



## **PART 2: BEACH AMBASSADOR TRAINING FOR CLOTHING-OPTIONAL/NUDE BEACHES**

### **Santa Barbara County, California**

This workbook is a supplement to the basic Beach Ambassador Training Manual. It should be referred to for all questions regarding beach walk patrols and other duties. This workbook only covers supplemental issues or concerns specific to places of clothing-optional recreation.

Warning: some photos in this workbook may not be suitable for persons not appreciative of nudity on public beaches

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## IMPORTANT CONTACT INFORMATION (SANTA BARBARA BEACHES)

*It is important to emphasize that Beach Ambassadors are NOT police officers and Ambassadors have no legal authority to do anything other than observe and report. So, who do you need to call?*

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**County Parks Department:** (805) 681-5653  
County Park Administration Office  
610 Mission Canyon Road  
Santa Barbara, CA 93105  
(805) 568-2461  
(805) 568-2465 Reservations  
Hours: Monday - Friday, 9:00 am - Noon & 1:00 pm - 4:00 pm  
Contact@sbparks.org

Jeff Lindgren  
**South County Park Operations Manager**  
4568 Calle Real, Building E  
Santa Barbara, CA 93110  
(805) 681-5651  
Email: [jlindgren@sbparks.org](mailto:jlindgren@sbparks.org)  
(805) 681-5650 Office Phone

**Red Cross**  
(805)687-1331

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**Bates Beach Ranger Station ("Mike"):**  
Use County Parks Number above

Carpinteria State Beach Office  
(805) 566-2493  
[www.w.parks.ca.gov](http://www.w.parks.ca.gov)

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**Local Sheriff Substation**  
Lt. Brad Welch  
Carpinteria Sheriff Station  
5775 Carpinteria Ave.  
Carpinteria, CA. 93013  
Phone #'s: (805) 755-4438 or  
Dispatch for real emergencies: (805) 692-5743 (and after hours)  
  
SB Sheriff HQ Main #: (805) 681-4100 (after hours)

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**Graffiti**  
Carpinteria Graffiti Hotline at (805) 684-5405, Extension 555.

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**Carpinteria City Hall**  
5775 Carpinteria Avenue  
Carpinteria CA 93013  
(805) 684-5405  
8am -5pm, M to F

David Durlinger, City Manager  
(805) 755-4440

Matt Roberts, Parks & Recreation Manager  
(805) 684-5405

**Carpinteria Fire Department**  
(805) 684-4591

**Animal Control**  
Santa Barbara County (805) 681-5285  
Carpinteria City (805) 755-4418  
Santa Barbara City (805) 963-1513

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**California State Parks**  
Danita Rodriguez, Area Superintendent  
Channel Coast District  
911 San Pedro Street  
Ventura, CA 93001  
[drodriguez@parks.ca.gov](mailto:drodriguez@parks.ca.gov)  
(805) 585-1847

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**Heal the Ocean**  
Hillary Hauser [hillary@healtheocean.org](mailto:hillary@healtheocean.org)

**Channel Islands Restoration**  
928 Carpinteria St., Suite #3  
Santa Barbara, CA 93103  
(805) 448-6203  
Nancy Diaz, Volunteer Coordinator [volunteer@cirweb.org](mailto:volunteer@cirweb.org)  
Ken Owen, Director

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County Public Works Department at (805) 568-3000.

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### Rincon Point Property Owners Association

Geoffrey "**Geoff**" McFarland is listed as manager  
c/o McFarland Financial 720 Vereda Del Ciervo Goleta Ca 93117 (805) 562-8482 x2

Also

California Sec of State has registered corporate agent is Laura C. McFarland (State ID: 00518382)  
at Town n Country Realty and Investments 5669 Calle Real Goleta, CA 93117

Rincon HOA President (2014): **Steven Halstead** (he is also past CEO of Heal the Ocean, Santa Barbara)  
8102 Puesta Del Sol Carpinteria, CA 93013  
<http://www.corporationwiki.com/California/Goleta/rincon-point-property-owners-association/39717790.aspx?c>

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## **PART A. THE ROLE OF BEACH AMBASSADORS AT CLOTHING-OPTIONAL BEACHES**

Ambassadors performing a Foot Patrol on a nude or clothing-optional beach, along a mountain trail where you may encounter nude hikers, or at a remote hot spring have some additional challenges besides what is found on their clothed counterparts.

To begin with, social nudity has been technically illegal in Santa Barbara County since 1977 under County Ordinance Section 24-15 (see page 10). Despite that, clothing-optional recreation traditionally has been allowed on the secluded corners of several existing beaches in the county that are otherwise sparsely used, and on a few less-travelled hiking trails in the Los Padres National Forest in the central and northern parts of Santa Barbara County.

The tradition holds that as long as no third party lodges a complaint, or there is no lewd activity going on, the law's enforcement is usually left to the discretion of local sheriff deputies or of their supervisors.

Moreover, in the nearly 40 years since the county ordinance was passed, there have been several state court decisions that call into question the legality of parts of this law (see page 10). Because of this ambiguity, **Beach Ambassadors in Santa Barbara County are directed not to attempt to enforce any nudity ordinance.** Only observed lewd conduct is reported, as discussed below. Our role is:

- To observe and report,
- To maintain a safe tranquility for all beachgoers, hikers, etc., by encouraging tolerance and respect for others, and
- To avoid user conflict wherever and whenever possible.

### **WHAT NUDISTS/NATURISTS BELIEVE**

Persons who enjoy clothing-optional or nude recreation see it as a legitimate and traditional activity that can be enjoyed without inconvenience or affront to those who do not choose this option for themselves. In an American context, they wish to preserve “the old swimming hole” of an earlier time, where skinny-dipping was an innocent and joyful activity.

To the nudist or naturist, going without clothes is neither an act of exhibitionism, nor an invitation to promiscuous sexual activity, but rather it is an attempt to promote an atmosphere of respect for each other as fellow human beings and as “children of nature” within a set of self-imposed behavior guidelines.

**Beyond This Point  
You May Encounter  
Clothing-Optional  
Sunbathers**

This Sign Donated by the American Association for Nude Recreation - Western Region (2014) www.aanr.com

Most nudists prefer to enjoy their recreation on stretches of beach hidden away in far corners of the coast. This is done primarily for the convenience of other beachgoers who might suddenly come across nude sunbathers and feel offended. This is why nudists strive to have their beach areas properly signed to give proper warning to others so they can choose to join or not.

Not all beaches or hiking trails have this approved signage, so nude sunbathers often post hand-made signs while they are there in order to announce their presence.



Where signage is not allowed, often nude beachgoers will carry traffic cones to designate the clothing-optional area.

Miami's clothing-optional Haulover beach, which has been in existence since July 1991, now boasts more than a million visitors per year. It is widely recognized as one of the safest and cleanest beaches in the area, thanks to the continued cooperation between the Haulover Beach Ambassadors, the Miami-Dade Parks and Recreation Department, Lifeguards and law enforcement.

Our Beach Ambassador program for clothing-optional beaches is based on the same one used at Haulover.

A copy of the Behavior Guidelines we distribute at the beach may be found on page 12. A copy of the flyer if a person gets a ticket for nudity may be found on page 13.

