



KAMALA D. HARRIS
District Attorney

July 5, 2005

Ms. Gloria Young
Clerk of the Board of Supervisors
City Hall, Room 244
One Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Re: Reference No. 20050607-008, First Offender Prostitution Program

Dear Ms Young:

I am responding to a request for information from Supervisor Ross Mirkarimi dated June 13, 2005 about fees collected for the First Offender Prostitution Program (FOPP). I hope that the following information is helpful to the Board of Supervisors.

The current sliding scale fee arrangement for FOPP was approved by Resolution No. 482-02 (a copy of which is attached) of the Board of Supervisors in June 2002. The fee ranges from a minimum of \$100 to a maximum of \$1,000, depending on annual income.

The District Attorney's office does not make a profit from the FOPP fees. The fees are used to pay for a program coordinator and the programs for the participants. I am attaching budgets from FY 2002-03 and FY 2003-04 that specify the fees collected and manner in which those sums were expended. The amounts collected and expended are not exactly equal in each year since the fees come in at an earlier point in the process than costs are incurred for the classes. Fees are expended only as the costs are incurred. In the event that fees exceed costs for a particular fiscal year, then the money is carried over to the next fiscal year to pay future costs.

Please note that actual arrests for acts of prostitution are seldom brought to the District Attorney's office for prosecution. If the parties are engaging in sexual acts for money, then both parties are defendants and there is usually no way to prove the elements of Section 647b of the Penal Code (prostitution). The majority of prostitution arrests are for "solicitations" of either a male by a female police officer or a female by a male police officer. Therefore, the information provided below, in response to your particular questions about amounts paid into FOPP, is applicable only to solicitations:

- 1) Women arrested for prostitution—N/A
- 2) Men arrested for prostitution—N/A
- 3) Men arrested for solicitation pay according to the sliding scale in the attached resolution
- 4) Women arrested for solicitation—\$0

Letter to Ms. Gloria Young

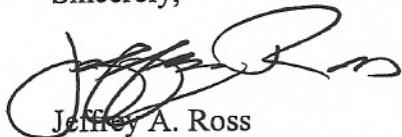
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5) The SAGE Project was paid \$134,332 from the FOPP program in FY 2002-03 and \$89,047 in FY 2003-04, as set forth in detail in the attached budgets. SAGE does not receive fees from women arrested for engaging in the crime of soliciting acts of prostitution.

Please do not hesitate to call me at 553-1880 if there is additional information that I can provide to you.

Sincerely,



Jeffrey A. Ross
Chief, Criminal Division

cc: Supervisor Ross Mirkarimi

REVENUE AND EXPENSES FY 03-04
First Offender Prostitution Program

Date	Document	Vendor	Description	Amount	Total
Revenue				240,475.00	240,475
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Expenses					
	Salaries			66,350.68	
	Benefits			12,277.58	
Total payroll-- DA's office					78,628
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Translation					
8/13/2004	prda04000906	Anderson, B.	Interpreter Svcs.	200.00	
8/19/2003	prda04000052	DelValle, A.	Interpreter Svcs.	200.00	
9/23/2003	prda04000156	DelValle, A.	Interpreter Svcs.	200.00	
9/30/2003	prda04000195	DelValle, A.	Interpreter Svcs.	200.00	
11/25/2003	prda04000287	DelValle, A.	Interpreter Svcs.	200.00	
2/12/2004	prda04000486	DelValle, A.	Interpreter Svcs.	200.00	
4/1/2004	prda04000634	DelValle, A.	Interpreter Svcs.	200.00	
4/1/2004	prda04000639	BTS Translation	Interpreter Svcs.	200.00	
4/28/2004	prda04000675	BTS Translation	Interpreter Svcs.	200.00	
Total Translation					1,800
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Professional Services					
8/20/2003	prda04000051	Helton, T.	Professional Svcs.	50.00	
	prda04000054	Harris, J.	Professional Svcs.	50.00	
8/28/2003	prda04000062	Lawrence, J.	Professional Svcs.	220.00	
9/19/2003	otda04000055	Ned, T.	Professional Svcs.	50.00	
9/23/2003	prda04000155	Elma, M.	Professional Svcs	220.00	
	prda04000157	O'Brien R.	Professional Svcs	100.00	
	prda04000158	Houston, B.	Professional Svcs	50.00	
9/30/2003	prda04000197	O'Brien R.	Professional Svcs	100.00	
	prda04000194	Helton, T.	Professional Svcs	50.00	
	prda04000196	Houston, B.	Professional Svcs	50.00	
10/1/2003	prda04000192	Pivchick, S.	Professional Svcs	50.00	
10/2/2003	prda04000193	Consing, E.	Professional Svcs	220.00	
10/8/2003	prda04000203	Ford, Pat	Professional Svcs.	50.00	
10/20/2003	prda04000212	Labrie, I.	Professional Svcs.	50.00	
11/3/2003	prda04000234	Pivchick, S.	Professional Svcs.	150.00	
11/18/2003	prda04000286	Long, T.	Professional Svcs.	220.00	
11/25/2003	prda04000284	O'Brien R.	Professional Svcs.	100.00	
	prda04000285	Harris, J.	Professional Svcs.	50.00	
	prda04000294	Helton, T.	Professional Svcs.	50.00	
2/12/2004	prda04000488	Jacquie, L.	Professional Svcs.	220.00	
	prda04000489	Ned, T.	Professional Svcs.	50.00	
	prda04000490	Labrie, I.	Professional Svcs.	50.00	
2/18/2004	prda04000510	Sterry, D.	Professional Svcs.	100.00	
4/1/2004	prda04000636	Ned, T.	Professional Svcs.	50.00	
	prda04000638	Elma, M.	Professional Svcs.	220.00	
	prda04000641	Mullin, A.	Professional Svcs.	200.00	
4/14/2004	prda04000660	Rosas, I.	Professional Svcs.	50.00	
				<u>2,820</u>	
2/10/2004	vcsf04092308	July 03 billing	Diversion Svcs.	14,413.00	

