

File No. 180274

Committee Item No. _____

Board Item No. 48

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: April 3, 2018

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>California State Assembly Bill 2243</u>
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Prepared by: Jocelyn Wong

Date: March 29, 2018

Prepared by: _____

Date: _____

1 [Supporting California State Assembly Bill 2243 (Friedman) - Sex Worker Immunity]

2
3 **Resolution declaring support for California State Assembly Bill 2243, authored by State**
4 **Assembly Member Laura Friedman, which provide protections for sex workers who**
5 **want to come forward to report a crime of violence perpetrated against them during an**
6 **act of prostitution, or want to testify as a witness to such a crime.**

7
8 WHEREAS, Assembly Member Laura Friedman introduced legislation which allows a
9 sex worker who was engaged in an act of prostitution to come forward and file a complaint if
10 they are the victim of a violent crime that occurred during the course of the act, or provide
11 testimony as a witness to such a crime, without fear of being prosecuted for the act itself; and

12 WHEREAS, Sex workers have a murder rate of 180 per 100,000 which is greatly
13 disproportionate when compared to the general public; and

14 WHEREAS, Worldwide, sex workers have a 45 to 75% chance of experiencing sexual
15 violence at some point in their careers and a 32 to 55% chance of experiencing sexual
16 violence in a given year; and

17 WHEREAS, Women and girls, who are unequally affected by human trafficking,
18 experience sexual, verbal, & physical abuse; and

19 WHEREAS, Too often, violence and rape go unreported due to the threat of being
20 arrested and prosecuted for prostitution; and

21 WHEREAS, In San Francisco one study reported over 60% of sex workers endured
22 assault while engaged in sex work; and

23 WHEREAS, The Sex Work and Trafficking Policy Impact Committee of the San
24 Francisco Mayor's Task Force on Anti-Human Trafficking worked with the San Francisco
25

1 Police Department and District Attorney's Office to create "Prioritizing Safety for Sex Worker"
2 policies in San Francisco; and

3 WHEREAS; "Prioritizing Safety for Sex Worker" policies in San Francisco prohibit the
4 arrest or prosecution of a sex worker for prostitution-related offenses or minor drug crimes
5 when they report being the victim or witness of a violent crime; and

6 WHEREAS, The City and County of San Francisco believes every survivor of violence,
7 regardless of their employment or lifestyle, should be able to seek justice to live a life free
8 from violence; now, therefore, be it

9 RESOLVED, That the City and County of San Francisco strongly supports California
10 State Assembly Bill 2243 which protects sex workers who report a crime of violence
11 perpetrated against them during an act of prostitution, or want to testify as a witness to such a
12 crime; and be it

13 FURTHER RESOLVED, The San Francisco Board of Supervisors hereby directs the
14 Clerk of the Board to transmit copies of this resolution to the State Legislature and the City
15 Lobbyist upon passage.

AMENDED IN ASSEMBLY MARCH 12, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2243

Introduced by Assembly Member Friedman

February 13, 2018

An act to add Section 1162 to the Evidence Code, relating to evidence.

LEGISLATIVE COUNSEL'S DIGEST

AB 2243, as amended, Friedman. Evidence: admissibility.

Existing law provides that except as otherwise provided by statute, all relevant evidence is admissible.

This bill would prohibit the admissibility of evidence that a victim ~~or witness to a violent crime, including assault, blackmail, burglary, extortion, kidnapping, robbery, sexual assault, and stalking, has engaged in an act of prostitution, as defined, of, or a witness to, extortion, stalking, or a violent felony, each as defined, has engaged in an act of prostitution at or around the time he or she was the victim of or witness to the crime~~ in order to prove the victim's or witness's criminal liability for the act of prostitution.

The California Constitution provides for the Right to Truth-In-Evidence, which requires a $\frac{2}{3}$ vote of the Legislature to exclude any relevant evidence from any criminal proceeding, as specified.

Because this bill may exclude from a criminal action information about a person's liability for an act of prostitution that would otherwise be admissible, it requires a $\frac{2}{3}$ vote of the Legislature.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1162 is added to the Evidence Code, to
2 read:

3 1162. Evidence that a victim ~~of, or a witness to a violent crime,~~
4 ~~including assault, blackmail, burglary, extortion, kidnapping,~~
5 ~~robbery, sexual assault, and stalking, to, extortion as defined in~~
6 ~~Section 519 of the Penal Code, stalking as defined in Section 646.9~~
7 ~~of the Penal Code, or a violent felony as defined in Section 667.5~~
8 ~~of the Penal Code, has engaged in an act of prostitution, as defined~~
9 ~~in paragraph (4) of subdivision (a) of Section 647 of the Penal~~
10 ~~Code, prostitution at or around the time he or she was the victim~~
11 ~~of or witness to the crime is inadmissible to prove the victim or~~
12 witness's criminal liability for the act of prostitution.

Introduction Form

By a Member of the Board of Supervisors or the Mayor

2018 MAR 20 PM 4:24 Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- ☒ 2. Request for next printed agenda Without Reference to Committee.
- ☐ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning "Supervisor [] inquires"
- ☐ 5. City Attorney request.
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget Analyst request (attach written motion).
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

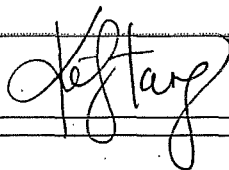
Sponsor(s):

Tang, Ronen

Subject:

Declaring Support - A.B. 2243 Sex Worker Immunity

The text is listed below or attached:

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: