

1 [Urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt Haney, and
2 Assembly Member Phil Ting to Legalize Sex Work in California]

3 **Resolution urging Governor Gavin Newsom, Senator Scott Wiener, Assembly Member**
4 **Matt Haney, and Assembly Member Phil Ting to legalize consensual adult prostitution**
5 **in the State of California; legalization is a proven effective method to protect the health**
6 **and safety of sex workers while reducing crime and violence.**

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8 WHEREAS, Prostitution is known as the world's oldest profession with early accounts
9 in the U.S. dating back to the early 1700s but has been criminalized in California since the late
10 1800s; and

11 WHEREAS, Over the past decade, California has taken instrumental steps towards
12 decriminalization; and

13 WHEREAS, In 2013, after hearing hours of testimony from sex workers who were
14 victims of violence, the California Victim Compensation and Government Claims Board moved
15 to repeal a regulation that previously precluded sex workers from receiving restitution from a
16 victim compensation fund if raped and/or beaten; and

17 WHEREAS, Three years later, Senate Bill 1322 was passed into law barring the
18 prosecution of minors who to solicit or engage in any act of prostitution recognizing that
19 minors engaged in this work should be treated as victims as opposed to criminals; and

20 WHEREAS, In 2019, California provided immunity to sex workers to report crimes of
21 violence and prohibited law enforcement from using condoms as evidence of prostitution, with
22 the passage of Senate Bill 233, acknowledging that sex workers are less likely to report
23 crimes or engage in safe sex practices due to fear of prosecution; and

24 WHEREAS, Last year, California passed the Safer Streets For All Act decriminalizing
25 loitering in a public place with the intent to engage in sex, an offense law enforcement

1 previously used to arbitrarily stop sex workers for otherwise legal activities such as walking or
2 standing in a specific area; and

3 WHEREAS, Decriminalization and ultimately legalization reduces violence and
4 increases access to justice, deters the negative impacts associated with a criminal record,
5 improves access to health services and workplace protections, and allows sex workers to be
6 allies in the fight against human trafficking; and

7 WHEREAS, Although sex work is not intrinsically violent, because sex workers and
8 their clients must often conduct business outside the view of law enforcement in areas that
9 are usually isolated and dangerous, sex workers are at a high risk of violence; and

10 WHEREAS, Similarly, sex workers are less likely to report crimes due to a fear of
11 prosecution making them targets of harm and exploitation; and

12 WHEREAS, In 2007, after Scotland criminalized solicitation of prostitution, reported
13 cases of rape and sexual assaults doubled; and

14 WHEREAS, When Rhode Island legalized indoor prostitution from 2003-2009, the state
15 saw a 30% decrease in reported rape cases; and

16 WHEREAS, After New Zealand passed the Prostitution Reform Act in 2003
17 decriminalizing prostitution, sex workers can work in areas with access to security services
18 and report crimes to law enforcement with 57% of sex workers surveyed indicated an
19 improvement in police perception regarding their work; and

20 WHEREAS, Legalization deters the negative impacts associated with the stigma and
21 criminalization of sex work; and

22 WHEREAS, Sex workers who have criminal records often find barriers to employment,
23 housing, loans, and in some cases, receiving custody of their children; and

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1 WHEREAS, Sex work needs to be viewed as a labor issue as opposed to a moral one
2 and would allow cities to issue and enforce workplace health and safety regulations for sex
3 workers; and

4 WHEREAS, After New Zealand included sex work in its Health and Safety Employment
5 Act creating guidelines which sex workers could assert with employers and clients, in 2014, a
6 sex worker was awarded restitution after a brothel owner repeatedly harassed her; and

7 WHEREAS, With these health and safety protections, sex workers would be able to
8 negotiate safe sex practices with clients without fear of being apprehended; and

9 WHEREAS, In the six years that indoor prostitution was decriminalized in Rhode
10 Island, there was a 40% decrease in reported gonorrhea cases; and

11 WHEREAS, Because criminalization does not end human trafficking, legalization would
12 allow sex workers to be allies in the fight against human trafficking; and

13 WHEREAS, Removing the stigma around sex work and allowing sex workers to
14 organize and work with law enforcement results in effective responses to human trafficking;
15 and

16 WHEREAS, In India, the Durbar Mahila Samanwaya Committee, a self-regulatory
17 board run by sex workers, identified and supported women who had been sexually exploited
18 and trafficked; and

19 WHEREAS, In 2018, the effects of legalization were studied in the context of tipple
20 zones, designated legal street prostitution zones where soliciting and purchasing sex is
21 permitted between specific hours; and

22 WHEREAS, The first tipple zone opened in the Hague in 1983 to deal with resident
23 complaints and improve health and safety conditions of sex workers who often suffered from
24 substance abuse and immigration issues, but several European countries have followed suit
25 with sites opening in Rome 2015 and Leeds 2016; and

1 WHEREAS, Evaluations of conditions after the opening of these zones showed a
2 positive impact in a reduction of violence and drug use; and

3 WHEREAS, The opening of a tipple zone was linked with a 30-40% decrease in sexual
4 abuse and rape cases and a 25% decrease in city wide drug related crime; and

5 WHEREAS, Legalization is a proven effective method to protect the health and safety
6 of sex workers while reducing crime and violence; and now therefore be it

7 RESOLVED, The Board of Supervisors urges Governor Gavin Newsom, Senator Scott
8 Wiener, Assembly Member Matt Haney, and Assembly Member Phil Ting to legalize
9 consensual adult prostitution in the State of California; and

10 FURTHER RESOLVED, That the Clerk of the Board to transmit copies of this
11 Resolution to Governor Gavin Newsom, Senator Scott Wiener, Assembly Member Matt
12 Haney, and Assembly Member Phil Ting.

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