PROSTITUTION IN NEW YORK CITY: ANSWERS TO SOME QUESTIONS

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INTRODUCTION

Prostitution may be the "world's oldest profession," but misinformation about it nonetheless abounds. While current social and legal policies regarding prostitution are often described as ineffective, the lack of basic information about the practice of prostitution has proved a stumbling block to reform. The purpose of this fact sheet is to supply some of that basic information and to amend some commonly held but erroneous views. There are many gaps in our knowledge; others should address questions we cannot answer, or those to which our answers represent "best guesses." In short, this fact sheet takes a first step toward improving the level of public awareness about an issue of concern to many New Yorkers.

In the main, we deal with the behavior of women 16 and over -- those whom the law considers "consenting adults."

Juvenile prostitution is a separate issue that we address briefly.

The material presented herein does not represent original research, but is drawn from a variety of publications and interviews with workers in the criminal justice system and with prostitutes. The individuals who provided information are too numerous to list; we thank all for their cooperation. Chief sources consulted are listed in the bibliography.

1. Who Is a Prostitute?

The New York State Penal Law defines prostitution as "engaging in sexual conduct with another for a fee." The definition does not specify the gender of the person who engages in sexual conduct, and presumably applies equally to men and women who perform such acts.

Apparently straightforward, the definition is in fact open to differences of interpretation. What, for example, is "sexual conduct?" Is an actor in a sexually explicit film committing prostitution? And what is a "fee?" While streetwalkers arrested for prostitution demand cash for their services, call girls — who are more likely to escape arrest — may take their pay in kind: an expensive piece of jewelry, a fur coat.

Indeed, some would argue that legal definitions of prostitution are too circumscribed and would prefer the "social definition" of prostitution proposed by Professor Jennifer James of the University of Washington: "any sexual exchange where the reward is neither sexual nor affectional." According to this broad definition, a woman who lets a man she doesn't particularly like or want to sleep with pay for her vacation would be a prostitute.

These definitional issues point to different points of view about the role of women in contemporary society. We recognize that controversy, but in this position paper we restrict ourselves to prostitution as it is legally defined, unsatisfactory and incomplete as that definition may be.

2. What Is the Prostitution Scene Like in New York City?

No one knows just how many prostitutes there are in New York. Arrest data are of little help, because few women who work in brothels or massage parlors get arrested. Of course, the count depends on the definition — a highly problematic issue, as noted above. Several studies estimate the number of female prostitutes in the U.S. to be 450,000, with 40,000 of these in New York City. There is a general consensus that many prostitutes, perhaps the majority, do not work full-time at that occupation. In addition to the prostitutes themselves, a number of other actors play roles in the New York City prostitution scene — johns (customers), pimps (promoters), police officers, the employees of the criminal justice system who handle prostitution cases, and landlords, physicians and other service personnel who cater to prostitutes and their customers.

Prostitution exists in a variety of forms, on a number of economic levels, and in several geographic areas. At the top of the status ladder are call girls and women who work in apartments or brothels and cater to the well-to-do. They generally live in fashionable areas of the city and rarely have contact with the law; they are usually white. On the next rung are women who also work out of apartments but charge lower rates and entertain more customers.

Massage parlors also differ in the amenities they offer and the customers they serve. The more expensive ones may feature saunas, music, and topless dancing; the customer pays

an entrance fee and an additional fee for the sexual services one wants. The lower-priced massage parlors are less luxurious and are more likely to employ black and Hispanic women. Some of the cheap parlors function in part as hotels for street-walkers.

On the whole, massage parlors offer relatively clean and safe surroundings for both the woman and her customer. Because police regulations do not permit officers to disrobe while they are on duty, women who work in massage parlors ask their customers to undress before discussing any "business," thus avoiding, for the most part, the customer who is an undercover police officer.

Further down the status hierarchy are streetwalkers, some of whom are addicted. While the customary practice is for the client to pay the cost of a hotel room plus a fee for service, a streetwalker may also operate out of the room of a customer, use his car, or locate a spot in the hallways and alleys of the area in which she works.

