

ADMINISTRATIVE ITEM A

PROSTITUTION TASK FORCE, CAMPAIGN AGAINST PROSTITUTION

Presented to the Vallejo City Council

April 12, 2011

VALLEJO'S CAMPAIGN AGAINST PROSTITUTION (VCAP) FORMATION

The Prostitution Task Force was formed for the purpose of looking at the problem of prostitution and exploring ways to address the ever increasing problem in the City of Vallejo. Prostitution is not a new problem in Vallejo and in fact is an age old problem in cities all over this state as well as others.

The Mayor's Prostitution Task Force was established by the Council in response to a request by Mayor Davis and Councilmember Gomes. The Task Force consists of the Mayor, Councilmember Gomes, Tony Pearsall and Bob Sampayan of Fighting Back Partnership (FBP), Susie Foreman of Rosewood House, the Vallejo Police Department, Marian Swanson of the Heritage Neighborhood Association, and Kathy Beistel of St. Vincent's Hill Neighborhood Association. The Task Force has convened three public meetings to date (Dec. 10, 2010, Jan 5, 2011 and Jan 26, 2011). Notice was given of each meeting and the public was given unlimited opportunities to participate, share their thoughts, experiences and suggestions as to possible solutions.

THE PROBLEM

Prostitution is increasing in many cities across the country due to a number of factors; lack of police presence, the housing crisis or the economic recession. In Vallejo, prostitution, particularly in the downtown area and Sonoma Boulevard corridor, has been an ongoing criminal, social and health issue for many years. Through the years, the City and community have initiated different programs in an attempt to abate prostitution and the problems associated with it, including "Prostitute and John" stings, impounding arrestees' vehicles, probation orders prohibiting known prostitutes from entering specific areas, neighborhood monitoring of prostitution activity, etc.

Community frustrations with the limited police resources available for enforcement and the burgeoning prostitute and client base has caused a decline in the quality of life for residents in the affected areas. In addition, the overt presence of prostitutes walking the highly-visible Sonoma Boulevard corridor is not a positive environment for healthy neighborhoods and businesses.

The Task Force received information from various persons, including Susie Forman (Rosewood House), Victor Stephens, Anka Behavior Health, Inc., Captain David Jackson (Vallejo Police Department), Donald du Bain (Solano County District Attorney) Tony Pearsall and Bob Sampayan (Fighting Back Partnership) regarding the reasons young ladies engage in prostitution,

why Johns engage Prostitutes, possible solutions, programs used by other cities to attack the problem as well as possible resources available to combat the prostitution.

It was determined that addiction to drugs and alcohol is the main reason females engage in prostitution. Therefore it is important to focus not only on enforcement but also on deterrence such as social services and assistance to prostitutes to help them get clean and sober and remain drug and alcohol free.

The task force also received information and testimony from residents of various neighborhoods especially the St. Vincent Hill and Heritage neighborhoods regarding the nature of the problem as well as suggestions of ways to deal with the problem. Residents were unanimous in their resolve to do all within their power to eliminate prostitution from their neighborhoods in particular and the city in general. The impacted neighborhoods have (independent of the City and the Task Force) formed patrol groups in the areas designated as high prostitution areas. In addition, resident are photographing prostitutes, their Johns and vehicles which frequent prostitution areas. It was clear that prostitution is affecting the quality of life of residents and businesses.

Significant discussion centered on the use of the Dear John letter used in many other cities. License plate numbers or cars frequenting prostitution areas are run by the Police Department and letters sent to the owners of the vehicles advising them that their vehicles were seen in an area with high incidence of prostitution and warning them that they need to be careful in these areas. The City Attorney expressed reservations and concerns regarding the potential for these types of letters to be an illegal use of the California Law Enforcement Telecommunications System (CLETS) to obtain access to Department of Motor Vehicle (DMV) records and a violation of the right of privacy of the affected vehicle owners and could subject the employees or individuals misusing CLETS to criminal prosecution (misdemeanor or felony depending on the nature of the misuse). In order to be as certain as we can about the legalities and appropriateness of using DMV registration information an opinion should be sought from the State Attorney General.

