

# BLOCK CAPTAINS MEETING

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MARCH 2021

# WELCOME OUR NEW CHIEF

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- Congratulations to our new Chief of Police and lifetime Oceanside resident, Fred Armijo. He will continue to be an excellent leader and representative for the Oceanside Police Department and the City of Oceanside.



## Drop-off Unused Prescription Drugs

*No questions asked!*

**Saturday, April 24, 2021**

**10 a.m.- 2 p.m.**

NORTH SAN DIEGO COUNTY LOCATIONS

**Oceanside:** Tri-City Medical Center, 4002 Vista Way

**San Marcos :** San Marcos Sheriff 182 Santar Pl.

**Escondido:** Escondido P. D. 1163 N Center City Pkwy.

**Poway:** Sheriff Station 13100 Bowron Rd.

**Vista:** North County Regional Center Courthouse.  
325 S. Melrose.

# PRESCRIPTION DRUG TAKE-BACK DAY

## Why turn in unused prescription drugs?

For more information contact:



c/o Vista Community Clinic  
1000 Vale Terrace, Vista CA 92084  
760-631-5000 x7149  
[www.northcoastalpreventioncoalition.org](http://www.northcoastalpreventioncoalition.org)



- ✓ Prescription drug abuse is the nation's fastest growing drug problem.
- ✓ Every day, nearly 2,500 teens abuse a prescription drug for the first time.
- ✓ Propelled by an increase in prescription narcotic overdoses, drug deaths now outnumber traffic fatalities in the United States.
- ✓ The easiest place to get prescription drugs is in someone's medicine cabinet.
- ✓ **Take-back** days ensure safe disposal and protect the Environment.

**Rx Abuse Hotline: (877) 662-6384**

# LET'S TALK ABOUT LOITERING...

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What people think Loitering is:

Hanging out

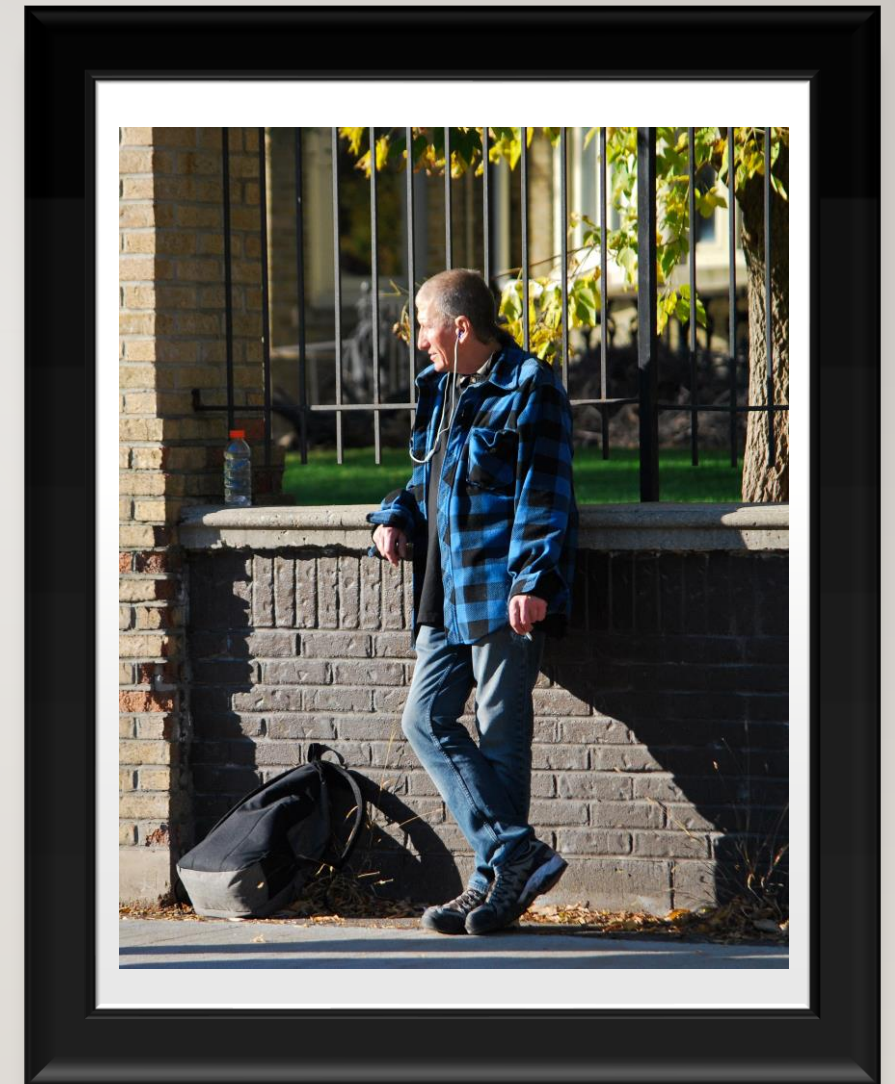
Congregating

Skating

Smoking cigarettes

Listening to music

Eating



# WHAT DOES THE PENAL CODE SAY?

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Penal Code 647(h) is the California statute that makes it a crime to loiter on someone's property with the **intent of committing a crime**.

