

First Offender Prostitution Program

The First Offender Prostitution Program (FOPP) is a collaboration between the District attorney's Office, San Francisco's Department of Health, the Courts, the Vice Crimes Unit, and S.A.G.E.

Purpose

The purpose of the First Offender Program is to educate first time offenders about the legal, social, and health ramifications of engaging in prostitution.

Philosophy

The FOPP is a prosecution program which focuses on first time offenders involved in prostitution. The program utilizes a multi-pronged approach including advocacy, information, campaigns, policy discussions, and direct service focusing on both supply (prostitute) and demand (solicitor). It focuses on the prevention and early intervention for those involved in prostitution rather than solely arresting, jailing, fining, and sentencing to community service.

The Program addresses the roots of prostitution such as violence, sexual exploitation, poverty and misogyny. Though the program is technically geared towards both prostitutes and customers, the classes consist mostly of customers. Unfortunately, the majority of prostitutes arrested either already have a criminal record or do not choose to take part in FOPP. However, the program does assist in the rehabilitation and reintegration of the most disenfranchised and disadvantaged women into society through the use of functional collaborations with community based organizations that provide services such as housing, medical care,

substance abuse treatment and vocational training.

History

The First Offender Prostitution program was created jointly by Lieutenant Joe Dutto and Assistant District Attorney Terri Jackson in March of 1995. With the help of health educator Norma Hotaling, the executive Director of the Standing Against Global Exploitation (SAGE) organization, the First Offender prostitution Program developed from an innovative idea into a successful rehabilitation program.

The FOPP allows persons charged with 647 (b) of the penal code, who have had no prior adult criminal contact, to bypass the court system by participating in a one-day course for a \$1,000.00 administrative fee. The program was initiated in order to address the high rate of reoccurrence among prostitution cases, to cut down the number of arraignments in the misdemeanor department, reduce the influx of bench warrants being issued on these cases, and create an alternative to the already existing pre-trial diversion.

The program was created to be fiscally self-sufficient through the fees paid by the class participants. Currently, these fees generate enough money to fund a program which is run at the Youth Guidance Center for young girls who are at risk of entering the prostitution industry.

Since April of 1995, the San Francisco Office of the District Attorney's First Offender Prostitution Program has diverted over 5,200 prostitute solicitors from the court system and offered them a unique educational and rehabilitative experience. According to police records, 215 have been rearrested for the same offense.

Process

A person is arrested through an undercover decoy operation for a violation Of 647 (b), which deems every person, who solicits another to engage in prostitution or agrees to engage in prostitution with specific intent to do so, guilty of a misdemeanor. If he/she has identification and no outstanding warrants, he/she receives a citation at the scene.

The officer(s) write(s) an incident report, make(s) copies, and attaché(s) a copy of the audio tape of the incident. The officer(s) then run(s) the person's name through a criminal record, a rap sheet is attached to the incident report. If the person does not have a criminal record, a 'No Criminal Record' form is attached to the report.

The packet is then delivered to the Misdemeanor intake department of the District Attorney's office where it is reviewed by the coordinator, at the direction of the Assistant District Attorney, to determine whether the defendant is eligible for the FOPP.

Once the case is determined eligible, the coordinator will send out a notification letter to the person about the program. The person has ten days to respond to the letter before the case is filed. After the person has made contact with the coordinator, he/she will need to sign up for the class at 850 Bryant Street. He/she will be photographed, fingerprinted, and processed at the ID Bureau.

The ID Bureau is open Monday through Thursday from 9:00 to 3:00 for people who reside locally. People commuting from out of town may only come on Friday from 9:00 to 3:00.

Class Agenda

The FOPP agenda consists of seven sessions. The first session is entitled 'Prostitution Laws and Street Facts', and it involves the penal risk and practical consequences of continued criminal conduct. The lecture is given by the San Francisco District Attorney's office, & the San Francisco Police Department.

Session Two is an educational presentation about HIV and STD risk and prevention. Chuck Cloniger, Director of the STD/HIV Education and Prevention Department, usually teaches the second session.

Session Three is a testimonial presentation about prostitution given by prostitute survivors of the sex industry. These women will discuss childhood risk factors, violence, drugs, rehabilitation, and reintegration.

Session Four is entitled 'Pimp Dynamics' and hosted by Norma Hotaling. This session is used to educate customers about the tactics that pimps use to draw young girls into prostitution and bring attention to the worldwide exploitation of women and girls.

Session Five is given by neighborhood activists from areas with a high volume of prostitution. The session concentrates on the effects of prostitution on the quality of life in the neighborhood as well as its economic effects on the city.

Session Six, given by the Man Alive: Domestic Violence Prevention Program, educates men about violence against women, anger management and conflict resolution.

Session Seven addresses sex addiction and its potential management. The Delamo Hospital Alumni Speaker's Bureau will give this lecture and presentation.

At the end of the seventh session, the participants will be asked to give an evaluation of the program.