

**City of Chula Vista
Exhibits to Staff Report to City Council
November 1, 2012**

Volume I

A. Studies Documenting The Negative Secondary Side Effects Of Adult Businesses

1. Partial Summary of Secondary Effect Studies
2. Summaries of Key Reports Concerning the Negative Secondary Effects of Sexually Oriented Businesses, compiled by Louis F. Comus III
3. Amarillo, Texas, Planning Department (1977)
4. Austin, Texas, Office of Land Development Services (1986)
5. Beaumont, Texas (1982)
6. Chattanooga, Tennessee (2003)
7. Cleveland, Ohio (1977)
8. Dallas, Texas (1997)
9. Dallas, Texas (2007)
10. Ft. Worth, Texas (2004)
11. Garden Grove, California (1991)
12. Greensboro, North Carolina (2003)
13. Houston, Texas, City Council Report (1997)
14. Indianapolis, Indiana, Department of Metropolitan Development (1984)

Volume II

15. Jackson County, Missouri (2008)
16. Kennedale, Texas (2005)
17. Littleton, Colorado (2004)
18. Los Angeles, California, Department of City Planning (1977)
19. Louisville, Kentucky (2004)
20. Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses, State of Minnesota (1989)
21. New York, New York (1994)
22. Newport News, Virginia (1996)
23. Oklahoma City, Oklahoma (1986)
24. Phoenix, Arizona (1979)
25. St. Cloud, Minnesota (1994)
26. Seattle, Washington, Department of Construction and Land Use (1989)

Volume III

27. Spokane, Washington (2001)
28. Times Square, New York City (1994)
29. Tucson, Arizona (1990)
30. Whittier, California (1978)
31. A Methodological Critique of the Linz-Paul Report: A Report to the San Diego City Attorney's Office (March 21, 2003)
32. Testimony of David Sherman Before the Michigan House Committee on Ethics and Constitutional Law (2000)

33. Closin' Time: Effective Regulation of Adult Businesses' Hours of Operation, by Scott Berthold (2000)
34. Peep Show Establishments, Police Activity, Public Place and Time: A Study of Secondary Effects in San Diego, California, by Daniel Linz *et al.* (2004)
35. Do Peep-shows "Cause" Crime? A Response to Linz, Paul, and Yao, by Richard McCleary *et al.* (2006)
36. "Rural Hotspots: The Case of Adult Businesses," 19 Criminal Justice Policy Review 153 (2008)
37. "Correlates of Current Transactional Sex among a Sample of Female Exotic Dancers in Baltimore, MD," Journal of Urban Health (2011)
38. "Stripclubs According to Strippers: Exposing Workplace Sexual Violence," by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota

Volume IV

39. 1986 Attorney General's Report on Pornography, Volume 1

Volume V

40. 1986 Attorney General's Report on Pornography, Volume 2

Volume VI

B. Other Supporting Documentation

1. Declarations from Fullerton Police Officers Craig Brower, Mike Chocok, and ABC Investigator Kevin Ortega related to the City of La Habra's Nuisance Abatement Action for a Totally Nude Facility
2. Police reports of investigations conducted by City of La Habra
3. Interview of Julia (Nude Dancer)
4. Det. Robert Navarro's presentation on "Harmful Effects of Pornography, Los Angeles Case Study" (1994)

5. "My Personal Experience With Sexually Oriented Business" by Gene McConnell
6. Letter from Lorraine Day, M.D. regarding the AIDS virus
7. Sheriff's Report to City Council of City of Encinitas, November 9, 1998
8. City of Arcadia Police Department undercover surveillance reports, 2000
9. HIV/AIDS Epidemiology Report, 2010, prepared by County of San Diego Health and Human Services Agency
10. SDT Fact Sheet, Sexually Transmitted Diseases by Year of Report, San Diego County; 1994-2008, prepared by County of San Diego Health and Human Services Agency
11. California Communicable Disease Summary 2000, Issued July 2002, prepared by County of Orange Health Care Agency
12. HIV/AIDS Surveillance Statistics, 2003, Issued October 2004, prepared by County of Orange Health Care Agency

Volume VII

C. **Published Cases**

1. *4805 Convoy, Inc. v. City of San Diego*, 183 F.3d 1108 (9th Cir. 1999)
2. *7978 Corporation v. Pitchess*, 41 Cal.App.3d 42 (1974)
3. *84 Video/Newsstand, Inc. v. Sartini*, 455 Fed.Appx. 541 (6th Cir. 2011)
4. *Alameda Books, Inc. v. City of Los Angeles*, 631 F.3d 1031 (9th Cir. 2011)
5. *Anheuser-Busch v. Schmoke*, 101 F.3d 325 (4th Cir. 1996)
6. *Baby Tam & Co., Inc. v. City of Las Vegas ("Baby Tam I")*, 154 F.3d 1097 (9th Cir. 1998)
7. *Baby Tam & Co., Inc. v. City of Las Vegas ("Baby Tam II")*, 199 F.3d 1111 (9th Cir. 2000)