The section applies to anyone who: “Who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant.”



Except as provided in paragraph (5) of subdivision (b) and subdivision (k), every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

(a) An individual who solicits anyone to engage in or who engages in lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view.

(b) (1) An individual who solicits, or who agrees to engage in, or who engages in, any act of **prostitution** with the intent to receive compensation, money, or anything of value from another person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(2) An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with another person who is 18 years of age or older in exchange for the individual providing compensation, money, or anything of value to the other person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person who is 18 years of age or older to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(3) An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with another person who is a minor in exchange for the individual providing compensation, money, or anything of value to the minor. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by someone who is a minor to so engage, regardless of whether the offer or solicitation was made by a minor who also possessed the specific intent to engage in an act of prostitution.

(4) A manifestation of acceptance of an offer or solicitation to engage in an act of prostitution does not constitute a violation of this subdivision unless some act, in addition to the manifestation of acceptance, is done within this state in furtherance of the commission of the act of prostitution by the person manifesting an acceptance of an offer or solicitation to engage in that act. ~~As used in this subdivision, "prostitution" includes any lewd act between persons for money or other consideration.~~

(5) Notwithstanding paragraphs (1) to (3), inclusive, this subdivision does not apply to a child under 18 years of age who is alleged to have engaged in conduct to receive money or other consideration that would, if committed by an adult, violate this subdivision. A commercially exploited child under this paragraph may be adjudged a dependent child of the court pursuant to paragraph (2) of subdivision (b) of Section 300 of the Welfare and Institutions Code and may be taken into temporary custody pursuant to subdivision (a) of Section 305 of the Welfare and Institutions Code, if the conditions allowing temporary custody without warrant are met.

(c) Who accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms.

(e) Who lodges in any building, structure, vehicle, or place, whether public or private, without the permission of the owner or person entitled to the possession or in control of it.

(f) Who is found in any public place under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, controlled substance, or toluene, in a condition that they are unable to exercise care for their own safety or the safety of others, or by reason of being under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, or toluene, interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way.

(g) If a person has violated subdivision (f), a peace officer, if reasonably able to do so, shall place the person, or cause the person to be placed, in civil protective custody. The person shall be taken to a facility, designated pursuant to Section 5170 of the Welfare and Institutions Code, for the 72-hour treatment and evaluation of inebriates. A peace officer may place a person in civil protective custody with that kind and degree of force authorized to effect an arrest for a misdemeanor without a warrant. A person who has been placed in civil protective custody shall not thereafter be subject to any criminal prosecution or juvenile court proceeding based on the facts giving rise to this placement. This subdivision does not apply to the following persons:

(1) A person who is under the influence of any drug, or under the combined influence of intoxicating liquor and any drug.

(2) A person who a peace officer has probable cause to believe has committed any felony, or who has committed any misdemeanor in addition to subdivision (f).

(h) Who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant. As used in this subdivision, "loiter" means to delay or linger without a lawful purpose for being on the property and for the purpose of committing a crime as opportunity may be discovered.

(i) Who, while loitering, prowling, or wandering upon the private property of another, at any time, peeks in the door or window of any inhabited building or structure, without visible or lawful business with the owner or occupant.

(j) (1) A person who looks through a hole or opening, into, or otherwise views, by means of any instrumentality, including, but not limited to, a periscope, telescope, binoculars, camera, motion picture camera, camcorder, mobile phone, electronic device, or unmanned aircraft system, the interior of a bedroom, bathroom, changing room, fitting room, dressing room, or tanning booth, or the interior of any other area in which the occupant has a reasonable expectation of privacy, with the intent to invade the privacy of a person or persons inside. This subdivision does not apply to those areas of a private business used to count currency or other negotiable instruments.

(2) A person who uses a concealed camcorder, motion picture camera, or photographic camera of any type, to secretly videotape, film, photograph, or record by electronic means, another identifiable person under or through the clothing being worn by that other person, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, with the intent to arouse, appeal to, or gratify the lust, passions, or sexual desires of that person and invade the privacy of that other person, under circumstances in which the other person has a reasonable expectation of privacy. For the purposes of this paragraph, "identifiable" means capable of identification, or capable of being recognized, meaning that someone, including the victim, could identify or recognize the victim. It does not require the victim's identity to actually be established.

