

City panel seeks ban on 'cruising' for sex partners

By STEVEN G. VEGH

Staff Writer

A City Council committee called Wednesday for an ordinance that would prohibit people from driving around Portland neighborhoods in search of sex partners.

The Public Safety Committee ordered the city's legal department to write an ordinance outlawing "cruising." The committee did not suggest how such a law would be enforced or what the penalties might be for violating it.

The proposal arose after five city residents at the committee's meeting complained that cruising, and the public sex that sometimes follows, is ruining the quality of life in the Parkside and Western Promenade neighborhoods.

"It is a predatory problem — make no doubt about it," said Marie Gray, a Parkside resident. She suggested an anti-cruising law that would

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allow police to seize violators' cars.

Gary Wood, the city's chief lawyer, said he will draft an ordinance after reviewing similar ones in Old Orchard Beach and Phoenix, Ariz. He did not say when he would submit the draft to the committee.

In Portland, Western Promenade residents have complained that gay men cruise — drive repeatedly through the neighborhood with no apparent destination — in search of sex partners. Parkside residents have complained about men cruising in search of women prostitutes.

Portland police have responded by monitoring the neighborhoods, identifying cars that cruise and sending each car owner a letter saying police hope the owner was not in the area for reasons that impinge upon residents' safety.

But Tuesday the committee's three members questioned how much good the letters do. Each noted that Portland has no law against circling a neighborhood aimlessly.

"Until an ordinance is on the books, I cannot support writing a letter and slapping a hand when they haven't done anything wrong. . . in the eyes of the law," said Councilor Peter M. Rickett.

"Do the letters stop the activity? —

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Obviously not," said committee Chairman Charles W. Harlow. Rather than send letters, Harlow said, police should crack down on public sex acts that cruising sometimes leads to.

Police Chief Michael Chitwood called the criticism of the letters an unjustified insult.

"Arrests don't work," he said.

Police made 76 prostitution arrests last year in Parkside and 25 over the past three years, in the Western Prom area, Chitwood said. Still, he said, the cruising continues.

But the cars whose owners have received letter from the police have not been seen again in those neighborhoods, Chitwood said. "The letters work better than the arrests," he said.

Sally Sutton, executive director of the Maine Civil Liberties Union, said late Tuesday that she had concerns about both the letters and the proposed ban on cruising.

Sutton questioned how police would be able to distinguish illegal cruising from someone who, for example, was a prospective homebuyer examining a neighborhood and its houses.

She said such an ordinance would be unfair because it would be "subjectively enforced, and that is not fair."

The ordinance adopted in Old Orchard Beach in 1993 sought to limit cruising because it added to the resort community's traffic and hurt air quality. Cruising was not identified with any sexual motivation.

The ordinance prohibited motorists from making more than six loops around designated downtown areas from 7 p.m. to 2 a.m. during the summer tourist season. The ban is posted on signs near the beach area; violators can be fined up to \$200.