

Memorandum

To: Seattle City Attorney’s Office, Seattle Mayor’s Office, King County Prosecuting Attorney’s Office, and other interested parties in public safety on Aurora Avenue North

From: Katie Hurley, Special Counsel for Criminal Practice and Policy, King County Department of Public Defense

Re: Sexual Exploitation Prosecutions in Seattle: Evidence on Recidivism, Diversion, and Racial Disparities in Seattle Municipal Court Cases

Key Findings for Sexual Exploitation Cases Prosecuted in Seattle Municipal Court (SMC) between 2022-2025:

- 80 of 81 individuals have not been subsequently charged with a sexual exploitation case;
- 74 of the 78 resolved cases resulted in dismissal;
- 53% of individuals prosecuted required an interpreter;
- 44% of cases indicated Hispanic or Latino ethnicity in court records; and
- 0 of 59 individuals prosecuted before the SOAP ordinance took effect were subsequently charged with sexual exploitation.

Date: July 6, 2026

Summary

Recent episodes of gun violence around Aurora Avenue North have reignited debates over how Seattle and King County should respond to street-level purchases of sex in the area (termed “sexual exploitation” in City code and “patronizing a prostitute” in state law). Among the various proposals for a response, some have argued that making the purchase of sex a felony would remediate the violence by deterring people from seeking to purchase sex in the area and therefore suppress demand for sex workers’ services.

DPD policy analysts reviewed every prosecution in Seattle Municipal Court from 2022 through the end of 2025 under the existing City ordinance that makes purchasing sex a misdemeanor. The analysis reveals that *only one* individual prosecuted for the existing misdemeanor offense has been charged again with sexual exploitation since their case was prosecuted (and that person’s initial SMC case has been stalled since July 2025 due to delays in getting a competency evaluation). These findings suggest that Seattle’s existing misdemeanor and diversion-based response is associated with extremely low rates of repeat offending.

Proponents who seek to treat this as a felony offense claim that most people subject to prosecution would be wealthy white men; however, court records show that more than half of the people prosecuted in these cases relied on an interpreter. This is strong evidence that making the offense a felony would worsen existing racial disparities in Washington's criminal legal system. Furthermore, men with indicators of Hispanic or Latino ethnicity in court records are significantly over-represented in these prosecutions, comprising 44% of individuals prosecuted despite people of Hispanic or Latino ethnicity only accounting for 8.2% of Seattle's population in the 2020 U.S. Census.

Background

People prosecuted for street-level attempts to purchase sex in Seattle's misdemeanor legal system already show extremely low rates of re-offending.

Prosecutors and law enforcement officers have repeatedly [advocated](#) for state [legislation](#) that would significantly increase the punishment and collateral consequences for purchasing sex from a misdemeanor to a Class C felony. In testimony before the [House Community Safety Committee](#), King County Deputy Prosecutor Braelah McGinnis claimed making this behavior a felony was necessary to "deter Johns from this behavior in the future" and that the "cycle of exploitation will not change" unless the offense is reclassified to a Class C felony. In the same hearing on February 4, 2025, Seattle Police Department Detective Maurice Washington told legislators that the existing misdemeanor offense "is a tool, but it is not a sharp tool that has advanced with this crime as it affects the community today."

If the classification of the offense as a misdemeanor was truly insufficient to deter people from engaging in this behavior, one would expect that individuals subject to prosecution under the existing misdemeanor law would re-offend. In addition, one would expect that prosecutors and courts would be maximizing punishments against these individuals and thus have no room to impose greater penalties without a felony law. However, court records reveal that the people who have been prosecuted in Seattle Municipal Court (SMC) under the existing law are highly unlikely to face subsequent sexual exploitation charges. In addition, the vast majority of cases (95%) are resolved with dismissals and no person received a jail sentence.

Looking at 2022-2025 data from SMC:

The Seattle City Attorney's Office filed 81 cases for sexual exploitation between 2022-2025. Notable findings from review of court records in each case and subsequent criminal history for the person prosecuted:

- 80 of 81 individuals (98.7%) showed no subsequent criminal history for sexual exploitation or patronizing a prostitute after their arrest date. The sole individual with a subsequent charge is currently awaiting a competency evaluation in SMC.

- The availability of Stay Out of Area of Prostitution (SOAP) orders had no apparent effect on recidivism; none of the 59 individuals prosecuted before the SOAP ordinance took effect in September 2024 were subsequently charged with sexual exploitation.
- 74 of the 78 resolved cases were dismissed.
- At least 48 cases were dismissed following successful completion of diversion conditions, typically including a sex buyer's education class and/or community service.¹
- 2 cases resulted in convictions, though neither individual received a jail sentence; in addition, one of the individuals received a deferred sentence and has completed all the affirmative conditions (sex buyer's class and HIV test) and so that case will likely be dismissed.

