



CIRCULAR

WEST YORK BOROUGH POLICE DEPARTMENT

SUBJECT

Guidance on Prostitution Related Investigations

EFFECTIVE DATE

21 March 2019

Related Documentation

EXPIRATION DATE

None

DISSEMINATION

All Staff

PURPOSE:

This circular shall provide clarification and guidance to WYBPD Officers on how to proceed in prostitution related cases.

Prostitution (and its related offenses) is a crime within the Commonwealth and has been established to be associated often with organized criminal activity, human trafficking, drugs, money laundering, and the victimization & exploitation of persons (both, prostitutes & "Johns").

Prostitution related cases will be taken seriously and should be conducted in the manner outlined within the guidance of this circular.

OPERATIONS:

Investigation:

It will be the general rule of this agency to **NOT** conduct prostitution investigations beyond initial information / intel gathering phase, unless an obvious & articulable case can be established in clear & plain view of uniformed officers. Otherwise, as outlined below, they will be referred to outside, specialized units or agencies.

Although we recognize prostitution to be criminal activity, it is beyond the ability of our resources, specialization, and scope of our stated mission to conduct in depth investigations into these very complex and often ethically challenging cases. Thus, without extreme exigency of fact and direct written authorization from the Chief of Police (or his designee), at no time should officers engage in the facilitation of "sex for money" cases or conduct "sting operations" directed solely at prostitution related offenses.

1. Upon receiving a complaint of suspected prostitution, information should be gathered regarding the suspected unlawful behavior (location, suspect(s), establishment of suspicion, victims, etc.) and an initial evaluation of known facts should be done to determine first and foremost if any immediate threat to life safety or individual liberty is occurring (has occurred). This would include the assessment of a prostitute that may be actively trafficked, or any implication of a child or juvenile being involved. If this is determined to be the case, consult the shift OIC & Agency Gen Orders or Operating Protocols to determine course of action.
2. If the case does not reflect any suspicion of imminent threat / danger to persons, and reflects consenting adult orchestration, the information will be documented and, after consultation with an agency Detective, Corporal, Lt. or Chief, will be referred to an outside agency that is in the business of (as a matter of specialty) conducting prostitution related investigations. This will generally be the York Co. Drug Task Force, or Vice Unit of the Pa State Police. The Office of the District Attorney shall be consulted if there is question as to the appropriate referral agency.
3. Upon referral, officers may (if requested), assist & support the partner force agency in the investigation only in non-undercover capacity & if directly supervised by such specialized unit / agency (for example, you may file the charge based upon the referral agency's investigation or conduct surveillance).
4. At **NO** time, unless authorized by the Chief of Police (or his designee), shall any WYBPD Officer utilize on duty time, or Borough equipment or resources (including personal cell phones) to engage in the facilitation of prostitution related encounters, or in furtherance of these cases, have graphic or obscene communications regarding sex acts, (including but not in any way limited to: Sex (oral or traditional), "blowjobs", "fucking" & "anal", "ass sex" or "buggery", licking private parts, touching any part of either party's body with a tongue, "Happy Endings", "handy's" or "handjobs", any type of masturbation, or the use of sex toys, "Dildo's" or "Dongers", S&M hardware / software, or other fetish language / practices) **UNLESS UNDER THE EXTREME CONTEXT OF A PLOY TO CONDUCT A RESCUE ATTEMPT ON SOMEONE BEING HELD AGAINST THEIR WILL OR A CHILD VICTIM.**
5. At **NO** time, unless authorized by the Chief of Police (or his designee), shall any WYBPD Officer disrobe or leave themselves in a vulnerable, disarmed position (officer safety) in order to influence a prostitution case. Officers are required to be armed at all times on duty.

This is written as a guide for how to handle such cases, as well as generally prohibited practices. Consultation with the on-duty OIC, On-

Call detective, or ranking senior officer (Cpl., Sgt., Lt. or Chief) will serve as a best practice for these rare cases.