WHEREAS, The third Object of the PTA is to secure adequate laws for the care and protection of children and youth; and

WHEREAS, The sale of ice cream, candy, novelties and/or snack foods by mobile venders* who cater to children*** is common throughout the state; and

WHEREAS, There have been cases of child abductions, molestations, rape and murder by venders using their positions as a means of luring children; and

WHEREAS, Not all cities and counties require background checks of venders; and

WHEREAS, Current law now allowing background checks of people having supervisory or disciplinary power over minors is not extended to include venders; now therefore be it

RESOLVED, That the California State PTA urge its units, councils and districts to promote public awareness of the possible dangers to children and youth from venders; and be it further

RESOLVED, That the California State PTA urge its units, councils and districts to seek the enactment of city/county ordinances requiring local law enforcement agencies to conduct background investigations on each vender for convictions of any crime or misdemeanor involving moral turpitude** or illegal chemical involvement and to require that each vender carry visible valid ID and photo; and be it further

RESOLVED, That the California State PTA urge the California State Legislature to enact legislation requiring as prerequisite for business licenses issued to individuals as mobile venders, clearance of prior criminal records involving crimes of moral turpitude or illegal chemical involvement.

* Vender – One who vends or sells, especially in the street. Vendor (chiefly legal) – One who vends or disposes of a thing by sale. The American Encyclopedic College Dictionary

** Moral Turpitude – The quality of a crime involving grave infringement of the moral sentiment of the community. Webster’s New International Dictionary, Second Edition

*** Hereafter referred to as venders.

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BACKGROUND SUMMARY

Too many unsuspecting children have been lured by vendors into their vehicles of business and kidnapped, molested, raped or even killed. Many of these kidnappings involved men with prior sex offense records. People with prior records of crimes such as these should not have such easy access to children on the streets.

Current city and county ordinances generally regulate the sound made by the ice cream trucks, how close they can park to a school or park, and require the owner to have a business license: however, background checks are not always required. The California State Penal Code allows for background checks only of those people having supervisory or disciplinary power over minors. Ice cream truck drivers do not fall into this category.

Cities and counties need to be encouraged to require background checks on all vendors and to require vendors to carry valid ID with photos to show they have indeed been checked and were cleared. To give local law enforcement agencies the power to enforce these regulations, state legislation is needed to expand the penal code to make background checks of vendors legal and required. Failure to follow city regulations requiring background checks would then be a punishable offense.

This resolution urges PTA to participate in educating the public and to work for these laws and regulations to protect children and youth.