However, nude beaches often attract outsiders whose motives are less pure. These are the voyeurs who sit on the cliffs above the nude beach, the gawkers who infiltrate the nearby sand to get a better look, or amateur paparazzi whose moves are to stealthily take photos without permission and post them on the Internet or to sell them to pornography magazines.

Ambassadors need to make these people so uncomfortable that they will leave the area without having their stealth escalate into the need to contact law enforcement, but not so uncomfortable as to have their reactions escalate into danger for everyone around.

Attendance on clothing optional beaches are directly affected by the time of year and the air temperature. So your Beach Watch patrol could discover just a few people or over 250 people. Most are very docile and simply wish to be left alone. Often, a volleyball net is erected and an afternoon game is always a possibility. Others may be tossing a Frisbee or doing some body painting on each other. Sometimes you will find someone has brought down a BBQ cooker for a picnic. In other words, just about anything you might find on a clothed beach you will find here also. Only the participants may not be wearing anything. Remember, these are clothing-optional beaches. Nudity is not required there, nor enforced by some unwritten code. It is very life-and-let live.



## PART B. SANTA BARBARA'S TRADITIONAL CLOTHING-OPTIONAL BEACHES

The following section describes the three beaches in Santa Barbara County where clothing-optional use has been traditional, subject to the whims of local law enforcement.

### GAVIOTA STATE BEACH

**Current Status:** in 2011, State Parks Area Superintendent Richard Rozelle and Dan Falat, chief deputy in charge of the northern coast decided to resolve the “growing problem of lewd activity” (4 tickets for “lewd behavior” issued that year) along the San Onofre section of Gaviota Beach State beach by aggressively ticketing the nudists there (8 tickets issued). One person was arrested for indecent exposure, which carries a mandatory sex offender registration for life upon conviction.

Nudists were advised of the increased police presence, and as a result nude use of that portion of Gaviota State Beach has essentially ended. Friends of Gaviota Beach ceased its web site that used to give a weekly nude status on the beach. That said, some nudists say they have started to come back to the beach during the past 12 months as fewer sweeps by law enforcement deputies are happening.

If your Beach Walk includes Gaviota Beach, be sure to remind people to take out their trash. If any lewd behavior is observed, use your Beach Ambassador training skills to shame these characters away as they are easily motivated to leave if discovered in the dunes and high grass at the back of the sand.



*Map to the San Onofre nude section of Gaviota State Beach*

### MORE MESA BEACH

More Mesa Beach is located between the University of California Santa Barbara campus and Hope Ranch, an exclusive neighborhood adjacent to the city of Santa Barbara. Most of its visitors are college students. To access More Mesa, one must park along Puente Drive near Mockingbird Lane, a residential cul-de-sac. You must walk about a mile across an undeveloped mesa from the end of the cul-de-sac and down a tortured path carved out of the cliff. By tradition, the clothing optional beach is to the right of the cliff path; persons who go nude to the left are subject to arrest.

That does not make those turning right immune to ticketing, as the county beach has seen occasional visits by sheriff deputies upon complaint or observed rowdy or lewd conduct.

**Current Status:** We have no Beach Watch news to report for 2015. Nudists continue to use the beach without any hassles and there are few if any voyeurs on the mesa cliff above.

During 2014, the following reports were made:

- 9/6/2014 -A 19-year-old man was hit by a falling boulder in one of the caves above the beach and critically injured. The man, who was there with several college-age friends, was hurt after “tugging on a cave rock which fell on him,” said Santa Barbara County Deputy Fire Chief Eric Peterson. The victim, whose name has not been released, suffered severe head injuries.



*Map to More Mesa Beach and the mile-long path across the mesa above.*

Local residents are noticing a growing influx of college- and high-school-age people over the last two years, tromping toward the bluff's edge and then navigating a rocky trail down to the caves, hauling logs for campfires and coolers filled with food and drinks. The caves are tall enough to stand in and roomy enough for campers to build fires and drink beer. Some draw graffiti on the large boulders that form the caves' jagged mouths. Residents of Hope Ranch have long complained that the unwelcome visitors trespass on their property and climb over their fences to gain access to the three caves carved into the sandstone bluff rising above the Pacific.

As a result, law enforcement is making more frequent visits to the beach than in years past. If deputies take the trouble to walk the mile to the beach, you can bet they will ticket anyone they see walking nude!

- On 07/13/2014 – Our Beach Watch team reported a gay man and his male partner were cited on the nude section of More Mesa. About a dozen other people were nude on the beach at the same time, but none of them were cited, although they dressed quickly when they spotted the deputies approaching.

The lead officer, whose last name is Harris, said there was a complaint made, but he refused to say who. The officers said they had observed the nudists from the cliffs above before climbing down the bluff from the western end to the sand to issue the citations. They did not use the pathway to the beach that everyone uses, which is why the nudists were surprised at the officers' sudden arrival. They said they did not see any other nudists.

The younger deputy whose name badge said "Cipher," seemed to be a rookie because his uniform showed no markings of rank. The citation was issued at 11:51am. After both couples were cited, they were escorted off the beach and back to their cars.

- On 07/14/ 2012, deputies issued 7 citations for public nudity on More Mesa beach. Witnesses said there were approximately 60 people on the beach at the time. The team of three officers (2 were sheriff deputies and 1 was a City of Goleta officer) walked the cliff above and then came down and took drivers licenses and made everyone walk up to the top and meet at the street by their cars. Several of the people cited were clothed, but the officers said they saw them nude from the cliff above. The officers said the nudists near the cliff stairs were cited due to the complaint of one man who was camping illegally on the beach.
- 3/10/2012 - This follows an incident 2/4/2012 when we had a report of police taking nine men off the beach who were sitting near the cliff stairway. That night the local news had a story about of abandoned Panga boats being found at several nearby beaches, with evidence of both marijuana bales and abandoned life vests from what is assumed to be boatloads of illegal aliens being smuggled

ashore. This, in turn, prompted increased surveillance at More Mesa Beach by county deputies and federal agents. Additional deputies can be anticipated for the rest of the year.

## SUMMERLAND BEACH

**Current Status:** Summerland is no longer safe for nudity as the local deputies vigorously enforce the anti-nudity laws here. There is also an ongoing problem with oil seepage on the sand from an old well that was improperly capped a few decades ago. Definitely, it is a beach to avoid!

## NORTH RINCON (BATES) BEACH



*Bates (North Rincon) Beach*

**Current Status:** Local nudists are currently working to restore Bates for nude use. At present, it is not considered safe for nudity, but deputies only come down periodically. Go as far north as possible, north of the concrete barrier to be reasonably safe. Read this "Current Bates News" link for the latest information:

[www.friendsofbatesbeach.org/batesnews.html](http://www.friendsofbatesbeach.org/batesnews.html).

Ticketing by law enforcement at Bates remains a very low priority as there have been none issued at Bates for nearly two years. Still, nudists continue to use the far western side at their own risk. Several nude beach parties are held on the far western end during the summer months. An estimate 15-30 people participate. Use the beach at your own risk.

**Rincon Trail.** Carpinteria has plans for a hiking and bike path trail above Bates Beach that will connect the city of Carpinteria to the bike trail that starts at the Ventura County line just to the south. Friends of Bates Beach has worked with city planners for several years to be sure that fencing would be placed on the beach side high enough so that hikers will not be able to gaze down and peer at any potential nudists below. Construction may not happen for several more years. It is hoped the Trail, when finished, will bring many UCSB students and other car-free people to Bates, who are often more open to the idea of a social nudity. Our patrols may include this trail once it is open.