MUTUAL ASSISTANCE

Various organizations have volunteered to assist the City of Vallejo and the Police Department in attacking the problem of prostitution. Fighting Back Partnership has pledged its support in helping to locate cameras in high prostitution areas and to assist the Police Department in identifying persons and vehicles possibly involved in prostitution.

The Solano County Sheriff Department has agreed to provide mutual assistance when necessary including providing transport during any sting operation. In addition Fairfield Police Department has also agreed to provide mutual assistance to the City of Vallejo in Prostitution Stings.

POSSIBLE SOLUTIONS

The Task Force recognized that the problem of prostitution is not all the problem of the Prostitutes, i.e. the Task Force determined that programs are necessary for “Johns” as well as the prostitute. Such programs include Dear John letters, mandatory classes for johns and prostitutes, impounding of vehicles with heavy fines for return of the vehicle and the use of fine monies being used to support the program; publicly announcing johns who have been convicted; posting “Don’t John In Our City” signs; establishing an Exclusion Zone and S.O.A.P. (Stay Out of Areas of Prostitution) areas, prostitution outreach programs for incarcerated prostitutes; financial penalties for motel owners who knowingly cater to prostitutes; John and Prostitution Stings. The Task Force further looked at establishing target areas for prostitution enforcement. It was determined that, prostitution enforcement should be targeted in the area shown on the attached map and that this area should be designated as an Exclusion Zone. (This area is bounded by Sutter Street from Curtola Parkway to westbound Nebraska Street to southbound Sacramento Street to westbound Tennessee Street to southbound Mare Island Way to eastbound Curtola Parkway.) The Task Force will work with the District Attorney, Probation and the Criminal Courts to impose an “Exclusion Area” as a condition of probation for persons convicted of prostitution-related offenses.

CONCLUSION

The Task Force concluded that there are many solutions to the problem of prostitution some of which are short-term for immediate results and the others are long term. The long-term solutions are seen as the lasting and permanent solutions; however we are aware that the resources for long term solutions do not currently exist on a large scale basis. It was also determined that the short-term solutions can be implemented without impacting, to any significant degree, the city’s already strained budget. The short-term solutions will, however, require citizen participation and the coordinating of existing resources with other governmental agencies, businesses and citizens. Long-term solutions require financial and staffing resources which the city does not have. The long term solution consists mainly of program facility and operation cost. The Task Force is aware of the City’s limited resources as well as the limited resources of other agencies and governmental bodies and therefore has made recommendations for implementation of short-term solutions for now and continuing the work of attempting to find the resources necessary to implement the long-term solutions when such resources are reasonably available. It is expected that when such resources are available for implementation of long-term solutions an appropriate community based non-profit organization will engage in establishing the necessary programs and facilities.

The Task Force is also aware that even the short-term solutions require some staff time and effort and therefore has offered these recommendations with the understanding and the intent that the full Council will determine where these recommendations fit in the overall recommendations for actions previously presented by the City Manager and approved unanimously by the Council.

RECOMMENDATIONS

Dear John Letter Program

The Task Force received a different opinion as to whether a Dear John Letter Program is legal or permissible. Information was obtained from cities of states outside of California highlighting the success of Dear John Letter Programs in combating prostitution. However the Task Force was also informed no California City could be identified which has used a Dear John Letter Program. The City Attorney has expressed his concerns regarding the constitutionality of such a program and whether D.M.V. records may be used to aid in such a program. Information was also received from Chief Nichelini that the California Department of Justice and the Department of Motor Vehicles' (D.M.V.) records can not be used for this purpose.

For all of the above reasons it is recommended that the Council requests an opinion of the California Attorney General's office as to the legality of using D.M.V. registration information for Dear John Letter purposes. It is further recommended that the Council direct the City Attorney's office to provide the Council with the means to obtain said opinion.

