



George Gascón
District Attorney

Prioritizing Safety for Sex Workers

The San Francisco District Attorney's Office is concerned about the safety and well being of all San Franciscans. As such, we are eager to enact appropriate policies that sustain our commitment to public safety for people engaged in sex work and other forms of sex trade who are victims of sexual assault, human trafficking and other violent crimes. In order to create an environment where individuals who are victims or witnesses of violent crime are able to come forth to report violence, we are committed to the following:

The District Attorney's Office will not prosecute persons for involvement in sex work or other forms of sex trade when they are victims or witnesses of sexual assault, human trafficking, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary or other violent crime. For purposes of this policy, persons will not be prosecuted for uncharged offenses including Penal code §§ 647(a), 647(b), 653.22, 372, and misdemeanor drug offenses, when reporting sexual assault, human trafficking, stalking, robbery, assault, kidnapping, threats, blackmail, extortion, burglary or other violent crime.

Information gathered from a victim or witness of a violent crime who is engaged in sex work or other forms of sex trade including trafficked persons will not be used in any manner to investigate and prosecute that person, during the course of the investigation or in the future. So long as the person making the report does so truthfully, any statements they make shall not be used against them in the current investigation or in any future criminal action against them concerning this incident brought by this office for violation of Penal code §§ 647(a), 647(b), 653.22, 372.

Immigration status will not be used by the District Attorney against victims and witnesses of violent crime in any way. The Office of the District Attorney shall not report to any person or government agency the immigration status of any person making a report under this policy, with the exception of assisting with the application for immigration relief that would benefit the victim or witness.

The District Attorney's Office will work collaboratively with the San Francisco Police Department and Sheriff's Department on a training program on sex work and crimes against sex workers to ensure that this policy is implemented in a manner that furthers the goal of the reporting of violent crime by persons engaged in sex work and other forms of sex trade including trafficked persons. The training shall be developed and implemented in collaboration with community based organizations that serve sex workers.

Note: This agreement does not apply to a prosecutor's discovery obligations as required by law.