

CHAPTER 34

PROSTITUTION AND LEWDNESS

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SECTION.

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11-34-1. Pandering.—It shall be unlawful for any person to secure a female for a house of ill fame, or to procure for a female a place as inmate of a house of ill fame, or by any promise, threat, or by abuse of person, or by any other device or scheme, to cause, induce, persuade or encourage a female to become a prostitute, or enter upon or lead a wanton or dissolute life, or become an inmate of a house of ill fame, or enter a place in which prostitution is encouraged or allowed, or remain therein as such inmate, or come into this state or leave this state for the purpose of prostitution. It shall be unlawful for any person to receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female to become a prostitute, or enter upon or lead a wanton or dissolute life, or become an inmate of a house of ill fame, either within or without this state, or come into this state or leave this state for the purpose of prostitution. It shall be unlawful for any person by any means to keep, hold or detain against her will or restrain any female in any place for the purpose of prostitution, or in a house of ill fame or other place where prostitution is practiced or allowed for any purpose, or to directly or indirectly keep, hold, detain or restrain, or attempt to keep, hold, detain or restrain in any house of ill fame or other place where prostitution is allowed or practiced, any female by any means for the purpose of compelling such female, directly or indirectly, to pay, liquidate, or cancel any debt, dues, or obligations incurred or said to have been incurred by such female. Every person who commits any of the aforesaid offenses, or who assists, abets or aids another to commit any of such offenses, shall be guilty of pandering, and for the first offense shall be punished by imprisonment for not less than six (6) months and not more than five (5) years, and for every subsequent offense shall be punished by imprisonment for not less than one (1) year and for not more than ten (10) years.

History of Section.

G. L. 1896, ch. 281, § 6; G. L. 1909, ch. 347, § 6; P. L. 1910, ch. 543, § 1; P. L. 1915, ch. 1219, § 1; G. L. 1923, ch. 399, § 6; G. L. 1938, ch. 610, § 6.

Cross-References.

Evidence to establish nuisance, § 10-1-5.
Joinder with rape count, § 11-37-5.

Comparative Legislation.

Prostitution and lewdness:
Conn. Gen. Stat. 1949, § 8548 et seq.
Mass. Laws Ann., ch. 272, §§ 2-13.

Collateral References.

"Infamous crime," keeping house of ill fame as, within constitutional or statu-

tory provision in relation to presentment or indictment by grand jury. 24 A. L. R. 1011.

Number of females who reside in house or resort thereto for immoral purposes as affecting disorderly character thereof. 12 A. L. R. 529.

Recital of, or reference to, the offense in pronouncing sentence or judgment for keeping bawdyhouse. 14 A. L. R. 997.

Reduction by appellate court of punishment imposed by trial court for living on the earnings of prostitute. 29 A. L. R. 339.

Vagrancy, prostitution as. 14 A. L. R. 1501.

11-34-2. Venue of pandering prosecutions.—It shall not be a defense to any prosecution for any of the offenses described in § 11-34-1, that such offense or any part thereof shall have been committed outside the state, and any offense described in § 11-34-1 may be alleged to have been committed, and the offender may be prosecuted and punished therefor in any county in which the offender or the female upon or against whom such offense was committed may be found, or in which the offense was consummated, or in which any overt acts in furtherance of the offenses shall have been committed.

History of Section.

G. L., ch. 347, § 6, as enacted by P. L. 1910, ch. 543, § 1; P. L. 1915, ch. 1219,

§ 1; G. L. 1923, ch. 399, § 6; G. L. 1938, ch. 610, § 6.

11-34-3. Wife as witness against husband in pandering prosecution.—In any prosecution for any offense under § 11-34-1, any female shall be a competent witness against the offender in relation to any such offense committed by such offender upon or against her, or by such offender against or upon another person or persons in her presence, notwithstanding such female may have been married to the offender before or after the commission of such offense, and notwithstanding such female be called as a witness during the existence of the marriage or after its dissolution.

History of Section.

G. L., ch. 347, § 6, as enacted by P. L. 1910, ch. 543, § 1; P. L. 1915, ch. 1219,

§ 1; G. L. 1923, ch. 399, § 6; G. L. 1938, ch. 610, § 6.