John School

Evidence has shown that a john who is arrested for solicitation has a very low recidivism rate. John School, comparable to traffic school, would be where those charged with soliciting someone for sex are taken through a course that shows the impact of their actions. It educates johns about the health risk from soliciting prostitutes, the grim reality of sex workers' lives and how the johns' actions support sex trafficking. Enrollment in the programs is voluntary and limited to first-time offenders. Most participants choose to go to the schools to avoid prosecution on the charges they face. Solano County District Attorney Donald DuBain, at the request of the Task Force, convened a meeting with the founders of S.A.G.E. of San Francisco, superior court judges, county officials, attorneys, Vallejo Police Chief and Mayor Davis. The representatives of S.A.G.E. presented the history of S.A.G.E. and their programs. They expressed a willingness to partner with Vallejo, the Solano Courts, the District Attorney's office, Probation and the Defense Bar by providing access to their John School. John Schools are paid for by the Johns and they can be required to attend as a condition of probation.

Recognizing the inefficiency of resources within the City of Vallejo and the county of Solano it is recommended that the Council express its desire to partner with S.A.G.E., the courts, the District Attorney, Probation, the Defense Bar and the County of Solano in referring convicted Johns to San Francisco S.A.G.E. when ever possible and acceptable by all parties until such time as resources become available to such a program in Solano County.

Establish a Policy using electronic Billboards/Website

Establish a policy for the use of City space on electronic billboards to feature a blurred mugshot of people arrested for soliciting prostitution in Vallejo, along with the posted URL of the website, (similar to www.johnspic.org) where the public can view clear photos of offenders. To those who come into Vallejo to look for a prostitute, these billboards send a message loud and

clear: you will be caught and your neighbors, your coworkers and your family will find out. The City has already developed a policy for use of electronic billboards by the City and non-profit organizations. That policy would not have to be changed and therefore no additional staff time is anticipated. This recommendation could be implemented immediately. The Task Force would develop a process which would be reviewed by the City Attorney's office and brought back to the council for approval.

Signs

Establish a "Don't John in Our Neighborhood" program. We want the word to get out that soliciting prostitution is not okay in our City, on our streets, or in our neighborhoods. Encourage neighbors and businesses to post official; VCAP and "Don't John in Vallejo" signs in their windows declaring Vallejo unwelcome to prostitutes and their johns. Solicit volunteers and donations to implement and operate this program.

Hotel/Motel and Business Abatement

Establish a policy which requires motel operators caught allowing the use of their facilities for acts of prostitution to report under-age prostitution and attend mandatory training to renew business licenses. Operators will allow police and approved civilian monitors to access motel video surveillance. Task Force to be involved in the development of a policy to be reviewed by the City Attorney's office and brought back to the Council for approval. Other businesses as well as Motel businesses will be requested to post "No Prostitution in the Area" signs as part of the VCAP program.

DA's Office

The District Attorney's office has committed to the enforcement of mandatory jail time for prostitutes with prior convictions. In addition, johns arrested for soliciting prostitutes will have their vehicles impounded and will be charged a large fine (like \$900) to re-claim them. A portion of the fees will go toward the prosecutor's office to assist in prosecuting these crimes. No staff time or cost to the City is associated with this recommendation. This recommendation can be implemented immediately.

John & Prostitute Stings

The Vallejo police in a coordinated mutual assistance effort with other cooperating local law enforcement agencies conduct periodic prostitution stings within the target area when possible. In order to have full impact it is hoped that stings will be implemented immediately after approval of the Task Force recommendations with subsequent stings designed to establish a zero tolerance policy towards prostitution. The Task Force is aware of the limited resources of the Police Department and therefore understands that the frequency of or the implementation of Prostitution Stings will be based upon available manpower, workload and the availability and cooperation of other law enforcement agencies.

Vehicle Seizure Ordinance

The Police Department is in the process of preparing an ordinance that will permit the seizure

and impoundment of vehicles used for soliciting prostitution, pandering or pimping pursuant to California Vehicle code Section 22659.5. It is recommended that the Police Department be encouraged in this effort and that a proposed ordinance be brought to the Council when prepared.

