



# REPORT TO COUNCIL

## City of Sacramento

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915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org

STAFF  
August 9, 2005

Honorable Mayor and  
Members of the City Council

**Subject:** Approval: Posting of Vice-related Convictions

**Location/Council District:** Citywide (All Districts)

**Recommendation:**

Adopt a Resolution authorizing the Police Department to: 1) post the name, photograph, charge(s) the subject was convicted of, and general arrest location for subjects convicted of certain vice-related crimes on the Department's Internet site; and 2) pursue broadcasting that same information on the Sacramento Community Cable Foundation's cable television stations, better known as Access Sacramento.

**Contact:** Jeff Schiele, Captain, 433-0310  
Tom Sweeney, Lieutenant, 433-0310  
**Presenters:** Tom Sweeney, Lieutenant  
**Department:** Police Department  
**Division:** Special Investigations  
**Organization No:** 2142

**Summary:**

Vice-related crimes continue to be a problem for many Sacramento neighborhoods. These crimes negatively impact the quality of life of the residents in the affected neighborhoods. The Sacramento Police Department ("SPD") uses various methods to combat these crimes and is currently looking for new and creative solutions to this problem. One method that has been used successfully in other cities around the country is "John TV."

Some cities/police departments broadcast vice related arrests on public access cable channels and some provide the information to the local print media for publication in the neighborhood or local newspaper. Most of these programs broadcast/publish the names of people arrested, while others only use conviction information. Several of these jurisdictions reported drops in their prostitution related arrests after implementation of their programs.



The SPD would like to begin posting the names, photographs, charge(s) convicted of, and general arrest location (intersection or generic hundred block) of subjects convicted of specific vice-related crimes on the Department's Internet site. Additionally, the SPD will work with Access Sacramento to broadcast this information on their cable television channels.

**Committee/Commission Action:** None

**Background Information:**

In an effort to dissuade prostitution and other vice-related crimes, the SPD wants to publicize the names and photographs of individuals convicted of certain vice-related crimes in the City of Sacramento. The vice-related convictions that would be publicized include convictions for Penal Code Section 647(a) (lewd acts in public), Section 647(b) (prostitution), Section 647(d) (loitering at public restrooms in order to engage in lewd conduct), Sections 314.1 and 314.2 (indecent exposure), Section 653.22 (loitering for prostitution), Section 243.4(d) (sexual battery), Section 266(h) (pimping), Section 266(i) pandering, and Section 315 (maintaining a house of ill-fame).

The SPD Vice Unit tracks vice-related arrests in cooperation with the Sacramento County District Attorney's Office. Once a subject arrested for a vice-related crime is convicted of one of the enumerated offenses, the SPD will confirm the conviction information at the Sacramento County Courthouse Public Counter. This public information is available to anyone who fills out the request form at the Public Counter.

People convicted of any of the above listed crimes will be posted on the SPD's Internet site. The site will note the information is a matter of public record and the subjects have been convicted of the listed charge. The person's picture will be posted. Their name will be listed below the picture, as well as the charge they were convicted of, and the location of the crime. The location will only note the nearest intersection or the generic hundred block of the street where the incident occurred. The Department's Internet site will be updated once a month to insure the posted information is timely.

In a similar fashion, the SPD will work with Access Sacramento to air this same information. The pictures, names, conviction information, and crime location will be given to Access Sacramento once a month. The goal will be to air the information on a regular basis. Providing a new cache of conviction information each month will insure the information broadcasted is timely.

The City Attorney's Office has advised that disclosing factually correct information that is accessible to the public by other means is not considered punishment. The purpose of this proposal is to deter people from coming to the City of Sacramento to engage in prostitution and other vice-related crimes. If people know their conviction for these vice-related crimes will be publicized, they will not want to risk arrest within the City. In an effort to gain the most deterrence as possible from these efforts, the SPD will advertise these initiatives if they are approved.

**Financial Considerations:** None

**Environmental Considerations:**

This proposal does not constitute a "project" and is therefore exempt from the California Environmental Quality Act according to CEQA guidelines Section 15061(b)(1) and 15378(b)(3).

**Policy Considerations:**

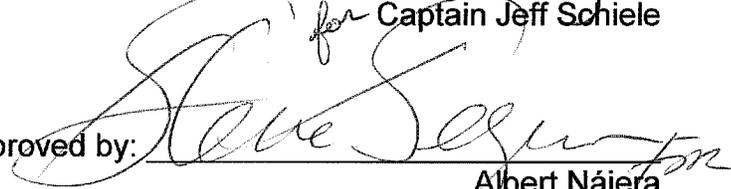
This proposal is consistent with the City's mission to protect, preserve, and enhance the quality of life for present and future generations.

The City Attorney's Office has reviewed this program and has determined that it is legal for such information to be publicized/broadcast.

**Emerging Small Business Development (EBSD):**

No goods or services are being purchased.

Respectfully Submitted by:   
for Captain Jeff Schiele

Approved by:   
Albert Nájera  
Chief of Police

Recommendation Approved:



ROBERT P. THOMAS  
City Manager

Ref: COP

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## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **AUTHORIZING THE POSTING OF VICE CONVICTIONS ON THE POLICE DEPARTMENT'S INTERNET SITE AND THE PURSUANCE OF BROADCASTING SIMILAR INFORMATION ON ACCESS SACRAMENTO.**

#### **BACKGROUND**

- A. Vice related crimes continue to be a problem for many Sacramento neighborhoods. One method that has been used successfully to combat these types of crimes in other cities around the country is "John TV." Some cities broadcast vice related arrests on public access cable channels and some provide the information to the local print media for publication in the neighborhood or local newspaper. Several of these jurisdictions reported drops in their prostitution related arrests after implementation of their programs.
- B. In hopes of reducing vice related crimes, the Sacramento Police Department would like to begin posting the information of subjects convicted of specific vice-related crimes on the Department's Internet site. Additionally, the SPD will work with Access Sacramento to broadcast this information on their cable television channels.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. The Sacramento Police Department is authorized to post the name, photograph, charge(s) the subject was convicted of, and general arrest location on the Department's Internet site for subjects convicted of the following vice-related crimes: Penal Code sections 647(a), 647(b), 647(d), 314.1, 314.2, 653.22, 243.4(d), 266(h), 266(i), and 315.
- Section 2. The Sacramento Police Department is authorized to pursue the posting of the same information listed above on Access Sacramento.