**Carpinteria Independence Day Parade.** In recent years, FOBB has participated in the annual Independence Day Parade for the city of Carpinteria. Ambassadors get to sit in the back of the decorated truck and wave to the crowd.

**California Beach Cleanup Day.** On the third Saturday of every September, the Ambassadors and other FOBB members meet at Bates Beach for the annual statewide beach cleanup and party afterwards. In 2018, there were 1150 volunteers at 27 Santa Barbara locations who removed 4,500 pounds of trash that morning. Good job, Ambassadors!





## PIRATES COVE COUNTY PARK, SAN LUIS OBISPO COUNTY

**Background:** After decades of informal public use, the nudist beach at Pirates Cove section of Avila Beach became a legal part of the San Luis Obispo County Park system in February 2013. The **Whales Cave Conservancy (WCC)** organized itself as a non-profit corporation from members on the beach and became the officially recognized group by the county.

Immediately the county wanted to pave and stripe the dirt parking lot above the beach, and to install safety rails along the edges to prevent cars from accidentally going off the cliff. They also proposed a bathroom building at the top of the trail, a designated trash pickup system, and a series of concrete steps to replace the often-precarious dirt path down to the beach. Because the number of cars allowed in the paved parking lot would be reduced to 35 from the estimated 80 that use it at peak times during the summer, the beachgoers objected to the plan.

There was also a small group who liked to hold all-night parties with bonfires on the beach, drink beer and wine, and who did not like the idea of rules. They formed the **Friends of Pirates Cove** and decided to file suit against the county.

In July 2014, the California Coastal Commission held its hearing on the beach improvements and ruled (unanimously) against the county improvement plans. The beach was to remain as is. The county immediately withdrew its plans for bathrooms and trash pickup. WCC is still negotiating with the county on these amenities today.

### Current Status (end of 2017):



An increasing number of college-age people continue to come to the beach for all night parties. They leave their trash behind. Some sexual activity is reported to be happening on the other side of the cliff from the beach and parking lot. The “Beyond this Point...” sign posted above the beach (see photo) was recently stolen, but we replaced it.

Nudity is legal on the beach, although the number of nudists seems to be decreasing as a growing number of college-age gawkers are populating the western end of the beach near the cliff steps to watch the daily nude volleyball games.

Lastly, the county is concerned about continued vandalism and graffiti on the rocks, trees, and on the trail itself. Everyone agrees all parties need to do a better job here. WCC members pick up the party trash every morning and try to remove the graffiti from the nearby rocks but the tension between the two groups remains.

WCC is considering establishing a Beach Ambassador program if they can find enough volunteers.

## PART C. NUDITY AND THE LAW

The supplementary material in this folder examines the legal interpretations of nudity as stated both in legislation and in the courts. For those not familiar with all the rulings and enforcement guidelines, we provide a summary below. Full text of the court rulings are available upon request.

In practice, federal, state and local nudity laws are unevenly enforced, and often based on practical or manpower budgetary considerations, and also with what is practical for everyone concerned at the moment. Many deputies and rangers simply issue warnings, or tell the nudist to get dressed, or direct the nude person to a different less-populated location. The degree of enforcement often depends on the deputy involved.

### ON FEDERAL LAND

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There is **no federal law against nudity** but neither is it a guaranteed right. This means that state, county and local laws can take precedence. With that said, the local Park Superintendent still makes the rules in his/her jurisdiction and while some of them are friendly, others prefer a “don’t ask-don’t tell” approach. Still a few are personally hostile, so caution is always advised if you are in an unfamiliar area. Respect for the “visual” rights of nearby non-nudists is always a good idea wherever you are.

### CALIFORNIA STATE LAW

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CALIFORNIA CODES SECTION 314-318.6 (as of 6/2000):

Every person who willfully **and lewdly**, either:

1. Exposes his person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed thereby; or,
2. Procures, counsels, or assists any person so to expose himself or take part in any model artist exhibition, or to make any other exhibition of himself to public view, or the view of any number of persons, such as is offensive to decency, or is adapted to excite to or thoughts or acts, is guilty of a misdemeanor.

Every person who violates subdivision 1 of this section after having entered, without consent, an inhabited dwelling house, or trailer coach as defined in Section 635 of the Vehicle Code, or the inhabited portion of any other building, is punishable by imprisonment in the state prison, or in the county jail not exceeding one year.

Upon the second and each subsequent conviction under subdivision 1 of this section, or upon a first conviction under subdivision 1 of this section after a previous conviction under Section 288, every person so convicted is guilty of a felony, and is punishable by imprisonment in state prison.

### CALIFORNIA STATE PARKS

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Section 4322 of Title 14 of the California Administrative Code regarding nudity in the state parks:

1. No person shall appear nude while in any unit except in authorized areas set aside for that purpose by the Department. The word nude as used herein means unclothed or in such a state of undress as to expose any part of portion of the pubic or anal region or genitalia of any person or any portion of the breast at or below the areola thereof of any female person.
2. All sections are misdemeanors which carry a maximum punishment of 90 days in jail and/or \$1,000 fine.

For about 30 years, State Park rangers operated under a policy known as the "Cahill-Harrison policy" which stated:

*Since the people most likely to make a complaint are also the least likely to make an effort to get to a remote part of a state beach, those areas have become clothing optional. If you stay in those areas, you are unlikely to be bothered. However, if a ranger appears and asks you to put your clothes on, comply and stay clothed for the rest of the day to avoid a citation. If you cross the line from mere sunbathing to lewd activity, you can (and probably will) be prosecuted under California Penal Code Section 314, and upon conviction will carry a lifetime registration as a sex offender.*

This Cahill-Harrison Policy is no longer in effect in the state park system.

## **1972: In re Smith**

“Mere nudity does not constitute a form of sexual activity.”

*[Note: The 1972 California court case (In Re Smith) set the precedent that “simple beach nudity is not indecent exposure”. The Smith case has not stopped some localities such as Santa Barbara County to adopt their own laws that, in absence of a court ruling to the contrary, supersedes California law - for the moment.]*

## **1977: SANTA BARBARA COUNTY ANTI-NUDITY ORDINANCE**

*In 1977 County Supervisor David Yager pushed through a Santa Barbara County nudity ordinance. The law passed on a 3-2 vote after a contentious public hearing. The approved ordinance reads as follows:*

It is the intent of the board of supervisors to prohibit nudity in public places, places open to the public, and places open to public view whether such places are publicly or privately owned, even when such nudity is not sexually motivated or otherwise lewd. (Ord. No. 2507, S 1; Ord. No. 2564, S 1)

Sec. 24-15. Nudity --Offenses numerated; penalties.

(a) It is hereby declared a public nuisance and unlawful for any person to appear on any beach, park, street or in any other public place or place open to the public or exposed to public view, including specifically a view from any private residence or any portion of the real property in the immediate vicinity of such private residence, whether such place is publicly or privately owned, unclothed or in such a state of undress as to expose, in the case of a female, any portion of her breasts below the areolas thereof or in the case of any male or female, any part of his or her pubic or anal region or genitalia.

(b) The provisions of this section shall not apply to any acts which take place wholly within a fully enclosed building or any portion thereof; and nothing contained herein shall be construed to prohibit any act or acts which are expressly authorized or prohibited by the Penal Code of the state.

