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An Overview of S.O.A.P. Orders for Sex Buyers in the United States

Summary Based Upon Research from the
National Assessments of Prostitution and Sex
Trafficking Demand Reduction Efforts



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An Overview of Stay Away from Areas of Prostitution (SOAP) Orders for Arrested Sex Buyers in the United States

SOAP orders have been used for responding to arrested sex buyers in at least **120** U.S. cities and counties. This tactic involves prohibiting or restricting arrested sex buyers from visiting areas with known prostitution activity, and/or the vicinity of their arrest. The general approach—called geographic “exclusion zones” or “restraining orders” when applied to other kinds of offenders—are often identified as “Stay Out of Areas with Prostitution” or “**SOAP**” orders when applied to sex buyers (as well as to prostituted women).

For example, in 1995 a “prostitution-free zone” was established in Portland, OR along a corridor long known to be an area with the city’s highest concentration of street prostitution. The exclusion zone specifications are described in the city ordinance establishing the zone, presented in the “SOAP Orders” page of the demand-forum.org website. Essentially, this ordinance allowed judges to order those arrested for prostitution offenses (including sex buyers) not to enter the restricted area. The ordinance allowed for several consequences to be meted out against those who violated the order. Although it was widely regarded as successful, budget cuts rendered the Portland Police Department unable to enforce the zone properly, and the City Council allowed the ordinance to expire in 2007. Area residents and businesses reportedly soon observed an increase in visible prostitution and related activity, and in 2011 the mayor proposed reviving the prostitution-free zone.

Geographic exclusion zones are sometimes resisted by civil libertarians as needlessly and inappropriately restricting the free movement of individuals. However, the practices are seldom successfully challenged, provided that the restrictions are applied only to convicted offenders, or are agreed to voluntarily as a condition of a diversion program.

Table 1: Sites with Earliest Known Use of SOAP Orders for Sex Buyers

Year	City or County	State
1975	Beaver Falls	PA
1980	Washington	DC
1985	Newport News	VA
1990	SeaTac	WA
1990	Santa Monica	CA
1991	Tulsa	OK
1991	Miami	FL
1991	Tallahassee	FL
1992	Pierce County	WA
1993	Portland	OR
1993	Everett	WA
1994	Tacoma	WA
1995	Oakland	CA
1995	Wichita	KS
1995	Anchorage	AK

Example 1: Wichita, Kansas

The creation of SOAP orders via city ordinance was described in a report by the Wichita Police Department regarding the city's anti-prostitution effort in the early and mid-1990s (Wichita Police Department, 1996). In response to longstanding problems associated with prostitution that were concentrated in certain areas of Wichita, a collaborative effort was launched involving WPD community policing officers, the Municipal Court, the City Manager, and the city's Law Department. Old city ordinances were modified and new ones drafted and then enacted.¹ One of the key ordinances was a modification that allowed the arrest of men for loitering when their intent was to solicit a prostituted person. Before this time, women could be arrested for loitering with the intent to commit an act of prostitution, but men who were loitering with the intent to buy sex from a woman engaged in prostitution could not be arrested. In addition to the modified ordinance, two new ones were created. The first ordinance created an "Anti-Prostitution Emphasis Zone," which increased fines and jail time for anyone who was arrested within specified blocks of the city. Prostitution arrest data were used as the basis for setting the boundaries of the zone. The standard fine and jail time was applied to those arrested outside the zone. Drug offenders were given alternative sentences if they agreed to enter drug treatment and perform community service. A second conviction in the area would result in a jail term of no less than 30 days. The second ordinance was more controversial. A "mapping area" was established inside the Anti-Prostitution Emphasis Zone, which covered the area where the heaviest concentration of prostitution offenses occurred. The ordinance made it illegal for a convicted offender, who was arrested in the "mapping area," to return to the area.

Example 2: Tacoma, Washington

Tacoma has had a great deal of community involvement in its efforts to address prostitution and sex trafficking. The "Make Tacoma Safe, Clean, and Attractive" initiative was a collaboration between community organizations (e.g., the Chamber of Commerce, neighborhood groups such as Citizens Against Prostitution) and government agencies at the city, county, and state levels (e.g., Tacoma Police Department, Pierce County jail, the Washington State Department of Corrections). The Make Tacoma Safe, Clean, and Attractive (MTSCA) team targeted street level prostitution and related crime within Stay Out of Areas of Prostitution (SOAP) zones. Community involvement and the facilitation of a new state vehicle impound law were regarded as critical components in this effort. The team researched best practices with a goal to create more disincentives for prostituted women and sex buyers to operate in Tacoma. The team put up a website shell, indexed within the main MTSCA landing page and can be found at: <http://www.cityoftacoma.org/Page.aspx?cid=12845>

The initiative hoped to impact positive changes in the realm of enforcement as well as prevention. The team worked on forging connections with key stakeholders in the community, like the Pacific Avenue Business District. They also worked on gathering data on the correlation between prostitution and the spread of disease, best practices from other municipalities on what it took to make prostitution less profitable, and gathered current prostitution data for bench-marking purposes.