The Times Square area is the center of the commercial sex industry. Sidewalk solicitation is also common on the East. Side (Lexington Avenue between about 23rd Street and 59th Street), the East Village (Second Avenue north to 14th Street), the Upper West Side along Broadway, Harlem (with the corner of Lexington and Eighth Avenues and 125th Street being particularly active spots), Delancey Street on Manhattan's Lower East Side, and in pockets in the other boroughs.

Most streetwalkers retire at about 25, but call girls and women in brothels frequently work another 10 years or so. There is little hard information on the ethnicity, birth-place, or income of New York City prostitutes. Data from police records, although useful, describe only those women who have been arrested; these are disproportionately non-white. Racial and economic discrimination enter into the prostitution picture: white women are more likely to become call girls, and they are less likely to work the heavily policed Times Square area.

3. Who Are the Customers?

Although as one prostitute says, "Every man is a potential john," recent research indicates that men who patronize prostitutes are generally white, middle-aged, middle-class, and married; the majority work at white-collar jobs. Their motives for visiting prostitutes vary: some want a variety of sexual partners and/or acts, particularly oral sex; some are looking for sex without involvement; a smaller number (including the aged and physically and mentally handicapped, for example) cannot find, or feel they cannot find, non-professional sex partners.

4. What About the Pimps? Why Are Efforts to Make Arrests of Pimps Unsuccessful?

Pimps are the entrepreneurs behind street prostitution. They assemble a "stable" of girls, outfit them and give them a place to sleep, position them on streets with a good potential for business, dictate the amount of money a girl must make each night, and take a large percentage of that money. The pimp also assists his prostitute in making bail or paying the fine she incurs when arrested.

There are two major reasons why convictions of pimps are so hard to obtain. First, the testimony of a single person is insufficient to convict; corroboration is required.

Second, prostitutes rely on pimps even more for psychological sustenance than they do for economic needs. The pimp fills an emotional void. In almost all cases the relationship between a woman and her pimp is a purely voluntary one; even though others might view that relationship as exploitive. "White slavery," so-called, is virtually a thing of the past. It is therefore extremely difficult to find women willing to break the street code that warns: "Don't 'sign on' your man no matter what!"

5. What About Victimization Associated with Prostitution?

It is difficult to gauge the amount of crime associated with prostitution because such crime is likely to go unreported. Many streetwalkers do try to empty their johns' wallets, or to pick the pockets of the customers they are soliciting; sometimes they use force. The other side of the coin is that prostitutes, especially streetwalkers, are often assaulted by violent customers, battered by their pimps, and prey to muggers. But prostitutes and johns who are victimized rarely bring their complaints to the police, since to do so would invite prosecution.

It is hard to predict what the results would be if prostitution per se were no longer a crime. There is little reason to think that decriminalization by itself would bring about a reduction in crimes against prostitutes and their customers. Laws against such crimes are already on the books, however, and it is possible that if criminal penalties were no longer attached to being or patronizing a prostitute, more victims would seek police assistance. It is the threat of prosecution, now virtually non-existent, which might deter commission of thefts and assaults.

There is an additional dimension of the crime problem. In New York, over fifty percent of the population in women's jails have been convicted for prostitution. Saddled with a record of arrests, convictions, and prison terms, many women

find it virtually impossible to make a living in any other way. And to the extent that prisons have become "schools for crime," women jailed for a comparatively minor offense may emerge as savvy future felons.

6. Are Most Prostitutes Addicts?

Again, hard data for New York City are missing, but the general consensus is that most prostitutes are not heroin addicts. While the prevailing myth is that pimps hook their women by supplying them with drugs, the very opposite may well hold true: pimps may be especially reluctant to have addicted women in their stables because so high a proportion of their earnings goes to buy drugs.

Women who are addicted are likely to be streetwalkers and are thought to be responsible for much of the robbery and theft that accompanies prostitution.

Many prostitutes do use drugs of some kind, but the direction of the association between drug use and prostitution is not clear. Although some women undoubtedly enter the profession as a way to support their habits, others start using drugs in response to the pressures of their lifestyle.

7. Are Prostitutes in Poor Health and Do They Spread Venereal Disease to Their Customers?

Contrary to popular belief, prostitutes account for a minor part of the VD problem.