(c) Violations of this section shall be an infraction punishable by a fine in the sum of fifty dollars for a first violation; a fine in the sum of one hundred dollars for a second violation of this section within one year after the first violation; and a fine in the sum of two hundred fifty dollars for each additional violation within one year after a second violation and within one year after any subsequent violation of this section thereafter. (Ord. No. 2507, S 1; Ord. No. 2564, S 1; Ord. No. 2931, S 1)

## **1979: Cahill Policy (California State Parks)**

See discussion on the previous page. The “Cahill policy” was rescinded by State Parks Director Ruth Coleman in 2009.

## **1979: Pryor v. Municipal Court**

The CA State Supreme Court ruled: “We construe the phrase “lewd or dissolute conduct” [section 647] to prohibit only the solicitation or commission of conduct in a public place or one open to the public or exposed to public view, which involves the touching of the genitals, buttocks, or female breast, for purposes of sexual arousal, gratification, annoyance or offense, by a person who knows or should know of the presence of persons who may be offended by the conduct.”

## **1989: California vs. Eric John Bost**

“...Simple beach nudity is not indecent exposure...Fair notice must be given before a citation is issued.”

## **2006: LA County Sheriff Lee Baca Letter**

“...Some of our deputies may be misinterpreting the law as it pertains to section 314.1 of the California Penal Code...Simply being nude in [a] National Forest is not prohibited by law. Therefore your client appears to be within his legal rights to hike in the forest in the nude.”

## **2010 Nunez v Holder**

“...a sunbather who removes all his clothes to tan on an unoccupied public beach and wakes to find himself surrounded by offended beachgoers has done nothing either lewd or depraved and thus is neither in violation... nor guilty of a morally turpitudinous act.”

## How California Juries Are Instructed Regarding Indecent Exposure and Lewd Conduct

In 2001, by the CA State Supreme Court approved new text for a judge's jury instructions in California cases involving Lewd Behavior, Simple Nudity, and Indecent Exposure:

### California Jury Instruction for 314.1 - Indecent Exposure

The defendant is charged with indecent exposure. To prove that the defendant is guilty of this crime, the People must prove that:

1. The defendant willfully exposed (his/her) genitals in the presence of another person or persons who might be offended or annoyed by the defendant's actions;

**AND**

2. When the defendant exposed (himself/herself), (he/she) acted lewdly by **intending** to direct public attention to (his/her) genitals for the purpose of sexually arousing or gratifying (himself/herself) or another person, or sexually offending another person.

### California Jury Instruction for 647(a) - Lewd Conduct in Public

The defendant is charged with engaging in lewd conduct in public.

To prove that the defendant is guilty of this crime, the People must prove that:

1. The defendant willfully engaged in the touching of ((his/her) own/ [or] another person's) genitals, buttocks, or female breast;
2. The defendant did so with the intent to sexually arouse or gratify (himself/herself) or another person, or to annoy or offend another person;
3. At the time the defendant engaged in the conduct, (he/she) was in (a public place/ [or] a place open to the public [or to public view]);
4. At the time the defendant engaged in the conduct, someone else who might have been offended was present;

**AND**

5. The defendant **knew** or reasonably should have known that another person who might have been offended by (his/her) conduct was present.

Someone commits an act willfully when he or she does it willingly or on purpose. [As used here, a public place is a place that is open and accessible to anyone who wishes to go there.]

Both code sections 314.1 (indecent exposure) and 647(a) (lewd conduct in public) have been subject to other more specific court interpretations. For example, one case found that a man wearing a bra and panties when he confronted a motel clerk did not violate 314.1. Another case found that a man grabbing his exposed penis during a road rage incident and yelling at the female subject of his rage "suck this, bitch" did violate 314.1.

## **PART D: A Guide to Courtesy & Common Sense Behavior on Santa Barbara Beaches**

Beach etiquette is not much different from the same common sense and good manners that you should exhibit wherever you go. Be polite and respect the rights of others and others will do the same for you.

### ***Obey all Parking Rules and Regulations***

Park only in designated areas. In some areas parking is limited and fills up early. If this is true at your beach you can:

- Arrive Early - before the crowds
- Carpool - saving both gas and parking spots.
- Help others carry their stuff from the parking area to the beach. Someone may do the same for you.

### ***Respect the Environment***

Keep out of areas that may be environmentally sensitive. Leave any wild animals (seagulls, sea lions, etc.) alone.

### ***Help Keep the Area Clean***

Bring and use trash bags. Always try to carry out more trash than you carried in. Leave nothing but footprints, take only memories.

### ***Dogs and Other Pets***

If you are not aware, it is illegal to allow your dog to be on the beach without a leash, although that law is rarely enforced at Bates Beach. At the minimum, we ask you to please clean up after your pet and take your plastic bag with you when you leave the beach.

Do NOT throw it into the ocean, as it will simply wash back up on the next tide, fouling the beach for the next visitors.

### ***Avoid Any Sexual Activity***

Avoid any hint of sexual activity! If you are tempted to fool around under a blanket or in a remote area, remember lewd activity is a felony and could get you listed as a sex offender!

Note: in California, simple nudity or topless sunbathing is not considered lewd behavior, but you still can get a ticket for it at most parks and beaches.

### ***Respect Private Property***

Show respect for the private property of others as you go to and from the beach. Don't litter or park on private property.

That means don't park your blanket directly alongside or below another person if there is plenty of other space left on the beach. Avoid placing your pop-up awning where it block's someone else's view of the water without asking them first.

Respect the privacy of others. Many folks come to the beach to enjoy nature and do not want to be disturbed. It is OK to be friendly, but if someone doesn't seem to respond, please respect their right to privacy. "No" means no.

### ***Gawking is Impolite***

Gawking, or staring at other sunbathers, is impolite. It is always rude to stare at others, but it is especially so when you use binoculars or a camera

### ***Be Respectful When Taking Photos or Movies***

If you insist on taking a picture, confine it to just the people in your party, and that means avoiding having anyone in the background without their verbal (if not written) consent. Also, totally avoid taking photos of under-age children not your own at the beach. It isn't worth the confrontation you will be inviting.

### ***Be Prepared***

Bring everything you may need, including:

Water/Beverages, Food, Cooler, Sunscreen, Towel, a Chair or Pop-up Awning. Use the bathroom in the parking lot before coming down the ramp to the beach!

### ***Speak up for Standards***

If you see someone who is violating the accepted standards, please explain to them clearly and politely just how they are violating the rules and just what the proper behavior is. You will find most voyeurs will leave immediately after being discovered.

If the person gives you grief, do not escalate the confrontation. Just contact the local lifeguard, police or park ranger to handle the complaint for you.

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*[Note: This sheet is distributed by Beach Ambassadors]*

## PART E: A NUDIST'S RIGHTS WHEN GETTING A TICKET

What do you do at that inconvenient moment when, after enjoying the afternoon relaxing on a nude beach, out of the corner of your eye you spot a deputy or ranger approaching? Do you scramble to get dressed and hope he/she doesn't notice you? Do you stand your ground and confront the officer about your civil rights? There are many possible scenarios, and how the officer reacts often will depend on if you are in a state park, on a county or a state beach, or on federal land.