vcsf04092315	Aug 03 billing	Diversion Svcs.	12,088.00
vcsf04092347	Sept 03 billing	Diversion Svcs.	13,116.00
vcsf04092374	Oct 03 billing	Diversion Svcs.	12,665.00
vcsf04092386	Nov 03 billing	Diversion Svcs.	8,736.00
vcsf04092389	Dec 03 billing	Diversion Svcs.	12,325.00
vcsf04103287	Jan 04 billing	Diversion Svcs.	15,704.00
			<u>89,047</u>

Total Professional Services

91,867

Freight/Delivery

11/25/2003 prda04000288	Brara, R.	Freight/Delivery	265.00	265
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Office Expenses

8/2/2004 jeda04000069	Office machine rental	282.00
	Printing	347.00
	Postage	82.00
	Other office supplies	290.00
	Other material & supplies	27.00
	Telephone expense	3,528.00

Total Office Expenses

4,556

Police

10/31/2003 wkda04000002	police overtime costs	25,942.00
	police overtime costs	50,279.00
		76,221

Total Expenditures

253,337

REVENUE AND EXPENSES FY 02-03

FIRST OFFENDER PROSTITUTION PROGRAM

DATE	DOCUMENT NO.	VENDOR	EXPLANATION	AMOUNT	TOTAL
VENUE				269,055.00	269,055
PENSES					
LARY				102,869.96	
NEFIT				26,530.96	
TAL PAYROLL-- DA's office					129,401
TRANSLATION					
8/8/2002	PRDA03000143	BTS TRANSLATIONS	*8-08-02* FOPP translations for: SPANISH	200.00	
10/4/2002	PRDA03000393	BTS TRANSLATIONS	* 9-28-02* FOPP translations for: SPANISH	200.00	
2/17/2002	PRDA03000663	BTS TRANSLATIONS	* 12-7-02* FOPP translations for: SPANISH	200.00	
2/7/2003	PRDA03000870	BTS TRANSLATIONS	* 01-28-03* FOPP translations for: SPANISH	200.00	
4/2/2003	PRDA03001082	ARACELI DELVALLE	*3-29-03 FOPP TRANSLATOR FOR: SPANISH	200.00	
4/2/2003	PRDA03001083	MACHIKO KUROSAWA	*3-29-03 FOPP TRANSLATOR FOR: JAPANESE	200.00	
5/1/2003	PRDA03001175	ARACELI DELVALLE	*4-29-03 FOPP TRANSLATOR FOR : SPANISH	200.00	
6/6/2003	PRDA03001244	ARACELI DELVALLE	*5-31-03 FOPP TRANSLATOR FOR : SPANISH	200.00	
7/17/2003	PRDA03001331	ARACELI DELVALLE	*5-28-03 FOPP TRANSLATOR FOR : SPANISH	200.00	
7/17/2003	prda030001338	ARACELI DELVALLE	*5-28-03* FOPP TRANSLATOR FOR: VIETNAMESE	200.00	
TAL TRANSLATION					2,000
PROFESSIONAL SERVICES					
7/2/2002	PRDA03000011	BETTY HOUSTON-RICKS	*7-02-02* FOPP class/lecturer on 6/29/02	50.00	
7/2/2002	PRDA03000013	ELISA I CONSIGN	*7-02-02* FOPP class/lecturer on 6/29/02	220.00	
7/2/2002	PRDA03000014	TRACEY HELTON	*7-02-02* FOPP class/lecturer on 6/29/02	50.00	
7/2/2002	PRDA03000015	SIMONE CHOSSE	*7-02-02* FOPP class/lecturer on 6/29/02	50.00	
7/2/2002	PRDA03000016	ROBERT O'BRIEN	*7-02-02* FOPP class/lecturer on 6/29/02	100.00	
8/1/2002	PRDA03000103	MAURICE S ELMA	*8-01-02* FOPP class lecturer on 7/27/02	220.00	
8/1/2002	PRDA03000104	SIMONE CHOSSE	*8-01-02* FOPP class lecturer on 7/27/02	50.00	