While public health officials acknowledge that venereal disease has reached a crisis level, prostitutes are not responsible for this increase. Dr. Charles Winick of CCNY, President of the American Social Health Association, writes: "We know from different studies that the amount of venereal disease attributable to prostitution is remaining fairly constant at a little under 5 percent, which is a negligible proportion compared to the amount of venereal disease that we now have." A poll of public health experts shows most believe that prostitutes are well-informed about VD, that they know the signs to watch for and are aware of precautionary techniques. Those prostitutes who depend heavily on repeat customers are especially likely to take care of their health. It is simply part of a woman's business to protect herself from VD.

It is often claimed that health inspections of prostitutes would ease the VD problem. Even if prostitutes were responsible for a large share of VD, such inspections would

probably be futile, given the possibility of immediate reinfection after treatment. The criminalization of prostitution has given rise to a group of high-priced doctors who specialize in treating prostitutes; public health might better be achieved by expanding the number and outreach of VD clinics providing low-cost services in a sympathetic and non-judgmental way to all who seek them.

8. Is Prostitution Tied Up with Organized Crime?

There is little hard evidence on this issue, but most knowledgeable observers do not think that call girls, street-walkers and pimps are linked to organized crime. They believe that this aspect of the business is too diffuse to give the syndicate an interest in exercising control.

With massage parlors the situation is different. There is almost certainly some degree of involvement on the part of organized criminal elements, but its extent is unknown.

9. Is Police Corruption Associated with Prostitution?

While it is hard to know the extent of <u>actual</u> corruption, the <u>potential</u> for corruption is always there. Law enforcement officials can make deals to enforce the laws lightly or not at all. The police officer knows that whether or not the prostitute has done something for which she can be arrested, it's his word against hers; the possibility of a shake-down in the form of cash or free services is ever-present. Because prostitutes generally carry a good deal of money, they are in a position to pay off.

Although use of entrapment techniques is not corruption per se, it does involve the police in unsavory practices that pose a potential threat not only to prostitutes but to society at large.

10. What About Juvenile Prostitution?

In Midtown Manhattan in the first eleven months of 1976, nine girls under 16 and 1165 between the ages of 16 and 20 were arrested under prostitu-

tion charges. Another 9,035 girls under 21 (of whom 14 were under 16) were arrested for disorderly conduct. Girls under 21 accounted for about a fifth of all prostitution-related arrests; but girls who are "juveniles" (16 or under) were responsible for a minute fraction of these.

The problem of youthful prostitution is probably greater than arrest figures suggest, however, because many teenage prostitutes work in massage parlors where arrests rarely occur.

One expert in the field divides teenagers involved in prostitution into two main groups. First are those girls who are from New York City or other urban areas. They are usually lower-class minority group members and choose prostitution deliberately as a way to make money. Girls in this group are more likely to operate independently of pimps. Runaways comprise the second group. They are often white and middle-class and come from non-urban areas to New York to find work and adventure and also to escape intolerable home situations. Often they have totally unrealistic expectations (they plan on careers in modeling, for instance) and are susceptible to the blandishments of pimps. Many of these girls have been sexually molested at an early age (often by family members).

A Runaway Unit in the Youth Aid Division of the New York
City Police Department responds to reports of missing Juveniles
and cruises the streets looking for girls who appear under age.
A special Runaway Unit stationed in the Port Authority Bus
Terminal tries to pick up underage girls before they leave the
station. Both units generally seek to return girls to their
families; when this is inappropriate, the girl may be referred
to the Bureau of Child Welfare and placed in a temporary shelter pending a PINS action in Family Court.

Young prostitutes know that if they come under the jurisdiction of the child welfare system, they will be returned to their families. Wanting to avoid this, the young prostitute generally avoids the helping agencies.

The problem of dealing with youthful prostitution arrests is complicated by division of court jurisdiction. New York residents under 16 are considered to be juveniles and their cases go to Family Court; residents 16 or over are tried in Criminal Court. In most other states, 17 or 18 is the dividing line; and in New York City, the Family Court also deals with out-of-state runaways between the ages of 16 and 18.

Resources for dealing with teenage prostitution are extremely limited. The Port Authority Runaway Unit is staffed by four police officers and three social workers; and seven officers are assigned to the New York Police Department Runaway Unit. There is also a shortage of long-term residences for teenagers. But additional staff and residential facilities do not get at the root causes for which girls run away from home and become prostitutes.