Attorney Allen Baylis has kindly provided us with some advice:

1. **Do exercise your right to remain silent.** The officer is there to investigate what he/she observed first and to gather evidence before taking any action. Officers are trained to elicit confessions from citizens. Unfortunately, nudists are very good at volunteering things (why you were nude, that "nudity is a first amendment right," that you got dressed when you saw the officers approaching, etc.). Allen says any statement made by you can be admissible evidence at trial. Remember: anything you say can and will be used against you, or more likely, will be misquoted and used against you.
2. **Do get officer names and badge numbers** and by which law enforcement agency they are employed. Ask permission to get a pencil and paper from your backpack to write it down; they are supposed to always give their permission for you to do so. Later, write down a description of the event from start to finish including as much of the conversation as you can recall.
3. **Do have your ID with you.** You are legally required to identify yourself to law enforcement officers. Do not provide law enforcement officers with false information as to your identity; doing so is a misdemeanor. Failing to have your ID with you gives the officer an excuse to have you put your thumb print on the back of the citation, **take you into custody, or escort you to your car** and then try to get you to let them search your car.
4. Do exercise your right to be **free of unreasonable search and seizure**. Do not consent to a search of your backpack, purse or other closed belongings. Do not consent to a search of your vehicle.
5. Please note that State Park Regulation section #4300(e) authorizes a ranger to **eject a person** from the park if that person violates any law or regulation. County parks have their own regulations which may vary from place to place, but if the officer says you must go, please comply with the request. That doesn't mean you can't come back tomorrow!
6. If simple nudity is the issue, don't be intimidated by any threats of sex offender registration. **Under California law, simple nudity is not a register-able sex offense.** Lewd conduct is, but simple nudity is not lewd under the law regardless of what an officer may try to intimidate you with during your conversation with him.

**Important:** If a group of people are given tickets, such as during a beach sweep, try to **exchange names, emails, and telephone numbers with the others before leaving** the area. This will help us to contact the whole group later so we can compare notes on what happened and what was said, which can aide in your defense later.

Last, if you are cited, **please contact SCNA (818-225-2273)** immediately. We can put you in touch with our legal team, who can explain your legal options. We also have access to local attorneys ready to assist, should you decide to fight the ticket.

Sadly we find most nudists don't want to "get involved" with us until something happens to them. Obviously this frustrates us greatly, because by the time we learn about your ticket days or weeks later, you may have already abrogated many of your rights to the prosecution. **Most nude ticket cases have the potential to be won** if those involved simply follow the steps above and then contact us immediately.

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*[Note: This sheet is distributed by Beach Ambassadors and other volunteers at clothing-optional beaches in California]*



(l-r): Beach Ambassadors at Black's Beach in California and at Haulover Beach in Florida

## PART F. WALKING A NUDE BEACH

Preparing for your Beach Walk on a clothing-optional beach is the same as on a clothed beach except for the following:

- **Dress appropriately:**

- ✓ Wear comfortable shoes. You may have to walk places where there are rocks or litter so flip-flops are inappropriate.
- ✓ Wear your Ambassador Hat, name medallion, T-shirt or other items that identify you as an Ambassador. These will be your keys to authority in the eyes of the beachgoers as they get used to your Walks.
- ✓ Clothing is Optional for the Ambassador on a nude beach. If you are only patrolling the legal clothing-optional beach, and you are comfortable with nudity yourself, then all you need to worry about is your Beach Watch hat, a name medallion, and some shoes (in case you need to walk off the sand).

A swimsuit or appropriate clothing must be worn outside of posted clothing-optional areas so you might want to **carry some shorts and a T-shirt in a backpack** while on your rounds. The experience of Ambassadors walking Haulover Beach in Florida and Gunnison in New Jersey is you have a better response from the nudists on the beach if you are undressed also. But that is up to you.

- **We recommend you always work in 2-person teams. This is for your own safety.**

If Walking an area known for inappropriate activity, it is recommended that three Ambassadors Walk together.

We have found that having a **female Beach Ambassador** on your Beach Walk produces better rapport with female beachgoers and can actually de-escalate situations with gawkers and unauthorized photographers.

It is not recommended that you Beach Walk with a large number of Ambassadors (six or more) as this might intimidate the beachgoers and cause any person of interest to get defensive when approached.

- **Equipment Checklist:**

- ✓ Each team must carry a notebook & pen for recording incidents or conditions that need to be reported.

- ✓ Carry a flashlight if the Walk is at dusk or in areas where there is permanent shade such as heavy overgrown or perhaps a cave or culvert. The flashlight allows the police to find you more easily if you need to summon them.
  - ✓ Carry at least one cell phone on your Walk so you can call 911 or the non-emergency number if necessary.
  - ✓ Many of the Ambassadors who do these Walks like to carry a “fanny pack” to carry any personal items, such as keys and personal identification or business cards.
  - ✓ All that said, carry as little as possible for easy movement. Suggestion: Have one member of the Beach Walk team be the designated equipment person so the other(s) can more easily communicate with the beachgoers.
- **Pre-plan your Beach Walk route.** Select a route that is of reasonable length and tell someone not going of your planned path and the amount of time it will take. All the members should begin and end with a pre-planned destination, usually that is back at the starting point but not always. Walk members must be able to walk the full route.
  - Before starting your Beach Walk, have an agreed-upon way of handling incidents, so that you don’t have to figure it out in the moment. Some Ambassadors set up a **code word for dangerous situations**. For example, a word could be selected to mean, “This is dangerous and we need to leave now.” Some Walks arrange in advance who will do what in an emergency situation. The person with the best verbal skills could be the one that tries to calm down the situation. Another person could be the one who calls 911. The odds of this happening is very rare, but Ambassadors must be prepared for anything on their route.

## START YOUR BEACH WALK

Walking a clothing-optional beach is a very different challenge for Ambassadors because often the beachgoers are either spread out as individuals or couples at a distance from each other across the sand, or else they are clustered together in groups of a dozen or more in the far corners of the beach.

**As stated earlier, Beach Ambassadors in Santa Barbara County are directed not to attempt to enforce any nudity ordinance**, barring lewd conduct. Your primary mission, in addition to what you learned from the Beach Ambassador Part 1 Workbook, is to prevent potential user conflicts and to minimize any potential harassment from occasional troublemakers within the legal limits of our “authority.”

Let’s face it, most people get their first nudist experience at a beach for the simple fact that it’s free and anonymous. If someone is already nervous about being nude with others, this is the type of thing that can ruin their day so that they never try it again. Our goal should be to ruin the gawker’s day before he’s able to ruin a beach visitor’s day.

Seeing our **blue hats** as we walk along the sand psychologically can give the same sense of authority as would a nearby patrol car does on a city street. Those with concealed cameras or planning to engage in lewd conduct tend to assume a more “law-abiding” posture when we approach.

As on a “textile beach,” It is valuable for beachgoers to see that there is an organized beach group that cares about safety and livability and is hopeful for the future.

- Try to impress upon the nude beach visitor that they also must assume some share with us in the task of maintaining a safe and friendly environment at the beach.
- If they witness any questionable behavior, rather than simply tolerating it, they need to voice their objection to the problem person, and also they should alert any nearby Beach Ambassador. If standards of behavior are let to slip, the beach could become an unsafe place for families to visit.





## ABOUT GAWKERS AND VOYEURS

### Gawkers Hide Above The Beach or in the Dunes

For the most part, gawkers from the cliffs above a beach are pretty harmless. Most of them will just sit and watch, but sometimes that is enough to make somebody nude on the beach below uncomfortable enough not to come back.