8/1/2002	PRDA03000106	BETTY HOUSTON-RICKS	*8-01-02* FOPP class lecturer on 7/27/02	50.00	
8/1/2002	PRDA03000118	ROBERT O'BRIEN	*8-01-02* FOPP class lecturer on 7/27/02	100.00	
8/1/2002	PRDA03000120	SHELLEY OCHS	*8-01-02* FOPP class lecturer on 7/27/02	340.00	
8/1/2002	PRDA03000128	TRACI NED	*8-01-02* FOPP class lecturer on 7/27/02	50.00	
8/1/2002	PRDA03000139	TRACEY HELTON	*8-01-02* FOPP class lecturer on 7/27/02	50.00	
8/28/2002	PRDA03000240	ROBERT O'BRIEN	*8-24-02* FOPP class lecturer on 8/24/02	100.00	
8/28/2002	PRDA03000241	AZUCENA AMADOR	*8-24-02* FOPP class lecturer on 8/24/02	200.00	
8/28/2002	PRDA03000242	DONNA K LOK	*8-24-02* FOPP class lecturer on 8/24/02	220.00	
8/28/2002	PRDA03000243	TRACEY HELTON	*8-24-02* FOPP class lecturer on 8/24/02	50.00	
8/28/2002	PRDA03000244	SIMONE CHOSSE	*8-24-02* FOPP class lecturer on 8/24/02	50.00	
9/5/2002	PRDA03000259	TRACI NED	*8-24-02* FOPP class lecturer on 8/24/02	50.00	
0/1/2002	PRDA03000366	TRACI NED	*9-28-02* FOPP class lecturer on 9/28/02	50.00	
0/1/2002	PRDA03000367	SIMONE CHOSSE	*9-28-02* FOPP class lecturer on 9/28/02	50.00	
0/1/2002	PRDA03000368	BETTY HOUSTON-RICKS	*9-28-02* FOPP class lecturer on 9/28/02	50.00	
0/1/2002	PRDA03000369	TRACEY HELTON	*9-28-02* FOPP class lecturer on 9/28/02	50.00	
0/1/2002	PRDA03000370	ROBERT O'BRIEN	*9-28-02* FOPP class lecturer on 9/28/02	100.00	
0/1/2002	PRDA03000371	TERRY LONG	*9-28-02* FOPP class lecturer on 9/28/02	220.00	
1/1/2002	PRDA03000485	TRACI NED	*10-26-02* FOPP class lecturer on 10/26/02	50.00	
1/1/2002	PRDA03000486	ELISA I CONSIGN	*10-26-02* FOPP class lecturer on 10/26/02	220.00	
1/1/2002	PRDA03000487	ROBERT O'BRIEN	*10-26-02* FOPP class lecturer on 10/26/02	100.00	
1/1/2002	PRDA03000488	VELMA SMITH	*10-26-02* FOPP class lecturer on 10/26/02	50.00	
11/18/2002	PRDA03000566	MAURICE S ELMA	*11-16-02* FOPP class lecturer on 11/16/02	220.00	
11/18/2002	PRDA03000567	TRACEY HELTON	*11-16-02* FOPP class lecturer on 11/16/02	50.00	
11/18/2002	PRDA03000568	TRACI NED	*11-16-02* FOPP class lecturer on 11/16/02	50.00	
11/18/2002	PRDA03000569	SIMONE CHOSSE	*11-16-02* FOPP class lecturer on 11/16/02	50.00	
11/18/2002	PRDA03000570	ROBERT O'BRIEN	*11-16-02* FOPP class lecturer on 11/16/02	100.00	
12/17/2002	PRDA03000657	TRACEY HELTON	* 12-10-02 FOPP class lecturer on 12/7/02	50.00	
12/17/2002	PRDA03000658	SIMONE CHOSSE	* 12-10-02 FOPP class lecturer on 12/7/02	50.00	
12/17/2002	PRDA03000659	TRACI NED	* 12-10-02 FOPP class lecturer on 12/7/02	50.00	
12/17/2002	PRDA03000660	TERRY LONG	* 12-10-02 FOPP class lecturer on 12/7/02	220.00	
12/17/2002	PRDA03000661	ROBERT O'BRIEN	* 12-10-02 FOPP class lecturer on 12/7/02	100.00	

