

2F72

(GENERAL)

x15

COMPTROLLER FILE NUMBER 273741

PROPOSAL OF

COUNCILMAN BRUCE CHAPMAN FOR LEGISLATION DEALING WITH PROSTITUTION AND RELATED CRIMES; AND PASSAGE OF A RESOLUTION URGING A MORE EVEN-HANDED ENFORCEMENT OF LAWS RE SAID ACTIVITIES.

9-18-72 - File -

(See Res - 23789)

FILED SEPTEMBER 7, 1972

C. G. ERLANDSON
COMPTROLLER AND CITY CLERK

BY D. F. Fenton DEPUTY

ACTION OF THE COUNCIL

| | |
|--------------------|-------------|
| REFERRED | TO |
| SEPTEMBER 11, 1972 | C/W |
| REFERRED | TO |
| REFERRED | TO |
| REPORTED | DISPOSITION |
| SEP 18 1972 | On File |
| RE-REFERRED | TO |
| REPORTED | DISPOSITION |

REPORT OF COMMITTEE

Mr. President:

Your

to which was referred the within

PROPOSAL

would respectfully report that we have considered the same and respectfully recommend that

Committee of whole

Committee

THE STATE OF PENNSYLVANIA

SECRET NO. 23789

2872 (GENERAL) x 13
COMPTROLLER FILE NUMBER 23741

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REPORT OF COMMITTEE

Mt. President: _____
Your _____ Committee of whole _____ Committee _____
to which was referred the within PROPOSAL
would respectfully report that we have considered the same and respectfully recommend that _____

THE SAME BE PLACED ON FILE

SecRES NO. 23789

CHAIRMAN

CHAIRMAN

*Comms/Whole
Tuai*



THE CITY COUNCIL OF THE CITY OF SEATTLE

1106 SEATTLE MUNICIPAL BUILDING
TELEPHONE 553-2640

600 FOURTH AVENUE, SEATTLE WASHINGTON 98104

September 6, 1972

The Honorable Liem Eng Tuai
President, Seattle City Council
City of Seattle

LIEM ENG TUAI
PRESIDENT OF THE COUNCIL
583-2357

BRUCE K. CHAPMAN
CHAIRMAN
PARKS & PUBLIC GROUNDS
COMMITTEE
583-2364

The Honorable Jeannette Williams
Chairman, Human Resources and Judiciary Committee
Seattle City Council
City of Seattle

GEORGE E. COOLEY
CHAIRMAN
FINANCE COMMITTEE
583-2359

TIM HILL
CHAIRMAN
TRANSPORTATION
COMMITTEE
583-2356

Dear Mr. Tuai and Mrs. Williams:

Enclosed are an ordinance dealing with the subject of prostitution and a resolution dealing with the enforcement of that ordinance. I am submitting them for the consideration of the City Council when it next sits as the Committee of the Whole for the purpose of discussing the proposed revised Criminal Code.

PHYLLIS LAMPHERE
CHAIRMAN
INTERGOVERNMENTAL
RELATIONS COMMITTEE
583-2355

Now that the Council has decided not to accept the majority report of the Task Force concerning prostitution, there is a gap in the revised code on this subject. The ordinance that I propose would fill that gap. The text is drawn from the proposed Seattle and the proposed Washington State revised codes and it combines, I believe, the best features of each.

WAYNE D. LARKIN
CHAIRMAN
UTILITIES COMMITTEE
583-2358

The crime is broken down into three distinct sections because I think that it is easier to handle that way. The first section is aimed at the act of soliciting -- be it by a prostitute, a pimp, or a customer. The second and third sections are aimed at the traditionally female role of the person paid in the transaction and the traditionally male role of the purchaser. Enforcement of these sections is not, however, limited to either sex. The fourth section excepts police agents from the provisions of this ordinance provided they are acting in an authorized manner.