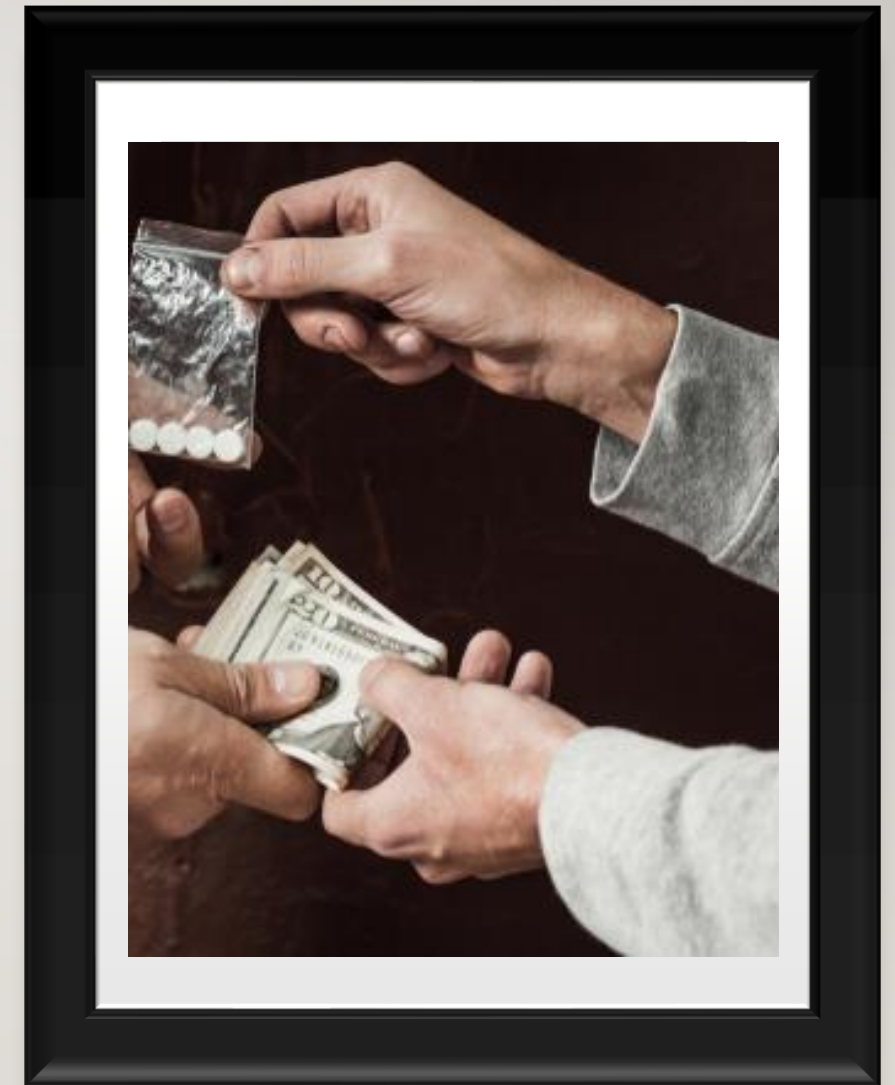
(3) (A) A person who uses a concealed photographic camera of any type, to secretly videotape, film, photograph, or record by electronic means, another identifiable person who may be in a state of full or partial undress, for the purpose of viewing the body of, or the undergarments worn by, that other person, without the consent or knowledge of that other person, in the interior of a bedroom, bathroom, changing room, fitting room, dressing room, or tanning booth, or the interior of any other area in which that other person has a reasonable expectation of privacy, with the intent to invade the privacy of that other person. For the purposes of this paragraph, "identifiable" means capable of identification, or capable of being recognized, meaning that someone, including the victim, could identify or recognize the victim. It does not require the victim's identity to actually be established.

# WHAT DOES THIS MEAN?

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There has to be provable intent to commit a crime.

Unless this is observable, kickin' it, or hanging out, alone, does not constitute loitering.



# WHICH ONE IS LOITERING?

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ANGRY TEENS, RUDE, USING PROFANITY



HOMELESS MAN, SITTING IN A PUBLIC PARK, ASLEEP



# NPT CONTACT INFORMATION

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- Captain Sean Marchand
  - [Smarchand@oceansideca.org](mailto:Smarchand@oceansideca.org)
  - 760-435-4844
- Lt. Kedrick Sadler
  - [Ksadler@oceansideca.org](mailto:Ksadler@oceansideca.org)
  - 760-435-4802
- Sgt. Greg Stahley
  - [Gstahley@oceansideca.org](mailto:Gstahley@oceansideca.org)
  - 760-435-4883
- Sector 1
  - Officer Beatriz Gonzales
    - [Bgonzalez@oceansideca.org](mailto:Bgonzalez@oceansideca.org)
    - 760-435-4678
- Sector 2
  - Officer Ashley Witherspoon
    - [Awitherspoon@oceansideca.org](mailto:Awitherspoon@oceansideca.org)
    - 760-435-4330
- Sector 3
  - Officer Luke Rubbish
    - **Contact Info TBA**
- Sector 4
  - Officer Gabriel Cobian
    - [Gcobian@oceansideca.org](mailto:Gcobian@oceansideca.org)
    - 760-435-4989