TRAINING BULLETIN

A PUBLICATION OF THE SAN DIEGO POLICE DEPARTMENT

SCOTT WAHL
CHIEF OF POLICE

26-04 AUGUST 21, 2026

**Portions of this document are deemed by the San Diego Police Department to be records of security procedures and are exempt from disclosure under the California Public Records Act (CPRA), Government Code Section 7923.600.**

# ENFORCEMENT OF PENAL CODE SECTION 653.25(A) – LOITERING WITH THE INTENT TO PURCHASE COMMERCIAL SEX

## I. PURPOSE

The purpose of this bulletin is to provide information and direction regarding the enforcement of Penal Code section 653.25(a). Effective January 1, 2026, this statute prohibits loitering in a public place with the intent to purchase commercial sex. This training bulletin serves as a resource for patrol officers, providing guidance to enhance investigations and reports when making arrests and submitting cases pursuant to Penal Code section 653.25(a).

## II. SCOPE

This Training Bulletin applies to all sworn members of the Department.

## III. BACKGROUND

In 2025, the California Legislature passed Assem. Bill 379 (2025-2026 Reg. Sess.), which establishes new tools to address commercial sex, investigate human trafficking, and protect victims. Among other things, A.B. 379 added section 653.25 to the Penal Code, which became effective January 1, 2026. It establishes

that any individual found loitering in a public place with the intent to purchase commercial sex is committing a misdemeanor. Penal Code § 653.26.

## IV. PENAL CODE SECTIONS

**Penal Code section 653.25 – Loitering with the Intent to Purchase Commercial Sex**

(a) It is unlawful for any person to loiter in any public place with the intent to purchase commercial sex. This intent is evidenced by acting in a manner and under circumstances that openly demonstrate the purpose of inducing, enticing, or soliciting prostitution, or procuring another to commit prostitution such as circling an area in a motor vehicle and repeatedly beckoning to, contacting, or attempting to contact or stop pedestrians or other motorists, making unauthorized stops along known prostitution tracks, or engaging in other conduct indicative of soliciting to procure another to engage in commercial sex.

(b) A violation of this section shall, in addition to any other punishment, be punished by a fine of one thousand dollars ($1,000). Fines collected pursuant to this subdivision shall be deposited in the Survivor Support Fund.

**Penal Code section 653.26 – Punishment for Penal Code section 653.25**

A violation of any provision of this chapter is a misdemeanor.

## V. FACTORS TO CONSIDER PRIOR TO TAKING ENFORCEMENT

Officers shall consider the totality of the circumstances when determining what enforcement action is necessary and applicable.

The statute explicitly provides examples of circumstantial evidence of the requisite intent that shall be considered:

1. Circling an area in a motor vehicle and repeatedly beckoning to, contacting, or attempting to contact or stop pedestrians or other motorists,

2. Making unauthorized stops along known prostitution tracks, or

3. Engaging in other conduct indicative of soliciting to procure another to engage in commercial sex.

In addition to the above factors, officers shall consider other conduct or circumstances demonstrating that the suspect harbored the specific intent to purchase commercial sex. Such factors include, but are not limited to, the following:

Initial Observations

**(Deleted – records of security)**
Observations of Vehicle and Driver

**(Deleted – records of security)**
Observations of Vehicle Contacting a Suspected Prostitute

**(Deleted – records of security)**

## VI. CONDUCTING THE ENFORCEMENT OF THE PENAL CODE

After evaluating the observed events, considering the totality of the circumstances, and establishing reasonable suspicion to detain the suspect or probable cause to enforce the penal code, officers shall conduct a traffic stop on the vehicle. It is recommended that at least two officers be present during the traffic stop, given the potential for multiple occupants.

**(Deleted – records of security)**

## VII. BASIC INTERVIEW QUESTIONS

1. Basic interview questions for the driver:

**(Deleted – records of security)**

2. Basic interview questions for the suspected prostitute:

**(Deleted – records of security)**

a. Are you a victim of human trafficking?

b. Would you like resources or services that can help you?

Officers shall ask additional interview questions depending on the circumstances and the information provided by the driver and the suspected prostitute. If the suspected prostitute provides information that is inconsistent with that of the driver, officers shall re-contact the driver and conduct further inquiry.

## VIII. IF THE SUSPECTED PROSTITUTE IS A JUVENILE OR A VICTIM OF HUMAN TRAFFICKING

1. Officers shall notify their direct supervisor.

2. Supervisor shall notify the on-call Human Trafficking Task Force supervisor.

3. Officers shall keep the scene secure and keep all individuals and vehicles at the scene.

4. Officers shall ensure that vehicle occupants are kept separated from one another and remain separated from their electronic devices.