What the gawkers dislike most is having their activity discovered. On occasion, the same gawker returns to the beach often, and becomes known to the Ambassador. If that happens, try to strike up a conversation to learn his name (never tell the gawker yours!). Calling the gawker out by name in a loud voice greeting is a good method to get him to go away (*See Role Playing Exercises, page 22*).

If the gawker is in the dunes or by himself, there is a reasonable chance he is a “pre-masturbator” waiting for an opportunity. His intent is sometimes difficult to determine. An experienced Beach Ambassador, though, can often spot a gawker waiting for an opportunity to cross the line as a sex offender. Coming close to where he is hiding and striking up a conversation is also a good method to get him to go away.

If the gawker is carrying a camera, see Photography section below.

### Voyeurs on the Beach

We define a “beach voyeur” as someone who is down on the actual beach sand, nude or not nude, who sit or stands uncomfortably close to others, often the focus of their intentions.

These people are the biggest problem for nude beachgoers because they cause uneasiness or concern by their behavior. We also have the guys—and it always seems to be guys—who roam up and down the beach all day and occasionally stop and sit down near an attractive woman. They will offer the women a massage, or else position themselves near a female to look up her legs.

When a Beach Ambassador sees this happening, or when someone complains while we are on a Beach Walk, the Ambassadors need to ask the nude beachgoer if they are comfortable with the situation. If they tell us they feel uncomfortable then we can take action on her behalf. Remember, every situation is unique so the same technique does not work every time, but here are a few things to try:

- The Ambassador introduces him/herself to the voyeur and educates them about nude beach etiquette, as well as laws and ordinances pertaining to inappropriate conduct. This is done in a friendly, non-confrontational manner, giving the “offender” the benefit of the doubt and a chance to correct his behavior without further problems. The vast majority of such cases are resolved peacefully and positively, and much of the time, the voyeur simply leaves the beach once they are “found out.”

- Ask the man to leave. Politely talk to the voyeur and let him know that he may be encroaching on the other person's "space." Often a female Ambassador will have better luck confronting somebody like this. The voyeurs are less likely to be confrontational with a woman Ambassador. If the Ambassador is nude, she should cover up before approaching the man. Most voyeurs, having been discovered, will leave at this point.
- One of the most effective ways is to simply open a beach umbrella to block the voyeur's view. If his motives are thwarted, he will move pretty quickly.
- If we have a hard-case who won't move along, we can go back to the woman and ask her to move her blanket elsewhere. We then explain to the voyeur if he follows her, it will be considered stalking and we will call the police.
- With some hard cases, we have heard stories of Beach Ambassadors going to some extremes to get people to move. At Black's Beach, Dave Cole told us "I walk over and sit in front of him with my crotch a few feet from him, at eye level. I then start talking to him and ask if he is uncomfortable. When he says that he is, I ask him how he thinks she feels. I sit there blocking his view of the woman with my own genitals until he moves."
- On rare occasions, we hear complaints after-the-fact against men who talk to couples, hoping they will meet someone looking for a threesome off the beach. We make notes of their description and what was said so we can be on the lookout for the person in the future.

Our primary tool is to use diplomatic methods of persuasion (and sometimes shaming) to try to get a desired result. Remember, we cannot arrest anyone, take away a camera, or force someone to leave the beach. However, we can sure make it uncomfortable for the person to stick around.

Sometime we learn the voyeur is not really a voyeur, Some fellows have never been on a nude beach and don't know the etiquette. They are simply scouting the site to make sure it's safe to visit with their wife or lady friend. Ambassadors can let them know the rules, and to welcome them and their guests to the beach. They probably will be thankful that the Ambassador program exists.

### **Training the Beachgoer**

Another role for the Beach Ambassador is to train the beachgoer how to handle gawkers and voyeurs when you are not around. It does little good to be told there was a gawker nearby an hour earlier who is now gone. You can ask for a description in hopes of seeing the person later, but that happens rarely.

There are many people, especially women, who do not know what to do or how to handle these beach-day spoilers. The active voyeur is a problem for the woman who does not know how to assert herself.

Also, she may not feel comfortable sitting next to a couple she does not know in order to develop a safety net relationship, as she might be misidentified as a voyeur herself.

Beach Ambassadors need to introduce themselves to the beach person, explain what Ambassadors do, and explain that the first line of defense is the beachgoer themselves. If they feel their space violated, they are the ones who need to speak up and object. Our experience is that once a person feel empowered, many beachgoers will solve the problem without an Ambassador's help.

But many will not. Their inaction comes either from not paying attention to what is going on around them, or from fear/ignorance of how to manage the situation safely. So an Ambassador will always be needed along the beach.

**Parents of nudist children** usually do not need to be told to watch their children closely. Instinctively all parents at a nude beach watch all the children out of the corner of their eyes at all times. Because of this, statistically, children are safer at a clothing-optional beach than at a shopping mall or even walking home from school. Still there is always those few moments when a parent might get distracted in a conversation with others, or falls asleep on the blanket. That is when the opportunity exists for deliberate harm.

Those parents must be asked by the Ambassador if it is okay that the man observed playing near their child for a long period of time has their permission to do so. Usually the parent will spring into action without further assistance from the Ambassador. But have your cell phone ready in case a call to 911 is required.

## Unauthorized Photography

This is becoming a major annoyance along all beaches, at nudist parks, and on hiking trails. Photography is a common occurrence in any public setting. It is when the person being photographed has not given permission for the photo that we have a problem.

The common use of smart phones and micro-GoPros make it nearly impossible to enforce any “no camera allowed” policies wherever nudists gather. Nudists bring them to the beach to record their day on the sand and voyeurs also use them to record nude people on the sand. Gawkers on the cliffs above may use telephoto lenses to photograph close-ups of body parts. And in recent years, low-flying drones have been added to the mix of annoyances.

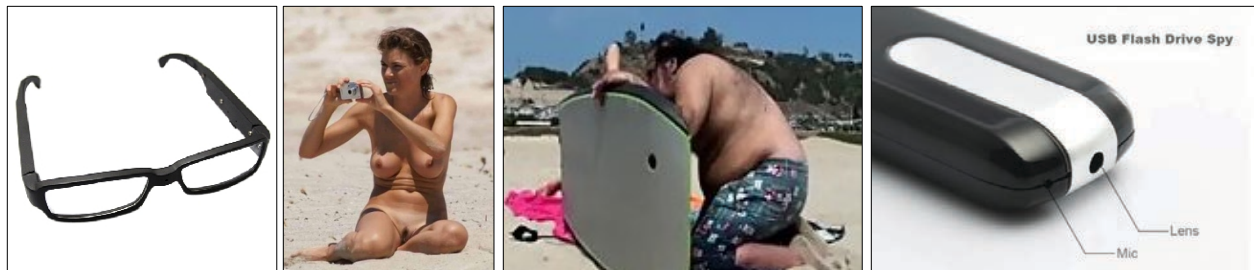
Some of the props used by the voyeurs include holes drilled in fake surf board or body boards, holes drilled into picnic bags or ice chests, cameras built into glasses or hats, and mini-cameras that fit into the palm o the hand (such as a fake thumb drive). No doubt the creativity of the voyeur to conceal his toy is unlimited.