2/7/2003	PRDA03000865	TRACEY HELTON	* 01-30-03 FOPP class lecturer on 1/25/03	50.00	
2/7/2003	PRDA03000866	SVERLANA PIVCHIK	* 01-30-03 FOPP class lecturer on 1/25/03	50.00	
2/7/2003	PRDA03000867	ELISA I CONSING	* 01-30-03 FOPP class lecturer on 1/25/03	220.00	
2/7/2003	PRDA03000868	TRACI NED	* 01-30-03 FOPP class lecturer on 1/25/03	50.00	
2/7/2003	PRDA03000869	ROBERT O'BRIEN	* 01-30-03 FOPP class lecturer on 1/25/03	100.00	
3/5/2003	PRDA03000962	TERRY LONG	*02-28-03 FOPP class lecturer on 2/22/03	220.00	
3/5/2003	PRDA03000963	TRACI NED	*02-28-03 FOPP class lecturer on 2/22/03	50.00	
3/5/2003	PRDA03000964	TRACEY HELTON	*02-28-03 FOPP class lecturer on 2/22/03	50.00	
3/5/2003	PRDA03000965	SVERLANA PIVCHIK	*02-28-03 FOPP class lecturer on 2/22/03	50.00	
3/5/2003	PRDA03000966	ROBERT O'BRIEN	*02-28-03 FOPP class lecturer on 2/22/03	100.00	
3/5/2003	PRDA03000970	BTS TRANSLATIONS	* 02-28-03* FOPP translations for: SPANISH & CANTONES	400.00	
4/1/2003	PRDA03001076	ROBERT O'BRIEN	*04-01-03 FOPP class lecturer on 3/29/03	100.00	
4/1/2003	PRDA03001077	BETTY HOUSTON-RICKS	*04-01-03 FOPP class lecturer on 3/29/03	50.00	
4/1/2003	PRDA03001078	TRACI NED	*04-01-03 FOPP class lecturer on 3/29/03	50.00	
4/1/2003	PRDA03001079	JACQUIE LAWRENCE	*04-01-03 FOPP class lecturer on 3/29/03	220.00	
5/1/2003	PRDA03001176	TRACEY HELTON	*4-29-03 FOPP class lecturer on 4/26/03	50.00	
5/2/2003	PRDA03001177	TRACI NED	*4-26-03* FOPP class lecturer on 4/26/03	50.00	
5/12/2003	PRDA03001193	SVERLANA PIVCHIK	*4-29-03 FOPP class lecturer on 4/26/03	50.00	
5/12/2003	PRDA03001194	BETTY HOUSTON-RICKS	*4-29-03 FOPP class lecturer on 4/26/03	50.00	
5/12/2003	PRDA03001196	ROBERT O'BRIEN	*4-29-03 FOPP class lecturer on 4/26/03	100.00	
5/12/2003	PRDA03001197	MAURICE S ELMA	*4-29-03 FOPP class lecturer on 4/26/03	220.00	
6/6/2003	PRDA03001245	SVERLANA PIVCHIK	*6-03-03* FOPP class lecturer on 5/31/03	50.00	
6/6/2003	PRDA03001246	TRACI NED	*6-03-03* FOPP class lecturer on 5/31/03	50.00	
6/6/2003	PRDA03001248	ELISA I CONSING	*6-03-03* FOPP class lecturer on 5/31/03	220.00	
7/17/2003	PRDA03001327	TERRY LONG	*6-28-03* FOPP class lecturer on 6/28/03	220.00	
7/17/2003	PRDA03001328	ROBERT O'BRIEN	*6-28-03* FOPP class lecturer on 6/28/03	100.00	
7/17/2003	PRDA03001329	BETTY HOUSTON-RICKS	*6-30-03* FOPP class lecturer on 6/30/03	50.00	
7/17/2003	PRDA03001330	TRACI NED	*6-28-03* FOPP class lecturer on 6/28/03	50.00	
7/17/2003	PRDA03001337	JENIFFER HARRIS	*6-30-03* FOPP class lecturer on 6/30/03	100.00	
				7,000.00	
7/9/2002	VCSF03001205	Jun 02 bill--2002-326	Counseling/Diversion Services	7,000.00	
