

Arizona Peace Officer Standards and Training

Basic Curriculum Model Lesson Plan

LESSON TITLE: SUBSTANTIVE CRIMINAL LAW 2.11

SUBJECT:	Substantive Criminal Law
AZ POST DESIGNATION:	2.11 Chapter 32
HOURS:	.5
COURSE CONTENT:	An analysis of the most frequently used statutes in this chapter.
PERFORMANCE OBJECTIVES:	Upon completion of this course of instruction, students using notes, handouts and other support materials as references, within the allotted time, will: 2.11.32.1 Given a copy of A.R.S. Title 13 and a written, verbal or visual description depicting the possible commission of the following crime(s), identify if a crime occurred and, if so, the appropriate code section and crime classification: A. Prostitution (A.R.S. §§13-3201 through13- 3214).

DATE FIRST PREPARED: November 2000

PREPARED BY: SME Committee

REVIEWED – REVISED:	SME Committee	DATE: May 2002
REVIEWED – REVISED:	AZ POST (Word)	DATE: June 2003
REVIEWED – REVISED:	SME Committee	DATE: February 2009
REVIEWED – REVISED:	SME Committee	DATE: June 2010
REVIEWED – REVISED:	SME Committee	DATE: November 2011
REVIEWED – REVISED:	SME Committee	DATE: June 2014
REVIEWED – REVISED:	SME Committee	DATE: December 2016
REVIEWED – REVISED:	SME Committee	DATE: August 2019
REVIEWED – REVISED:	SME Committee	DATE: April 2021
REVIEWED – REVISED:	AZPOST (DocX)	DATE: January 2022
REVIEWED – REVISED:		DATE:
REVIEWED – REVISED:		DATE:
AZ POST – APPROVAL:	Steve Enteman	DATE: August 2019
AZ POST – APPROVAL:	Mandy Faust	DATE: April 2021
AZ POST – APPROVAL:	Lori Wait	DATE: January 2022

INSTRUCTOR REFERENCES: A.R.S. Title 13

CLASS LEVEL: Student

TRAINING AIDS: <http://www.azleg.gov/ArizonaRevisedStatutes.asp>

INSTRUCTIONAL STRATEGY: Interactive lecture.

SUCCESS CRITERIA: 70% or higher on a written, multiple-choice examination.

COMPUTER FILE NAME: 2-11 Ch 32 Prostitution

DATE RELEASED TO THE SHARE FILE: May 27, 2022

I. INTRODUCTION

- A. Instructor – (self) introduction.
- B. Preview of performance objectives. ***INSTRUCTOR NOTE:** Use if taught as a “Stand alone” lesson plan.*

II. 13-3201 – ENTICEMENT OF PERSONS FOR THE PURPOSE OF PROSTITUTION P. O. 2.11.32.1A

- A. A person who knowingly entices any other person into a house of prostitution, or elsewhere, for the purpose of prostitution with another person, is guilty of a felony.

III. 13-3202 – PROCUREMENT BY FALSE PRETENSES OF A PERSON FOR THE PURPOSE OF PROSTITUTION P. O. 2.11.32.1A

- A. A person who knowingly, by any false pretense, false representation or other fraudulent means, procures any other person to have an illicit carnal relation with another person, is guilty of a felony.

IV. 13-3203 – PROCURING OR PLACING PERSONS IN A HOUSE OF PROSTITUTION P. O. 2.11.32.1A

- A. A person who knowingly receives money or other valuable thing for, or on account of, procuring or placing in a house of prostitution, or elsewhere, any person for the purpose of prostitution is guilty of a felony.

V. 13-3204 – RECEIVING EARNINGS OF A PROSTITUTE P. O. 2.11.32.1A

- A. A person who knowingly receives money or other valuable thing from the earnings of a person engaged prostitution is guilty of a felony.

VI. 13-3205 – CAUSING A SPOUSE TO BECOME A PROSTITUTE P. O. 2.11.32.1A

- A. A person who knowingly by force, fraud, intimidation or threats, causes his/her spouse to live in a house of prostitution or to lead a life of prostitution, is guilty of a felony.

VII. 13-3206 – TAKING A CHILD FOR THE PURPOSE OF PROSTITUTION P. O. 2.11.32.1A

- A. A person who takes away any minor from the minor's father, mother, guardian or other person having the legal custody of the minor, for the purpose of prostitution, is guilty of a class 4 felony.
- B. If the minor is under 15 years of age, this is a Class 2 felony.

VIII. 13-3207 – DETENTION OF PERSONS IN A HOUSE OF PROSTITUTION P. O. 2.11.32.1A

- A. A person who knowingly detains any person in a house of prostitution because of a debt such person has contracted or is said to have contracted, is guilty of a Class 5 felony.

IX. 13-3208 – KEEPING OR RESIDING IN A HOUSE OF PROSTITUTION

P. O. 2.11.32.1A

- A. A person who knowingly is an employee at a house of prostitution or prostitution enterprise is guilty of a Class 1 misdemeanor.
- B. A person who knowingly operates or maintains a house of prostitution or prostitution enterprise is guilty of a felony.