Signage reminding people that photographic people without their consent is prohibited, such as they have at Wreck Beach near Vancouver, British Columbia, are routinely ignored by beachgoers, even those with no wicked intent.

To repeat, Ambassadors have **no legal basis to have such a person removed from the beach**. Often, a spontaneous mass vocal reaction from beach users will drive a photographer from the beach. Otherwise, a Beach Ambassador can only use persuasion, by presenting this as an issue of common courtesy and fairness, and by trying to evoke empathy in the photographer for the subject’s desire for privacy and anonymity. It will probably also be necessary to explain the legal situation to offended beach users, who may want to know why we are not more aggressive in our actions.

On the other hand, **professional photographers** must obtain a release from their subjects, if they plan to use photographs for advertising or for other commercial purposes. Professionals who bring their own models, and use beach “extras” only with their permission, generally pose no problems. The rule is, that if someone is recognizable in the photograph, the photographer must obtain a release from the subject. So if someone’s back appears in a picture, or if they are at such a distance as to be unrecognizable, their consent is not required. However, note that the issue of whether someone can be “recognized” can’t really be fully determined until after the picture has been printed, so the only real legal recourse for the subject may be to sue the photographer after the photograph has been published.

Of course, all this applies to tasteful and non-sexual photography; if the nature of the photography is explicitly sexual and pornographic, a Beach Ambassador should not hesitate to summon the authorities.



Above: GoPro cameras fit nicely onto a pair of glasses; A woman takes a picture of her friends (or others); Someone holding up a surfboard with a camera hold in it; A fake thumbnail drive that is actually a camera can fit in the palm of your hand.

**News media photographers** may take photographs of recognizable subjects in public places without their consent. If there is an issue or event of public interest; here the rights of freedom of the press and of the public to be informed have generally been held to override any privacy rights of the subjects. In practice, a wide latitude has often been granted by the courts in determining what is of “public interest.”

If the local or national media has decided to cover a Naturist beach as a newsworthy “event,” they are within their legal rights to do so. Beach Ambassadors should do their best in such cases to cooperate with the media to insure a fair, truthful, and reasonable presentation. Because of the still prevalent misperceptions about naturism, some beach users may fear that they might suffer negative repercussions from their employers or their communities if they are photographed at a Naturist beach. This should be brought to the attention of the photographers, so they may give an opportunity to such individuals to remove themselves from the area being photographed. Otherwise, we should welcome and actively seek unbiased and sympathetic coverage that presents true Naturist values in an honest and non-sensational fashion.

The role of the Beach Ambassador is not to forbid cameras – we couldn’t legally do that anyway- nor toss them into the ocean when we observe voyeurs taking especially nasty shots. The role of the Beach Ambassador is to react to obvious invasions of privacy and to announce as loudly as possible when we see such things in hopes of revealing the photographer to those around him/her. Once discovered, most clandestine photographer will quickly pack up and go as they fear discovery most of all.

### **Background People**

Besides the obvious person taking photos of nude people for his personal pleasure later, there is another issue with nudists taking photos themselves and inadvertently also including nude people in the background without getting their prior approval.

Naturist etiquette, and indeed common courtesy, dictates that the photographer should first obtain the permission of his subjects. Beach Ambassadors should have no issue with non-pornographic and legally permissible photography at the beach, where the consent of the subjects (including anyone accidentally in the background) has first been obtained. Unfortunately, obtaining a subject’s permission is not a legal requirement for an amateur photographer taking pictures in a public place.

### **Drones and Paragliders**

In late 2014, a man decided to fly his drone over a nude beach in Oahu, Hawaii.irate beachgoers didn’t buy the story he had found the beach accidentally since his drone flew continuously back and forth along the beach, hovering at times over the females. Soon after he posted the flyover video onto the Internet, thus adding to the evidence this was a deliberate act. No charges were filed.



Another example: In 2015, a Kentucky man was arrested after shooting down a drone hovering over his backyard where his teenage daughter was sunbathing. This is not the first case of a drone being brought down, but it was the first in which the person who brought it was arrested and convicted of destruction of private property (the drone). The judge ruled that the shooter’s privacy rights had not been violated by the drone and he had to pay damages to the drone owner.

Obviously, very few of us are comfortable at the thought that a Peeping Tom might be watching from anywhere, and now, from above us. A U.S. Supreme Court’s 1946 decision in *U.S. v. Causby*, it has been generally accepted that the property rights of a homeowner end 83 feet above the ground– the height of an eight-story building.

The Federal Aviation Administration (FAA), the agency required for issuing any federal regulations, has estimated that by 2030, there will be more than 1.6 million private unmanned vehicles competing for U.S. airspace. Everyone agrees some kind of regulation is required but there is no agreement about what those regulations should say. In 2015, the FAA proposed that all private drone users be registered and that hobbyists be allowed to fly in airspace between ground level up to 200 feet. The agency suggests that the privacy question be determined under state law.



Closer to home, here is a snapshot of a video posted online by a person paragliding at 200 feet over North Rincon (Bates) Beach, Santa Barbara County, in 2013:

<https://www.youtube.com/watch?v=iln3fvNMVgU>.

The section of beach he is flying over is where the nudists like to hang out.

As you can see, the person in the glider cannot see much detail at all, if just because they are moving along so fast. But to the beachgoer it appears the glider person can see everything. This can generate a lot of tension in just a few minutes.

At present, since there is not any state or county law against flying these mini aircraft over public land, Beach Ambassadors have no power to stop their operation. The best advice we can give is to try to find the drone operator and suggest he move his machine elsewhere, while also advising the nudists to cover up whenever a drone or paraglider approaches.

Ambassadors need to be observant about the reactions of beachgoers to drones or paragliders. If someone becomes enraged about the invasion of his/her privacy and starts to throw rocks, or appears to be leaving the beach to hunt down the person responsible, then the Ambassador needs to step in to try and lower the heat.

### **Escalation and De-Escalation**

On a nude beach, confrontations with gawkers and bullies are even more rare than on a textile beach, because people don't want others to see them misbehaving. However, once in a great while your quiet diplomacy will fail and the offender will respond with loud denials or threats of his own. The Ambassador needs to take immediate steps to scale back the situation.

Immediately back away physically from the offender so the threat of physical confrontation is reduced. Stay at least two arm-lengths away from a potentially dangerous person, or position yourselves behind a barrier if possible. Try to show that you are not afraid, even if you are. Keep your hands free and in front of your body. Look for escape routes.

Explain to the person your observations of the offender's actions in a calm voice and tell the other person they may not have realized that they were offending the victim (they rarely do *not* know what they were doing!).

Keep your voice calm, firm, low, slow, and even. Use short, simple sentences. The goal of this tactic is to get the offender to agree to move away from the nude sunbather(s) and preferably off the beach.

Avoid escalating behaviors. Examples: **taking their picture** and threatening to post it on the Internet, seizing their camera/removing its film cartridge or memory chip, making threatening gestures, etc. Remember, in a dangerous situation you don't need to be right; you need to be safe.

If the situation is not de-escalating, have your Ambassador partner use his/her cell phone to make a call to a designated person elsewhere on the beach. This shows the assailant that help is not far away and gets 911, if necessary, called by someone a safe distance away. This action can also escalate the situation further if the offender is enraged, so making the call is a decision if there seems no alternative.