8. *Baby Tam & Co., Inc. v. City of Las Vegas* ("Baby Tam III"), 247 F.3d 1003 (9th Cir. 2001)
9. *Bamon Corporation v. City of Dayton*, 923 F.2d 470 (6th Cir. 1991)
10. *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991)
11. *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003)
12. *Berry v. City of Santa Barbara*, 40 Cal.App.4th 1075 (1995)
13. *Brownell v. City of Rochester*, 190 F.Supp.2d 472 (W.D.N.Y. 2001)
14. *BSA, Inc. v. King County*, 804 F.2d 1004 (9th Cir. 1986)
15. *California v. La Rue*, 409 U.S. 109 (1972)
16. *Center for Fair Public Policy v. Maricopa County*, 336 F.3d 1153 (9th Cir. 2004)
17. *Chamblee Visuals, LLC v. City of Chamblee*, 506 S.E.2d 113 (Ga. 1998)
18. *City of Colorado Springs v. 2354 Inc. dba Baby Dolls*, 896 P.2d 272 (Co. 1995)
19. *City of Dallas v. Stanglin*, 490 U.S. 19 (1989)
20. *City of Erie v. Pap's A.M. ("Kandyland")*, 529 U.S. 277 (2000)
21. *City of Littleton, Colorado v. Z.J. Gifts D-4*, 541 U.S. 744 (2004)
22. *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002)
23. *City of National City v. Wiener*, 3 Cal.4th 832 (1993)
24. *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986)
25. *City of Vallejo v. Adult Books*, 167 Cal.App.3d 1169 (1985)
26. *Clark v. City of Lakewood*, 259 F.3d 996 (9th Cir. 2001)
27. *Club Southern Burlesque, Inc. v. City of Carrollton*, 265 Ga. 528, 457 S.E.2d 816 (1995)

28. *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998)
29. *Crawford v. Lungren*, 96 F.3d 380 (9th Cir. 1996)
30. *Daytona Grand, Inc. v. City of Daytona Beach*, 490 F.3d 860 (11th Cir. 2007)
31. *Deluxe Theater & Bookstore, Inc. v. City of San Diego*, 175 Cal.App.3d 980 (1985)
32. *Department of Alcoholic Beverage Control v. Alcoholic Beverage Control Appeals Board of California ("Vicary")*, 99 Cal.App.4th 880 (2002)
33. *Deja Vu-Everett-Federal Way, Inc. v. City of Federal Way*, 46 Fed.Appx. 409 (9th Cir. 2002)

Volume VIII

34. *Déjà Vu of Nashville, Inc. v. Metro Gov't of Nashville and Davidson County*, 274 F.3d 377 (6th Cir. 2001)
35. *Diamond v. City of Taft*, 215 F.3d 1052 (9th Cir. 2000)
36. *DiMa Corp. V. Town of Hallie*, 185 F.3d 823 (7th Cir. 1999)
37. *Doctor John's, Inc. v. City of Roy*, 465 F.3d 1150 (10th Cir. 2006)
38. *Dream Palace v. County of Maricopa*, 384 F.3d 990 (9th Cir. 2004)
39. *DLS, Inc. v. City of Chattanooga*, 894 F.Supp. 1140 (E.D. Tenn. 1995)
40. *Doe v. City of Minneapolis*, 898 F.2d 612 (8th Cir. 1990)
41. *Ellwest Stereo Theatre, Inc. v. Wenner*, 681 F.2d 1243 (9th Cir. 1982)
42. *Entertainment Prods., Inc. v. Shelby County*, 588 F.3d 372 (6th Cir. 2009)
43. *E.W.A.P., Inc. v. City of Los Angeles*, 56 Cal.App.4th 310 (1997)
44. *Fantasy Ranch, Inc. v. City of Arlington*, 459 F.3d 546 (5th Cir. 2006)
45. *Fantasyland Video, Inc. v. County of San Diego*, 505 F.3d 996 (9th Cir. 2007)
46. *Flanigan's Enters., Inc. v. Fulton County*, 596 F.3d 1265 (11th Cir. 2010)