11-34-4. Search for and delivery of inmate of house of ill fame.—Whenever there is reason to believe that any female has been inveigled, enticed, induced, persuaded or encouraged to enter a house of ill fame or other place where prostitution is allowed or practiced, or is being kept, held, detained or restrained in any house of ill fame

or other place where prostitution is allowed or practiced, upon complaint being made thereof under oath by any director of public welfare, member of the division of state police, sheriff, deputy sheriff, chief of police, town sergeant or constable, or by the parent, master or guardian of such female, to any justice or clerk of a district court authorized to issue warrants, such justice or clerk may issue his warrant, to enter by day or night, such house of ill fame or other place as aforesaid, and to search for such female, and to bring her and the person in whose possession or keeping she may be found, before such district court, who may, on examination, order her to be delivered to such director of public welfare, parent, master or guardian, or to be placed in charge of a probation officer, or to be discharged in accordance with law.

History of Section.

G. L. 1896, ch. 281, § 7; G. L. 1909, ch. 347, § 7; P. L. 1915, ch. 1219, § 2; G. L. 1923, ch. 399, § 7; G. L. 1938, ch. 610, § 7.

Cross-Reference.

Duties of sheriffs, § 42-29-1.

11-34-5. Transportation for indecent purposes—Streetwalking—Harboring prostitution.—It shall be unlawful for any person to secure, direct or transport, or offer to secure, direct or transport another for the purpose of prostitution, or for any other lewd or indecent act; or to loiter in or near any thoroughfare or public or private place for the purpose of inducing, enticing, soliciting, or procuring another to commit lewdness, fornication, unlawful sexual intercourse or any other indecent act; or to commit or in any manner induce, entice, or solicit, or procure a person in any thoroughfare, or public or private place or conveyance to commit any such act; or to receive or offer or agree to receive any person into any place, structure, house, building, room, or conveyance for the purpose of committing any such acts, or knowingly permit any person to remain therein for any such purposes, or to, in any way, aid or abet or participate in any of the acts or things enumerated herein. Any person found guilty under this section, shall be subject to imprisonment in the adult correctional institutions not to exceed five (5) years.

History of Section.

G. L., ch. 347, § 41, as enacted by P. L. 1919, ch. 1788, § 1; G. L. 1923, ch. 399, § 40; P. L. 1925, ch. 657, § 2; G. L. 1938, ch. 610, § 40; impl. am. P. L. 1956, ch. 3721, § 1.

Cross-Reference.

Seduction, §§ 11-37-4, 11-37-5.

Collateral References.

Construction of statute as to transporting female for purpose of prostitution. 74 A. L. R. 330.

Woman who connives or consents to her own transportation for immoral purposes, criminal responsibility. 84 A. L. R. 376.

11-34-6. Reputation testimony as evidence.—In the trial of any person charged with a violation of § 11-34-5, testimony concerning the reputation of the place wherein the violation occurred or of persons who frequent or reside therein shall be admissible in evidence in support of the charge.

History of Section.

G. L., ch. 347, § 43, as enacted by P. L. 1919, ch. 1788, § 1; G. L. 1923, ch. 399, § 42; G. L. 1938, ch. 610, § 42.

11-34-7. Examination and treatment for venereal disease.—Any person convicted for any violation of § 11-34-5 or of any other statute relating to lewd or lascivious behavior or unlawful sexual intercourse, and who shall be confined or imprisoned in any correctional institution for more than ten (10) days, may be examined by the department of health, for venereal disease, through duly appointed, licensed physicians as agents; and any such person so examined may be detained until the result of such examination is duly reported; and if found with venereal disease in an infectious stage, such person shall be treated therefor, and, if a menace to the public, quarantined, in accordance with rules and regulations, not inconsistent with law, of the director of health, who is hereby authorized to formulate and issue the same. Refusal to comply with or obey such rules or regulations shall constitute a misdemeanor and be punishable by fine, not to exceed two hundred fifty dollars (\$250), or by imprisonment not to exceed three (3) months or by both such fine and imprisonment.

History of Section.

G. L., ch. 347, § 42, as enacted by P. L. 1919, ch. 1788, § 1; G. L. 1923, ch. 399, § 41; G. L. 1938, ch. 610, § 41; impl. am. P. L. 1939, ch. 660, § 180; impl. am. P. L. 1956, ch. 3721, § 1.

Compiler's Note.

The name of the department of public health and the title of the director thereof have been corrected in accordance with P. L. 1939, ch. 660.

Cross-Reference.

Sexual intercourse while infected with venereal disease, penalty, § 23-11-2.

Collateral References.

Physical examination or test, health regulations requiring submission to, as violation of constitutional rights. 164 A. L. R. 967; 25 A. L. R. (2d) 1407.

Venereal disease, compulsory examination for. 2 A. L. R. 1332; 22 A. L. R. 1189.

Venereal diseases, constitutionality, construction and application of statutes, ordinances and regulations concerning prevention and cure of. 127 A. L. R. 421.