JOHN R. MILLER
CHAIRMAN
PLANNING & URBAN
DEVELOPMENT COMMITTEE
583-2365

SAM SMITH
CHAIRMAN
PUBLIC SAFETY & HEALTH
COMMITTEE
583-2367

The resolution that I propose simply comments on the fact that all too often the role of customer appears overlooked in arrests for prostitution and it urges a more even-handed enforcement of the law.

JEANETTE WILLIAMS
CHAIRMAN
HUMAN RESOURCES &
JUDICIARY COMMITTEE
583-2366

Thank you for considering these two items.

Sincerely,

Bruce K. Chapman
City Councilman

BKC:jc
Enc.
cc: All Members

PROPOSED ORDINANCE DEALING WITH PROSTITUTION AND
RELATED CRIMES

12 A. 12.020 Prostitution and related crimes

- (1) A person is guilty of the crime of loitering for prostitution if that person, in a public place, intentionally attempts to solicit, induce, entice, encourage, or procure another person or persons to commit an act of prostitution or intentionally attempts to solicit, induce, entice, encourage, or procure another person or persons to patronize a prostitute.
 - (a) As used in this section, the term "public place" means any area generally open to public ingress or egress or generally open to public view or any premises of any business that is open to dispense goods or services to the public at large on those premises.
 - (b) Recent prior arrests for loitering for prostitution, prostitution, or patronizing a prostitute can be used as evidence of intention in prosecutions brought under this ordinance.
- (2) A person is guilty of the crime of prostitution if that person knowingly offers to engage, agrees to engage, or engages in sexual conduct with another person in return for a fee, paid either to that person or a third person.
 - (a) pursuant to a prior understanding, that person knowingly pays a fee to another person as compensation for such person or third person having engaged in sexual conduct with him or her; or
 - (b) that person knowingly pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person or third person will engage in sexual conduct with him or her.
- (3) A person is guilty of patronizing a prostitute if:
 - (a) pursuant to a prior understanding, that person knowingly pays a fee to another person as compensation for such person or third person having engaged in sexual conduct with him or her; or
 - (b) that person knowingly pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person or third person will engage in sexual conduct with him or her.
- (4) This ordinance shall not apply to authorized police agents acting in the course of their official duties.

(NOTE: the term "sexual conduct" is defined in 12A.04.140(b) as "... touching the sexual or other intimate parts of another person done to gratify the sexual desires of either party.")

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(b) Recent prior arrests for loitering for prostitution, prostitution or patronizing a prostitute can be used as evidence of intention in prosecutions brought under this ordinance.

(2) A person is guilty of the crime of prostitution if that person knowingly offers to engage, agrees to engage, or engages in sexual conduct with another person in return for a fee, paid either to that person or a third person.

(3) A person is guilty of patronizing a prostitute if:

(a) pursuant to a prior understanding, that person knowingly pays a fee to another person as compensation for such person or third person having engaged in sexual conduct with him or her; or

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RESOLUTION _____

A RESOLUTION urging a more even-handed enforcement of the laws dealing with prostitution.

WHEREAS, prostitution is prohibited by the laws of this city; and

WHEREAS, procuring, soliciting and patronizing a prostitute are also prohibited by those laws; and

WHEREAS, prostitution offenses generally involve illegal behavior by both men and women, customers and prostitutes; and

WHEREAS, arrest records in this city show an overwhelming disproportion of female arrests versus male arrests; and

WHEREAS, the criminal laws of the city must be equally applied in order to achieve justice; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE:

That the policy of this city requires equal application of the prostitution laws to both customers and prostitutes and that the Police Department should take steps to rectify the current imbalance apparent in the enforcement of those laws.

PASSED by the City Council this _____ day of _____, 1972, and signed by me in open session in authentication of its passage this _____ day of _____, 1972.

President of the City Council

Filed by me this _____ day of _____, 1972.

ATTEST: _____
City Comptroller and City Clerk

BY: _____
Deputy

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Deputy

AMENDMENT TO PROPOSED ORDINANCE DEALING WITH
PROSTITUTION AND RELATED CRIMES

12A.12.020 Prostitution and related crimes

ADD

(5) Penalty

Violation of this section is a crime (Class A offense).