Suicide Prevention Mainline 415-781-0500
Suicide Prevention Crisis Line TTY 415- 227-0245

FOR OFFENDERS

Men's Program -- Marin Hotline/Crisis Line 415-924-1070
POCOVI (Spanish speaking) 415-552-1361

A.D.A. (Americans with Disabilities Act)

If an alternative format is needed contact the 415-837-7221
A.D.A. Coordinator at: TTY 415-575-5827

HUMAN TRAFFICKING

National Human Trafficking Hotline 888-373-7888
or
Victim can text to BeFree (233733)

Human Trafficking Tip Line (24hr) 415-643-6233

API Legal Outreach 415-567-6255
Asian Women's Shelter 877-751-0880
Freedom House 650-488-0831

VINE (Victim Information and Notification Everyday)

Need to know an inmate's custody status? Despite official restraint of the person alleged to have committed domestic violence/sexual assault, the restrained person may be released at any time. For further information on an inmate's custody status, call the San Francisco Sheriff's Department at 1-877-411-5588.

**Special Victims Unit
FOLLOW UP & REFERRAL CARD**

Incident Report or

CAD number _____

Date _____

Time _____

Reporting Officer _____

Star _____

Special Victims Unit

850 Bryant St Room 500 (Mon - Fri, 9am - 5pm)
Contact Number: 415-553-9225

THE SPECIAL VICTIMS UNIT INVESTIGATES THE FOLLOWING CRIMES

- Child Abuse/Juvenile
- Domestic Violence
- Elder Abuse
- Financial Crimes
- Human Trafficking
- Internet Crimes Against Children
- Missing Person (handled by station)
- Sexual Assaults
- Stalking
- Sex Offender Unit (290 registration)

VICTIM CONFIDENTIALITY ADVISORY

Government Code 6254(f)(2) and Penal Code 293/293.5

Government Code 6254(f)(2) gives you the right to request that your name not become part of a public record, including release to the media, if you are the victim of one of the following crimes:

- 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6

IF YOU NEED FURTHER LEGAL PROTECTION:

You should seek a **Restraining Order from the Superior Court**, 400 McAllister St., Rm. 103, San Francisco, CA 94102, which can:

- Remove the abuser from the household;
- Restrain the abuser from abusing you and your family members*;
- Order the abuser to stay away from you, your family, your pets*, residence, workplace and/or child's school;
- Prohibit the abuser from contacting you by phone, mail, or third party;
- Establish child custody, visitation rights, and order child support payments;
- Restrain the abuser from molesting or interfering with minor children in your custody;
- Direct the defendant to make specified payments coming due while the order is in effect;
- Direct that either or both parties participate in counseling.

* Petitioner must list all family member(s) or other persons as additional protected parties.

For help in getting a restraining order, contact the agencies listed under Restraining Orders and Legal Information.

YOU ARE NOT ALONE THROUGH THE CRIMINAL JUSTICE

SYSTEM PROCESS. If you need assistance or support at any time, contact San Francisco District Attorney's **Victim Services Division** at 850 Bryant St., Rm. 320 (Mon.- Fri., 8am - 4pm) 415-553-9044. **California Victims' Compensation Program**, you may contact: 1-800-777-9229.

The goal of VSD is to help victims mitigate the trauma of crime, navigate the criminal justice system and rebuild their lives: Crisis support services and counseling, information on rights as a crime victim, emergency assistance: relocation, transportation, safety planning, referral to local resources and services: employment, housing, medical/dental, mental health, education, childcare, restitution, funeral arrangement, witness protection.

You have the right to file a civil suit for financial losses resulting from the abuse, including medical expenses, loss of earnings, and other expenses from injuries sustained and damage to property, and any other related expenses incurred by you or any agency which shelters you.

Sexual Assault Victim's DNA Bill of Rights (See Penal Code 680 for full language) Victim has the right to be informed of the following upon request:

- *If DNA profile developed from rape kit or other crime scene evidence.
- *Whether or not profile uploaded into Department of Justice database.
- *If match made between DNA and assailant.
- *Victim may designate advocate or support person to receive information.

FOR INFORMATION ON SHELTERS & SERVICES CONTACT:

24-HOUR HOTLINES

- La Casa de las Madres (ADULTS) 877-503-1850 (TEENS) 877-923-0700
- W.O.M.A.N. Inc. 415-864-4722
- The National Domestic Violence Hotline 800-799-7233
- TALK Line 415-441-KIDS (5437)
- Family & Children's Services (FSC) Hotline 800-856-5553
- National Human Trafficking Hotline 888-373-7888
- Asian Women's Shelter **Crisis Line** 877-751-0880

COUNSELING AND SUPPORT SERVICES FOR VICTIMS

- Community United Against Violence (same sex DV)* 415-333- HELP (4357)
- La Casa de las Madres**
- Adult Crisis Line (toll free) 877-503-1850**
- Teen Crisis Line (toll free) 877-923-0700**
- W.O.M.A.N. Inc. 415-864-4722
- Survivor Restoration Program of Sheriff's Department 415-734-2312

ELDER ABUSE

- Adult Protective Services 415-355-6700
- Legal Assistance to the Elderly Inc. 415-538-3333
- Anti-Fraud Hotline for Seniors 855-303-9470
- Institute on Aging 415-750-4111
- Legal Aid At Work (work protections) 888-864-8335

EMERGENCY HOUSING

- Asian Woman's Shelter 877-751-0880
- La Casa de las Madres 877-503-1850
- Riley Center 415-255-0165

RESTRAINING ORDERS AND LEGAL INFORMATION

- Asian Pacific Islander Legal Outreach 415-567-6255
- Bay Area Legal Aid 415-982-1300
- Community United Against Violence (LGBTQ DV)* 415-333-4357
- Cooperative Restraining Order Clinic 415-864-1790
- CROC Appointment for Restraining Orders 415-255-0165
- Justice and Diversity Center (Bar Association) 415-989-1616
- W.O.M.A.N. Inc. 415-864-4722

***Other agencies also serve victims in same sex relationships.**