## When Not to Call 911

The non-emergency sheriff dispatch number is for non-emergency police help. Using this non-emergency number:

**Carpinteria Sheriff Station - Lt. Brad Shaw**  
5775 Carpinteria Ave.  
Carpinteria, CA. 93013  
Non-emergency phone #'s: (805) 755-4438  
Dispatch for real emergencies: (805) 692-5743 (and after hours )  
SB Sheriff HQ Main #: (805) 681-4100 (after hours)

## When to call 911

- a) Call 911 when it is an emergency and a prompt response is needed. Call 911 if it is a life-threatening situation or if at the time of the call the Ambassador is observing a fire, a medical problem, the person you are confronting starts throwing punches, vandalism or theft of a vehicle, or a similar situation that could result in loss of life or major property loss.
- b) See the Ambassador Training Workbook #1 for further information.

## Dogs off Leash

- Dogs at Bates Beach and More Mesa Beach are required to be on a six foot leash, and at Gaviota State Beach, dogs are not allowed at all. By law, all off-leash dogs must be: with a responsible person carrying a leash, properly licensed with tags, healthy, not in heat, not aggressive or dangerous & all waste collected. Dogs not under voice control should not be off-leash.
- Santa Barbara County Park & Carpinteria City leash law violations are: \$100 fine for the first violation, \$200 for the second, \$500 for the third.
- Beach Ambassadors will often observe this law is not being enforced. In fact, during the summer months, you may observe many dogs running free at Bates Beach. What you may also discover is that dog owners get really angry when you remind them of the law. They get even more angry if you tell them to pick up after their dog and to take the bag with them.
- The policy of FOBB is NOT to interfere with violators of the County Leash Law unless the Beach Ambassador sees dogs fighting or otherwise dangerously out of control of their owners. This includes situations when a pet may be harassing sea lions, birds, or other wildlife on the beach. If this is the case, contact the **Santa Barbara City Animal Control at (805) 963-1513 or County Animal Services at (805) 681-5285.**

## In Conclusion

Remember you are not the police. You have no legal authority to interfere or attempt to detain anyone. Your role is to **observe and report**. If the situation feels dangerous, leave the scene at once and make the 911 call from a safe place.

Last, and on a different subject, always find a way to remind people not to litter. Keep the beach clean - pick up stray litter you find in on your patrol. Glass containers are NOT allowed on the beach. Smokers, cigarette butts do NOT belong in the sea or on the sand. Remind beachgoers to dispose of them properly.

Stay safe. Have fun!

## ROLE PLAYING EXERCISES:

Here is a list of situations we should be watching for, and some recommended actions a Beach Ambassador can do:

- **Situation 1.** A potential offender planting his/her blanket alongside another beachgoer's blanket despite other ample space nearby, and not taking the hint to move farther away. (A similar example is a man who appears to have planted his blanket directly south of a nude beachgoer who is working on an overall tan so they get a too close view of the nude person's intimate areas.)
  
- **Situation 2.** A person who appears to be taking photos of other beachgoers, either out in the open or with a camera hidden in a cooler, beach bag, or keychain thumb drive.
  
- **Situation 3.** A couple having sex under a blanket or behind an umbrella, or a person who appears to be masturbating on the beach or on the cliff above the beach.

## COURSE EXAM

1. Select the **correct** answer: **Nude/Clothing-optional recreation in Santa Barbara County is legal at...**
  - (a) More Mesa Beach and Bates Beach only.
  - (b) Summerland Beach.
  - (c) Gaviota State Beach, More Mesa Beach and Bates Beach only.
  - (d) Bates Beach only.
  - (e) None of the above.
2. Select the **incorrect** answer: **It is okay for Ambassadors to make these people uncomfortable so they will leave the area:**
  - (a) The voyeurs who sit on the cliffs above the nude beach,
  - (b) People whose dogs are off leash
  - (c) The gawkers who infiltrate the nearby sand to get a better look
  - (d) The people taking photos of others without permission
3. Select the **correct** answer: **If a drone is hovering over the beach near some sunbathers...**
  - (a) You have no authority to tell the drone's operator to stop.
  - (b) You can detain the drone's operator if he refuses to stop.
  - (c) Advise the beachgoers to cover-up whenever a drone is nearby.
  - (d) Advise the beachgoers to wave back.
  - (e) A and C
  - (f) B and C
4. Select the **incorrect** answer: **If the Ambassador spots a gawker staring at nearby nude sunbathers...**
  - (a) Confirm with the beachgoers they are uncomfortable with the gawker's presence.
  - (b) Subtly let the gawker know you know he is there by saying hello.
  - (c) Come close to where the gawker is hiding, position yourself between him and the sunbathers and keep talking (about anything except what he is doing) until he gives up and leaves on his own.
  - (d) Take the gawker's photo and say you will give it to the police.
5. Select the **correct** answer: **When can a Beach Ambassador in Santa Barbara County enforce the anti-nudity laws?**
  - (a) at their discretion
  - (b) only if a third party lodges a complaint.
  - (c) If you witness sexual activity
  - (d) They can't.
6. Select the **incorrect** answer: **It is okay for a Beach Ambassador to be nude except for shoes and hat while walking the clothing-optional area of a beach.**
  - (a) Yes, just carry your clothes with you in case you must leave the designated nude area.
  - (b) It is never okay for a Beach Ambassador to be nude while on the job.
  - (c) Yes, Ambassadors are exempt from all city, county, and state nudity laws.



7. Select the **incorrect** answer: If a person fears getting a ticket for nudity, advise them to do the following:
- (a) Do get the officers' names and badge numbers.
  - (b) Immediately afterwards write down everything that happened including who said what.
  - (c) Show the officer your legal ID if asked.
  - (d) It is okay to admit to the officer you were nude.
  - (e) Do not consent to a search of your backpack, purse or other closed belongings.
  - (f) If the officer says you must leave the beach, comply with the request.
  - (g) Exchange names, emails, and telephone numbers with any other people who are ticketed before leaving the area.
8. Select the **incorrect** answer: If the Ambassador observes a person giving an usual amount of attention to someone else's children...
- (a) It is none of your business.
  - (b) Ask the children's parents to confirm the person does not have permission to play with them.
  - (c) Be ready to call 911 in these situations.
9. Select the **incorrect** answer: If a gawker or voyeur gets defensive and starts to threaten the Ambassador to mind his own business...
- (a) Use a Female Ambassador if possible to calm the complainer.
  - (b) Get some big and muscular guys to back you up.
  - (c) Keep your distance, at least two feet away at all times.
  - (d) Stay calm and reply in an apologetic voice.
10. Select the **incorrect** answer: Recent California court cases have established the following precedents:
- (a) "Mere nudity does not constitute a form of sexual activity."
  - (b) "Simple beach nudity is not indecent exposure"
  - (c) "Nudity is legal on a beach unless someone complains."
  - (d) "Being nude in the Angeles National Forest is not prohibited by law."
  - (e) "Lewd conduct means a person willfully engaged in activity with the intent to arouse another."
11. Select the **correct** answer: The "Cahill-Harrison" policy that began regulating how nudity is handled in the California State Park System in 1977, is...
- (a) No longer in effect.
  - (b) Continues to be used by park rangers in traditionally nude areas.



Friends of Bates Beach is a division of the Southern California Naturist Association (SCNA), a 501(c) non-profit corporation whose members reside in communities from Santa Maria to San Diego.

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