This data shows that Seattle's existing response is sufficient to deter repeat offenses for individuals who are charged with sexual exploitation. Proponents of classifying this behavior as a felony frequently cite Texas as a model, where purchasing sex was made a felony in 2021. However, the [results](#) in Houston of prosecuting a much higher volume of cases following that policy change suggest that many case outcomes would remain the same were Washington to adopt similar legislation:

In the year after the law took effect, an analysis of court records showed that 518 felony solicitation of prostitution cases were filed. Of the 232 cases that have been disposed of, **only 11 (5%) ended in felony convictions.**

Meanwhile, 178 cases (77%) of those that were disposed of were dismissed under what's known as pretrial diversion. In those deals offered by prosecutors, defendants generally were required to take a decision-making class or "John's class" and either pay a fine or make a donation to the Houston Area Women's Center. In return, those Johns were later given an opportunity to get the criminal charge expunged -- wiped off their record.

The prosecutor's office noted that the "recidivism rate [for those offered pretrial diversion] is among the lowest of any crimes." The experience of treating this behavior as a felony in Houston shows that even if the offense were reclassified in Washington, the ultimate consequences would likely be substantially similar to the status quo in Seattle.

The low recidivism rates and consistent resolution patterns across misdemeanors and felonies undermines the claim that felony classification would lead to broader deterrence and reduce demand. This strategy of deterrence through enforcement against buyers has been the policy in North Aurora [since 1987, to no](#) discernible effect. Finally, people are not deterred by the

¹ This is a conservative estimate, as record-keeping in Seattle Municipal Court is inconsistent in stating the reasons for a case being dismissed. This count includes each case where the dismissal order or resolution to the charge was explicitly recorded as "all conditions met." Some cases where court records indicate a potential diversionary response that resolved with a dismissal are coded as dismissed "in the interests of justice" but that description is also applied to cases where other deficiencies in the prosecution led to a dismissal.

theoretical maximum consequences of a crime, as deterrence research consistently shows that the perceived likelihood is what matters. See National Institute of Justice, [Five Things About Deterrence](#), June 5, 2016.

Harsher penalties for street-level attempts to purchase sex would fall disproportionately on non-English speakers, not “wealthy white men.”

While the majority of people who buy sex may be wealthy white men, as prosecutors and police have claimed in testimony before the state legislature and in [statements to local media](#), the people prosecuted in SMC for sexual exploitation are not. Court records in 53% of the 81 cases filed from 2022-2025 indicate the defendant required an interpreter to understand the proceedings against them.

Men of Hispanic or Latino ethnicity were particularly overrepresented in these prosecutions, comprising 44% of individuals prosecuted despite people of Hispanic or Latino ethnicity only accounting for 8.2% of Seattle’s population in the 2020 U.S. Census.

Since race and ethnicity data is inconsistently recorded in SMC records and police reports, DPD classified any defendant with any of the following indicators as likely of Hispanic or Latino ethnicity: requiring an interpreter who spoke Spanish, a surname more than three times as likely to be associated with a person of Hispanic or Latino ethnicity than the national average, or any other court record that described the defendant as Hispanic or Latino.

These findings are consistent with a prior review of similar prosecutions from 2004 to 2020 from [Publicola](#):

Overall, of about 1,270 men charged with patronizing a prostitute between 2004 and 2020, nearly a quarter—304—appeared to be Latino, and 213 were Black. Only about a third of the men charged—418—were white. The final three racial categories were Asian/Pacific Islander, “Unknown,” and American Indian/Alaska Native.

As the data shows, increasing the penalties and collateral consequences (such as adverse effects on housing, employment, and immigration) for people prosecuted in these cases would only further entrench existing racial and ethnic disparities in Washington’s criminal legal system. To the extent that the claim that the majority of people who buy sex are wealthy white men, the “tool” of prosecuting people through sting operations by SPD on Aurora Avenue North will not reach the supposed majority of potential buyers – further undermining the claim that classifying this behavior as a felony will be an effective deterrent for that population.

Recommendations

Rather than attempting to suppress demand by classifying attempted street-level purchase of sex as a felony, Seattle and King County should focus on solutions supported by evidence and research. Even in Texas, where this policy was enacted, local elected officials [largely credit the](#)

[use of street closures](#) or other changes to the physical environment of their sex work “hotspot” for reductions in street-level sex work. Seattle has [already begun similar changes](#) to the [physical environment](#) of Aurora Ave North and should continue with those [non-carceral strategies](#) and should also provide needed community supports.

Conclusion

The available evidence does not support the claim that reclassifying patronizing a prostitute as a felony is necessary – or likely -- to deter repeat offending. Individuals prosecuted under Seattle’s existing misdemeanor and diversion-based already show extraordinarily low rates of reoffending, undermining the claim the premise that harsher penalties are needed to change behavior. At the same time, demographic data raises serious concerns that felony classification would deepen existing racial and ethnic disparities and impose more severe collateral consequences without a demonstrated public-safety benefit. Rather than escalating criminal penalties, Seattle should focus on evidence-based strategies to address public safety concerns in the Aurora Avenue North neighborhood.