X. 13-3209 - PANDERING

P. O. 2.11.32.1A

- A. A person is guilty of a Class 5 felony who knowingly:
 - 1. Places any person in the charge or custody of any other person for purposes of prostitution.
 - 2. Places any person in a house of prostitution with the intent that such person become a prostitute or engage in an act of prostitution.
 - 3. Compels, induces or encourages any person to reside with that person, or with any other person, for the purpose of prostitution.
 - 4. Compels, induces or encourages any person to become a prostitute or engage in an act of prostitution.

XI. 13-3210 – TRANSPORTING PERSONS FOR THE PURPOSE OF PROSTITUTION

P. O. 2.11.32.1A

- A. A person knowingly transporting by any means of conveyance, through, or across, this state, any other person for the purposes of prostitution or concubinage, or for any other immoral purposes, is guilty of a felony.

XII. 13-3211 – DEFINITIONS

- A. Employee - means a person who conducts lawful or unlawful business for another person under a master-servant relationship or as an independent contractor and who is compensated by wages, commissions, tips or other valuable consideration.
- B. House of prostitution - means any building, structure or place that is used for the purpose of prostitution or lewdness or where acts of prostitution occur.
- C. Operate and maintain - means to organize, design, perpetuate or control. Operate and maintain includes providing financial support by paying utilities, rent, maintenance costs or advertising costs, supervising activities or work schedules, and directing or furthering the aims of the enterprise
- D. Oral sexual contact - means oral contact with the penis, vulva or anus.

- E. Prostitution - means engaging in or agreeing or offering to engage in sexual conduct under a fee arrangement with any person for money or any other valuable consideration.
- F. Prostitution enterprise - means any corporation, partnership, association or other legal entity or any group of individuals associated in fact although not a legal entity engaged in providing prostitution services.
- G. Sadomasochistic abuse - means flagellation or torture by or on a person who is nude or clad in undergarments or in revealing or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.
- H. Sexual conduct - means sexual contact, sexual intercourse, oral sexual contact or sadomasochistic abuse.
- I. Sexual contact - means any direct or indirect fondling or manipulating of any part of the genitals, anus or female breast.
- J. Sexual intercourse - means penetration into the penis, vulva or anus by any part of the body or by any object.

XIII. 13-3212 – CHILD SEX TRAFFICKING

P. O. 2.11.32.1A

- A. A person commits child sex trafficking by knowingly:
 - 1. Causing any minor to engage in prostitution.
 - 2. Using any minor for the purposes of prostitution.
 - 3. Permitting a minor who is under the person's custody or control to engage in prostitution.
 - 4. Receiving any benefit for or on account of procuring or placing a minor in any place or in the charge or custody of any person for the purpose of prostitution.
 - 5. Receiving any benefit pursuant to an agreement to participate in the proceeds of prostitution of a minor. **INSTRUCTOR NOTE:** *Example: Posting an online ad. Giving a minor a cell phone for use of prostitution, etc.*
 - 6. Financing, managing, supervising, controlling or owning, either alone or in association with others, prostitution activity involving a minor.
 - 7. Transporting or financing the transportation of any minor with the intent that the minor engage in prostitution.
 - 8. Providing a means by which a minor engages in prostitution.

9. Enticing, recruiting, harboring, providing, transporting, making available to another or otherwise obtaining a minor with the intent to cause the minor to engage in prostitution or any sexually explicit performance.
 10. Enticing, recruiting, harboring, providing, transporting, making available to another or otherwise obtaining a minor with the knowledge that the minor will engage in prostitution or any sexually explicit performance.
- B. A person who is at least eighteen years of age commits child sex trafficking by knowingly:
1. Engaging in prostitution with a minor who is under fifteen years of age.
 2. Engaging in prostitution with a minor who the person knows or should have known is fifteen, sixteen or seventeen years of age.
 3. Engaging in prostitution with a minor who is fifteen, sixteen or seventeen years of age.
- C. It is not a defense to a prosecution under subsection A and subsection B, paragraphs 1 and 2 of this section that the other person is a peace officer posing as a minor or a person assisting a peace officer posing as a minor.
- D. Child Sex Trafficking is a class 2 Felony, except for situations under paragraph B, section 3. If the minor is fifteen, sixteen, or seventeen years of age, it is a class 3 Felony.

XIV. 13-3214 – PROSTITUTION

P. O. 2.11.32.1A

- A. "Prostitution" means engaging in or agreeing or offering to engage in sexual conduct under a fee arrangement with any person for money or any other valuable consideration.
- B. A person who knowingly engages in prostitution is guilty of a misdemeanor.
- C. A person who has previously been convicted of three or more violations of this section and who commits a subsequent violation of this section is guilty of a felony,
- D. Affirmative Defense if acts result of being a victim of sex trafficking.

XV. CONCLUSION

- A. Review of performance objectives.
- B. Final questions and answers.
- C. Instructor closing comment(s).