Example 3: Portland, Oregon

Like most greater metro regions, Portland and Multnomah County have a street with a long history of being a focal point for street prostitution, and that have high concentrations of sexually-oriented businesses, storefront brothels, and motels catering to (or tolerating) prostitution. In Portland and beyond, this is 82nd Avenue, and is akin to strips such as the Miracle Mile in Tucson, AZ and Mannheim Boulevard in Cook County, IL. In 1995, the city passed an ordinance (Portland City Code Sec. 14B.30) and police began enforcing the "Prostitution Free Zone" that focused on 82nd Avenue and an area surrounding it. The geographic exclusion zone was broadly written and enforced to include both buyers and sellers of sex, and a larger number of orders were applied to prostituted women than to male buyers. However, it was a tool that was used to punish and discourage arrested sex buyers. In simplest terms, those arrested for prostitution offenses could be ordered to stay out of the defined

¹ <http://library.municode.com/index.aspx?clientId=14166>.

zone, and violations of this restriction could result in enhanced penalties. Portland's ordinance and other reference materials about the Prostitution Free Zone can be found on the site page for Portland on demand-forum.org.

The Prostitution Free Zone was challenged as an inappropriate restriction on individual freedoms and for being unevenly applied across races, and for incurred costs in its enforcement. Due to budget cuts to law enforcement agencies and other concerns, the Zone was allowed to expire or "sunset" in September 2007.² Reportedly, soon after the Zone expired residents, businesses, and those traveling through the area observed a rapid and substantial increase in prostitution in the area, and in problems associated with it - e.g., in a rise in street crime rates, harassment of residents and business patrons by sex buyers, sellers, and pimps, and calls for service to police from the area increased. Police attempted to compensate for the loss of the zone by increased patrols and enforcement efforts. Community groups mobilized and formed a Prostitution Advisory Council, which wrote a report and in late 2009 presented to city officials recommendations for reinstatement of the Zone and other measures such as re-establishing a john school (which was not active at that time).

Example 4: Tampa, Florida

In February 2012, Tampa established an exclusion zone that applied to sex buyers as well as those providing commercial sex. The Prostitution Enforcement Zone covered the area from Fowler Avenue to the north, Seventh Avenue to the south, North 15th Street to the east and Florida Avenue to the west. The zone applied to people who had been charged for the third time (or more) with a prostitution offense. Upon a third arrest, the misdemeanor prostitution charge could be upgraded to a felony and the State Attorney's Office could ask judges to put offenders on probation and ban them from the area. Exceptions would be limited to activities like visiting a doctor or buying groceries.

Example 5: Yakima, Washington

In April 2013, the city announced a new municipal ordinance establishing SOAP orders. The new law worked by banning convicted sex buyers (as well as prostituted persons) from areas of the city known for commercial sex sales. People caught violating a SOAP order could be arrested on the spot for a misdemeanor, and jailed for up to 90 days and/or be forced to pay a fine of up to \$1,000.

Example 6: Elk Grove, California

In a reverse sting in 2018, Elk Grove police arrested three men who showed up at a local hotel to solicit a prostituted person. The article reporting on their arrests stated that if convicted, these men could face up to 180 days in jail and could be ordered by a judge to stay away from areas where they were arrested.³

Example 7: Milwaukee County, Wisconsin

In April 2019, Milwaukee County proposed a measure to increase fines for anyone caught attempting to solicit prostituted persons. The measure proposed increasing penalties for sex buyers from the previous range of \$500 to \$5,000 to a range of \$5,000 to \$10,000. These fines would target anyone caught soliciting prostitution as well as those loitering in a "known area of prostitution" or a public place where people had been convicted for soliciting in the last five years. The measure was passed unanimously by the Public Safety and Health

² https://midcountymemo.com/oct07_crimefreezone.html.

³ http://www.egcitizen.com/news/three-suspects-arrested-in-local-prostitution-sting/article_c627859e-b139-11e8-baec-1fb25c0b9734.html.

Committee.⁴ The ordinance was passed in the Common Council, increasing fines for solicitation to \$2,500 to \$5,000.⁵

References

References for the materials cited in this summary can be found in the bibliography of the National Assessment final report, and in each site's webpage at demand-forum.org.

⁴ <https://www.jsonline.com/story/news/politics/2019/04/05/sex-trafficking-milwaukee-may-raise-fines-soliciting-prostitutes/3375156002/>.

⁵ <https://shepherdexpress.com/news/features/common-council-unanimously-approves-500-percent-increase/#/questions>.