11. Aside from Involvement of Juveniles, Why Is Prostitution Considered to be a Problem?

Street solicitation is at the center of what is considered the "prostitution problem" and is regarded as a threat by both residential and commercial interests.

Residential communities exist in all areas of the city where prostitutes operate, and some people who live in these areas complain that prostitutes have made their streets unsavory and unsafe. Female residents are often accosted by Johns and males by prostitutes seeking customers. In addition, area residents fear that muggers and other criminal elements may be drawn to the area to paey on prostitutes and their johns.

Some shopkeepers located in areas of high prostitution fear that the atmosphere will keep customers away. Some theater and hotel operators also claim that streetwalkers have led to a drop-off in clientele.

Although the public outcry focuses on streetwalkers, prostitution inside residences has also been opposed, with complaints centering around the noise issuing from brothels and around the fact that customer access to buildings is sometimes unchecked.

It is difficult to determine the focus of much of the opposition to commercial sex in areas which have in addition to prostitutes pornographic movie theaters and bookstores.

However, it is probably fair to say that businesses other than those in the commercial sex industry lose customers and may be forced to move out of areas where commercial sex businesses predominate. The controversy over the impact of commercial sex uses on surrounding business and residential areas has raged for years, but for the most part there is no evidence that prostitutes operating in an area have been the sole or major reason for an area's decline. For example, in New York City, the theater industry has shared Times Square with prostitutes for many years and the theater has survived in that area.

12. What Is the Current New York State Law on Prostitution?

a. The Law

New York State prohibits prostitution, patronizing a prostitute, permitting and promoting prostitution, and, in a new law effective 7/11/76 (the "Ohrenstein Law"), prohibits loitering for the purposes of prostitution. The table below shows the definition and penalty for each offense:

⊊ f •	<u>Offense</u>	<u>Definition</u>	<u>Penalty</u>
enal Law 30.00	Prostitution	Engages in sexual conduct with another for a fee	Class B misdemeanor imprisonment up to 3 mos. and/or fine of up to \$500
0.05	Patronizing a prostitute (e.g., john)	Pays a fee to another as compensation for engaging in sexual conduct or solicits or requests another to engage in sexual conduct in return for a fee	Violation imprisonment up to 15 days or fine of up to \$250
30.20	Promoting prostitution 3rd degree (e.g., pimp)	Advances or profits from prostitution	Class A misdemeanor imprisonment up to 1 year and/or fine up to \$1000
0.25	Promoting prostitution 2nd degree	Manages or controls house of prostitution; advances or profits from prostitution of person less than 19 years old	Class D felony imprisonment up to 7 years and/or fine twice the amount of defendant's profit from offense
0.30	Promoting prostitution lst degree	Advances prostitution by compelling person by force to engage in prostitution or profits from prostitution of one less than 16 years old	Class C felony imprisonment for up to 15 years and/or fine twice the amount of defendant's profit from the offense
	Permitting prostitution (e.g., hotel owner)	One who has control or possession of premises he knows to be used for prostitution fails to make reasonable effort	Class B misdemeanor imprisonment up to 3 mos. and/or fine up to \$500

to halt or abate such use

ef. 40.37 Offense

Definition

Penalty

the purpose of engaging in a prostitution offense (e.g.,

Loitering for Remains or wanders in a public place and repeatedly beckons to, or attempts to stop or engage passersby in conversation or repeatedly stops or attempts to stop motor vehicles or streetwalker) repeatedly interferes with the free passage of other persons for the purpose of prostitution or patronizing or promoting prostitution

Prostitution or Patronizing Class B misdemeanor if previous conviction under this law or the law prohibiting prostitution or patronizing a prostitute (up to 3 months imprisonment and/or \$500 fine) 1st offense: violationimprisonment up to 15 days and/or \$500 fine Promoting Class A misdemeanor imprisonment of up to 1 year and/or fine of up to \$1000

Related Statutes:

