

Statement of Direction Regarding Enforcement of Laws Regarding Prostitution and Related Criminal Activity

Police Commission Ad Hoc Committee on Crime Related to City Motels

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The Ad Hoc Committee has received and considered feedback, comments, and information from numerous members of the public, including the Safe and Healthy Housing Committee, and the Police Department, regarding prostitution and other criminal activities occurring in and around three motels located near the I-10 interchange: Motel 6, Claremont Lodge, and Knights Inn (“Motels”), with the apparent complicity or tolerance of the management of the motels. The community does not wish to tolerate this situation any longer. The Ad Hoc Committee recommends that the Commission approve three recommendations to the City Council, and one statement of support and guidance to the Department. The recommendations are as follows:

- (1) The City Council should direct the City Attorney to research and consider available legal processes, including a potential actions and remedies under California’s public nuisance and Red-Light Abatement laws, including Penal Code § 11225 *et seq.*;
- (2) The City Council should consider, modify in its discretion, and adopt the Statement of Direction set forth herein.
- (3) The City Council to consider adoption of a Motel Ordinance including the core elements set forth in the draft proposed ordinance set forth herein, while taking into account all relevant policy considerations including economic disparities. The City Council should direct the City Attorney to review and edit the proposed ordinance so as to harmonize it with existing code provisions, and to prepare a final version to be reviewed and adopted by the City Council.

Statement of Direction

- a. Prostitution, solicitation, and human trafficking are crimes. We do not want prostitution, solicitation, and human trafficking in our community. To the extent that anyone deems Claremont a “hands off” city with respect to enforcement actions related to prostitution, we firmly and expressly dispel that notion. We request and advise the Police Department, together with other City agencies, to take a more aggressive approach to investigating, combatting, and deterring these crimes and the use of the Motels to facilitate them.
- b. We recognize that many individuals working in the sex industry are victims themselves, and our primary goal for such individuals is their safety and well-being.
- c. The ultimate targets of law enforcement in the area of prostitution should be the people trafficking, recruiting, and profiting from prostitution.

- d. Therefore, we recognize that our Police Department can and should directly contact, and if appropriate, arrest, individuals suspected of prostitution and related crimes, as part of a program of obtaining the information necessary to move against the organizations trafficking them. We recognize the Police Department's authority to do so and we advise the Police Department to use that authority, while remaining cognizant of the overarching goal of helping those individuals escape the industry whenever possible.
- e. We recommend that the Police Department coordinate when possible with public and private support services agencies, including Project Sister, to offer services to individuals arrested for prostitution, to help them escape the industry.
- f. We likewise recognize that arrests of individuals suspected of solicitation ("Johns") can have a significant deterrent effect on human trafficking, and we encourage the Police Department to use such tactics to reduce the demand for prostitution as part of its efforts to identify and shut down organizations involved in trafficking.
- g. We recognize the Police Department's expertise in making the determination of when and whether arresting an individual suspected of prostitution may be a viable tactic in building a case against such an organization.
- h. We support and encourage the Police Department's cooperation and coordination with other agencies, including the Pomona Police Department, in order to enhance the effectiveness of both our cities' operations.

Proposed Motel Ordinance

(Draft Language to Be Reviewed/Edited as Necessary by City Attorney)

- A. Every owner, manager or operator of any hotel or motel within the City shall keep a register in which shall be entered the name and address of each guest, and a photograph or scanned image of the guest's Identification Documents as defined herein, prior to the guest's occupancy of any room, and which shall record which guest has rented which room. No owner, manager or operator of any hotel or motel shall let, lease, or rent a hotel or motel room to any person without first reviewing and photographing or scanning the guest's Identification Documents, as set forth herein.
- B. Acceptable Identification Documents are, exclusively, any one of the following documents: (1) current U.S. Passport; (2) current state-issued driver's license; (3) current state-issued non-driver identification card; (4) current United States military identification. An Identification Document accepted by the owner, manager, or operator of any hotel or motel within the City must include a photograph of the guest presenting it that the owner, manager or operator of the hotel or motel recognizes as a photo of the guest. For avoidance of doubt, any document that is represented by a guest to be one of the above documents, but which does not include a photo, or does not include a photo that the owner, manager or operator of any hotel or motel recognizes as the photo of the guest, is not an acceptable Identification Document under this provision.
- C. No owner, manager, or operator of any hotel or motel shall, let, lease, or rent a hotel or motel room to any person who does not (a) present one of these Identification Documents, and (b) permit the Identification Document to be photographed or scanned

and maintained by the owner, manager, or operator of the hotel or motel pursuant to this ordinance.

- D. The register shall indicate the day, month, year and hour of arrival of each guest and the number or other identifying symbol of location of the room, dwelling unit or space rented or assigned each guest and the date that such guest departs. Each entry in the Register shall also include a photograph or legible scan of the Identification Document presented by the guest associated with that entry. The individual employee, owner, manager, or operator who examines the Identification Document presented shall also sign the register attesting to his or her examination of the Identification Document and confirmation that the photo is that of the guest. All such Registers shall be maintained for a period of three (3) years from and after the date of entry. No person shall alter, deface or erase such a register so as to make the information recorded therein illegible or unintelligible.
- E. No owner, manager, or operator of any hotel or motel shall, let, lease, or rent a hotel or motel room for any rate less than a full day's rental rate.
- F. No owner, manager, or operator of any hotel or motel shall, let, lease, or rent any hotel or motel room more than once in any 18-hour period. The following example illustrates this provision for avoidance of doubt: if a room is rented at 9 p.m., that room shall not be rented again until at least 3 p.m. the following day.
- G. No owner, manager, or operator of any hotel or motel shall accept cash as payment for letting, leasing, or renting any hotel or motel room within the City, unless such owner, manager, or operator of any hotel or motel also obtains from the guest a valid credit card, and confirms the validity of the credit card with the credit card issuer, for an amount at least equal to a full day's rent, prior to the guest's occupancy of any room.
- H. Every owner, manager or operator of any hotel or motel within the City shall install and maintain in good working order closed-circuit television (CCTV) cameras sufficient to maintain continuous visual coverage of all common areas and all parking areas. The video footage from these cameras must be maintained by the owner, manager or operator for a minimum of 30 days before it is erased or overwritten.
- I. Inspection of all books, records, files, common areas, parking areas, and video footage maintained under this Ordinance, of all hotels and motels that are open for business within the City, may be made at any time by any member of the Police Department for the purpose of determining that the provisions of this Section are met. Refusal to allow such inspection is a violation of this Ordinance.
- J. All hotel and motels within the City must maintain physically controlled access to their parking.