	VCSF03001200	2002-325	Counseling/Diversion Services	3,333.00	
1/17/2003	VCSF03074664	Aug 02 bill--2002-344	Counseling/Diversion Services	4,705.64	
	VCSF03074687	Nov 02 bill--2002-350	Counseling/Diversion Services	4,162.78	
	VCSF03074689	Dec 02 bill--2002-355	Counseling/Diversion Services	9,458.45	
	VCSF03074647	July 02 bill--2002-327	Counseling/Diversion Services	5,635.25	
	VCSF03074682	Sep 02 bill--2002-345	Counseling/Diversion Services	8,344.45	
	VCSF03074683	Oct 02 bill--2002-346	Counseling/Diversion Services	8,951.60	
3/26/2003	VCSF03105197	Feb 03 bill--2002-361	Counseling/Diversion Services	8,786.36	
	VCSF03105193	Jan 03 bill--2002-358	Counseling/Diversion Services	10,140.10	
4/23/2003	VCSF03117232	March bill--2002-365	Counseling/Diversion Services	8,835.39	
5/9/2003	VCSF03125058	Feb bill--2002-362	Counseling/Diversion Services	7,830.20	
	VCSF03125041	Jan bill--2002-359	Counseling/Diversion Services	5,942.56	
	VCSF03125036	Dec bill--2002-354	Counseling/Diversion Services	5,828.28	
	VCSF03125022	Nov bill--2002-349	Counseling/Diversion Services	4,643.98	
	VCSF03125002	Oct bill--2002-348	Counseling/Diversion Services	8,354.72	
	VCSF03124986	Sep bill--2002-347	Counseling/Diversion Services	6,688.22	
	VCSF03124974	Aug bill--2002-343A	Counseling/Diversion Services	266.64	
	VCSF03124964	July bill--2002-329A	Counseling/Diversion Services	444.40	
1/23/2003	VCSF03130901	April bill--2002-370A	Counseling/Diversion Services	8,445.62	
1/18/2003	VCSF03141914	May bill--2002-376A	Counseling/Diversion Services	6,534.36	
				134,332.00	
TAL PROFESSIONAL SERVICES					141,332
OFFICE EXPENSES					
8/4/2003	JEDA03000094	Office machine rental	Copying	528.00	
8/4/2003	JEDA03000094	Telephone	Telephone charges	1,283.00	
8/4/2003	JEDA03000094	Reproduction	Printing services	289.00	
8/4/2003	JEDA03000094	Postage	U.S. Postage	150.00	
3/26/2002	VCSF03020782	Mitchell Snow, Inc.	Steel filing cabinets	476.32	
8/4/2003	JEDA03000094	Office supplies	Office supplies	383.00	
8/4/2003	JEDA03000094	Other materials	Other materials & supplies	98.00	
3/28/2003	JEOC03000010	Office supplies	Office supplies	32.22	
3/18/2002	JEOC03000062	Office supplies	Office supplies	15.42	
2/19/2003	JEOC03000368	Office supplies	Office supplies	80.78	
TAL OFFICE EXPENSES					3,336

POLICE				
5/13/2003	WSPC03000058	Police Overtime Costs	39,437.50	
	WSPC03000017	Police Overtime Costs	15,252.50	
	WSPC03000011	Police Overtime Costs	15,440.00	
	WSPC03000064	Police Overtime Costs	12,775.00	
	WSPC03000067	Police Overtime Costs	9,820.50	
TOTAL POLICE				92,726
TOTAL EXPENSES:				368,794