Community Patrols

Prostitutes, their pimps and the johns who look for them will move into an area that is not organized. When neighbors go out and walk through the neighborhoods peacefully we let the Johns know they are not welcome. Working with Fighting Back Partnership with the VPD volunteers will walk through neighborhoods on a regular basis to recognize, document and report prostitution activity including license plates of suspected johns. The Vallejo Police Department has agreed to support such patrols to the extent possible by patrolling or at least driving through the area of these Fighting Back Partnership coordinated citizen patrols. Some neighborhoods have already established their own neighborhood Patrols such as Kentucky Street Watch Owls and the Ohio Street Watchdogs.

Vallejo's Campaign Against Prostitution (VCAP)

Based on research, dialogue with other cities and counties, and ongoing discussions, the Task Force is recommending the City Council support the creation of Vallejo's Campaign Against Prostitution (VCAP). VCAP will be a public-private partnership with the City, FBP, the Rosewood House, the Solano County District Attorney's office and community members. In light of the budget shortfalls, it will include both short and long-term goals, actions we can take now with the resources available, and actions we can achieve as the economy improves. The VCAP program will not just focus on the criminal aspects of prostitution. We recognize that prostitution is a result of many other social and criminal problems, not the least of which is addictions. Addiction to drugs and alcohol is one of the key reasons that women are on the streets. Concurrent to focusing on deterrence, VCAP will also focus on available social services and assistance to prostitutes to help them get clean and sober. The Task Force recommends the immediate formation of VCAP. The necessary parties have already been meeting and have already been working on the problem to the extent possible. It is expected that the existing group will be expanded to include other governmental agencies such as the Solano County Health Department plus others to be determined as the Program progresses. The establishment of VCAP is short-term however the implementation of the Program is ongoing but will also have ongoing and long-term benefits in combating prostitution and the people affected by it.

Exclusion Zone

Work with the District Attorney, the criminal courts and probation to establish conditions of probation for convicted Prostitutes, Pimps and Johns which prohibits them from being in the exclusion areas during probation status. An exclusion area would be developed by the Task Force from time to time based upon prostitution activity at any given time.

Prostitute Outreach

Provide an outreach program to incarcerated prostitutes to educate them on the opportunities once out of jail. Anan Behavioral Health, Inc. is just such a program which already exists. Its

limitation is that it only serves incarcerated prostitutes and ends without any follow up once the prostitute is released from jail. Nonetheless it is a viable program which is currently in existence and is in fact providing a partial solution to the problem. No city services or resources are necessary to continue this program

Use of Cameras

Seek grants to help fund the purchase and installation of cameras in high crime areas and areas where prostitutes frequent such as the established Exclusion Zone. The Task Force recommends that the City work with Fighting Back Partnership in searching for grants for this purpose. The Task Force is willing to continue working with FBP in this effort and report back to the Council on funds available for purchasing and installing cameras. Cameras will go a long way in establishing a zero tolerance for prostitution policy in Vallejo. The Police Department has identified funding for the installation of two internet-based cameras in the next 30 – 60 days. The Task Force recommends that an expanded camera program be pursued immediately.

Seek Courts Cooperation

Have the Mayor direct a letter to the Presiding Judge of the Solano County Superior Court encouraging the use of maximum existing laws for prostitutes and johns convicted of a second and third offense. The Task Force recommends this be implemented immediately as no significant city resources are necessary.

Media Campaign

Establish a News Media Blitz to inform prostitutes and the public that the citizens of Vallejo will not tolerate prostitution in our community and we the citizens will become the eyes and ears of the Vallejo Police Department to inform them when and where crimes of prostitution are occurring and follow up with court testimony if necessary.

Education

Many of our high school youth are being targeted by pimps and johns to engage in prostitution. It is critical that the VCUSD undertake efforts to provide outreach to teachers and young girls in our high schools. The information available to the Task Force is to be passed on to the Superintendent of Schools office.