47. *Ford v. State of Texas*, 753 S.W.2d 451 (Tx. 1988)
48. *FW/PBS, Inc. v. City of Dallas*, 837 F.2d 1298 (5th Cir. 1988)
49. *FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215 (1990)
50. *Gammoh v. City of La Habra*, 395 F.3d 1114 (9th Cir. 2005), amended 402 F.3d 875
51. *G.M. Enterprises v. Town of St. Joseph*, 350 F.3d 631 (7th Cir. 2003)
52. *H&A Land Corp. v. City of Kennedale*, 480 F.3d 336 (5th Cir. 2007)
53. *Hang On, Inc. v. City of Arlington*, 65 F.3d 1248 (5th Cir. 1995)
54. *Imaginary Images, Inc. v. Evans*, 612 F.3d 736 (4th Cir. 2010)
55. *International Eateries v. Broward County*, 941 F.2d 1157 (11th Cir. 1991), cert. denied 503 U.S. 920 (1992)
56. *Isbell v. City of San Diego*, 450 F.Supp.2d 1143 (S.D. Cal 2006)
57. *Isbell v. City of San Diego*, 258 F.3d 1108 (9th Cir. 2001)
58. *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986)
59. *Krontz v. City of San Diego*, 136 Cal.App.4th 1126 (2006)
60. *Lacy Street Hospitality Service, Inc. v. City of Los Angeles*, 125 Cal.App.4th 526 (2004)
61. *Lady J. Lingerie, Inc. v. City of Jacksonville*, 973 F.Sup. 1428 (M.D. Fla. 1997)
62. *Lady J. Lingerie, Inc. v. City of Jacksonville*, 176 F.3d 1358 (11th Cir. 1999)
63. *Lakeland Lounge v. City of Jacksonville*, 973 F.2d 1255 (5th Cir. 1992)
64. *Lim v. City of Long Beach*, 217 F.3d 1050 (9th Cir. 2000)
65. *LLEH, Inc. v. Wichita County*, 289 F.3d 358 (5th Cir. 2002)
66. *Lydo Ent. v. Las Vegas*, 745 F.2d 1211 (9th Cir. 1984)

67. *Madain v. City of Stanton*, 185 Cal.App.4th 1277 (2010)
68. *McCrothers Corp. d/b/a Tree City Bar, et al. v City of Madan*, 728 N.W.2d 124 (2007)
69. *Mitchell v. Commission on Adult Entertainment*, 10 F.3d 123 (3rd Cir. 1993)
70. *National Amusements, Inc. v. Town of Dedham*, 43 F.3d 731 (1st Cir. 1995)
71. *N.W. Enterprises, Inc. v. City of Houston*, 352 F.3d 162 (5th Cir. 2003)
72. *N.W. Enterprises, Inc. v. City of Houston*, 372 F.3d 333 (5th Cir. 2004)
73. *N.Y. State Liquor Authority v. Bellanca*, 452 U.S. 714 (1981)
74. *Ocello v. Koster*, 354 S.W.3d 187 (Mo. 2011)

Volume IX

75. *Parker dba Paperdolls v. Whitfield County*, 463 S.E.2d 116 (Ga. 1995)
76. *Peek-a-Boo Lounge v. Manatee County*, 630 F.3d 1346 (11th Cir. 2011)
77. *People v. Superior Court (Lucero)*, 49 Cal.3d 14 (1989)
78. *Pleasureland Museum, Inc. v. Beutter*, 288 F.3d 988 (7th Cir. 2002)
79. *Red Bluff Drive-In, Inc. v. Vance*, 648 F.2d 1020 (5th Cir. 1981)
80. *Reno v. American Civil Liberties Union*, 521 U.S. 844 (1997)
81. *Richland Bookmart, Inc. v. Nichols*, 137 F.3d 435 (6th Cir. 1998)
82. *Sensations, Inc. v. City of Grand Rapids*, 526 F.3d 291 (6th Cir. 2008)
83. *Sewell v. State of Georgia*, 233 S.E.2d 187 (Ga. 1977)
84. *SOB, Inc. v. City of Benton*, 317 F.3d 856, 863 (8th Cir. 2003)
85. *Spokane Arcade, Inc. v. City of Spokane*, 75 F.3d 663 (9th Cir. 1996)
86. *Star Satellite, Inc. v. City of Biloxi*, 779 F.2d 1074 (5th Cir. 1986)

87. *Sundance Saloon, Inc. v. City of San Diego*, 213 Cal.App. 3d 807 (1989)
88. *Talk of the Town v. Department of Finance and Business Services*, 343 F.3d 1063 (9th Cir. 2003)
89. *Tee & Bee v. City of West Allis*, 936 F. Supp. 1479 (E.D. Wis. 1996)
90. *Tily B., Inc. v. City of Newport Beach*, 69 Cal.App.4th 1 (1998)
91. *TK's Video, Inc. v. Denton County, Tex.*, 24 F.3d 705 (5th Cir. 1994)
92. *Topanga Press, Inc. v. City of Los Angeles*, 989 F.2d 1524 (9th Cir. 1993)
93. *U.S. v. Hockings*, 129 F.3d 1069 (9th Cir. 1997)
94. *U.S. v. Thomas*, 74 F.3d 701 (6th Cir. 1996)
95. *Wall Distributors, Inc. v. City of Newport News, Virginia*, 782 F.2d 1165 (4th Cir. 1986)
96. *World Wide Video v. City of Spokane*, 368 F.3d 1186 (9th Cir. 2004)
97. *Young v. American Mini Theaters, Inc.*, 427 U.S. 50 (1976)
98. *Young v. City of Simi Valley*, 216 F.3d 807 (9th Cir. 2000)

1989612.1/1675.002