

1 [San Francisco Administrative Code]

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3 **Ordinance amending Ordinance No. 289-98 (Sec. 10.193-1 of the Administrative Code of**  
4 **the City and County of San Francisco) establishing the First Offender Prostitution**  
5 **Program Fee, to remove reference to Penal Code Section 647(b), to allow the Office of**  
6 **the District Attorney to send all eligible prostitution-related offenders to the**  
7 **department’s First Offender Prostitution Program (FOPP) diversion class.**

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9 Note: Deletions are ~~strikethrough italics Times New Roman~~.

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11 WHEREAS, The District Attorney’s Office needs to broaden the Administrative Code  
12 section authorizing the District Attorney to collect a fee from individuals eligible for the District  
13 Attorney’s First Offender Prostitution Program; and

14 WHEREAS, These collected fees go back into the program, providing funds for more  
15 police decoy operations and more services to help women and girls leave prostitution; and

16 WHEREAS, The Department is proposing legislation to expand the program to include  
17 all “johns” arrested not only for violating Penal Code Section 647(b), which is the most often  
18 used section for prostitution offenses, but who are also arrested for violating Penal Code  
19 Sections 653.22 or 647(a) or other prostitution-related offenses; now, therefore,

20 BE IT ORDAINED by the People of the City and County of San Francisco:

21 Section 1. The hereinafter designated section and item of Ordinance No. 289-98 (First  
22 Offender Prostitution Program Administrative Fee, 1998/1999) is hereby amended so that the  
23 same shall read as follows:

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Sec. 10.193-1. (a) Collection Fee. The District Attorney is authorized to collect an administrative fee from persons ~~arrested for violating Penal Code Section 647(b)~~ who are determined by the District Attorney to be eligible for the District Attorney’s First Offender Prostitution Program and who elect to participate in the program.

APPROVED RECOMMENDATION OF CHANGES:  
Office of the District Attorney

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Kamala D. Harris, District Attorney

APPROVED AS TO FORM:  
Office of the City Attorney  
  
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Dennis Herrera, City Attorney