- 1. Persons charged with violating the anti-loitering statute (240.37) may be fingerprinted under a new section of the Criminal Procedure Law (§160.10(1)(e) and (b)).
- 2. In prosecution for prostitution or patronizing a prostitute, the sex of the two parties or prospective parties is immaterial (Penal Law § 230.10).
- 3. Corroboration other than that of the prostitute is required to convict one of promoting prostitution (Penal Law § 230.35).
- . 4. Disorderly conduct arrests are described below. This offense requires intent to cause public inconvenience, annoyance, or alarm or recklessly creating risk thereof and includes fights, unreasonable noise, abusive or obscene language or obscene gesture, disturbing lawful assembly, congregating with other persons in public place and refusing police order to disburse, creating hazardous or physically offensive condition by any act which serves no legitimate purpose (Penal Law § 240.20).

b. Law Enforcement

Arrests of prostitutes are made in two ways. To make an arrest for prostitution, the arresting officer (usually a plain-clothes police officer) must be solicited directly. An arrest for solicitation may be made under the Ohrenstein Law if a prostitute is loitering for purposes of prostitution. New York City Police Department operating procedures state that observing a prostitute beckoning "repeatedly" (i.e., more than once) to a man constitutes reasonable grounds for such an arrest. [There is some question as to whether police department guidelines are limited to arrests of female "loiterers."]

Prior to the enactment of the Ohrenstein Law, the New York State statute prohibiting disorderly conduct was used to arrest streetwalkers.

Although the statutes bar male or female prostitution in apartments, brothels, massage parlors, and hotels, enforcement efforts are, in fact, directed almost exclusively against streetwalkers, who tend to be poorer women of minority groups.

13. What is the Impact of Anti-Prostitution Laws in New York City Criminal Justice System?

The New York City Police Department reports that there were 2,838 arrests made city-wide in 1976 for prostitution, a charge that involves direct solicitation of a plainclothes officer. In addition, in the Manhattan South area (from 59th Street to the Battery), there were 2,620 arrests for loitering for the purpose of prostitution, and 8,114 prostitution-related disorderly conduct arrests.

By contrast, there were 59 arrests of pimps and two arrests for permitting prostitution. Police direct their control attempts almost exclusively against women (or those who pose as women), rather than against the men who profit from prostitution and keep it in demand.

Data are available on court dispositions of direct prostitution arrests for the first four months of 1977. Sixty-one per cent of the women received fines; the average fine was \$194. About 11 per cent of the women were sentenced to jail terms, with 15 days as the average sentence, and an additional 15 per cent were handed out sentences of time served. The remainder received conditional discharges, or adjournments in contemplation of a dismissal.

In 1971-72, the most recent year for which there are statistics, the average cost of making and disposing of an arrest was \$1705.

Inflation has undoubtedly increased this figure considerably.

Some would argue that the price of controlling a "crime" in which the parties freely participate is a high one, especially in a period when city services are being curtailed drastically. The

money spent on one prostitution arrest would send one New York City youngster to the City University for a year, or would pay for six months of daycare services for a child. 14. What Has Been the Effect of the Anti-Loitering Statute ('Ohrenstein Law")?

Although firm data on the effect of the Ohrenstein Law is not available, it appears that the number of arrests under this law has been limited.

The police in New York City are not using the law to make sweeps of prostitutes, but have made an average of 100 individual arrests per week in Manhattan. (This compares with 3000 arrests per month for disorderly conduct during 1975.)

The Ohrenstein Law has been challenged in several lawsuits brought by the Legal Aid Society. Below is a brief description of these suits.

The first is a class action suit brought on behalf of women whose jobs or other activities require speaking with people on the street. One plaintiff, for example, heads an organization which seeks out prostitutes and offers them counselling and other services. Other plaintiffs are political workers.

The relief being sought is an injunction to prevent enforcement of the statute and a declaratory judgment that the statute is unconstitutional. The reasons offered as to the statute's unconstitutionality are:

1. The statute is vague and overbroad and as such, invites or permits arbitrary and discriminatory exercise of the state's police power.

- 2. The statute has a "chilling" effect on First Amendment rights. [The U.S. Supreme Court has held that any statute which by threatening civil or criminal penalties inhibits one in his free expression of speech, assembly, or religion should be declared unconstitutional.]
- 3. That the action for a declaratory judgment presents "a justiciable controversy" -- one which is an actual case even though none of the plaintiffs had been arrested under the statute.

. This case is stayed pending a state appeal described below.

In a second action, a woman was arrested under the Ohrenstein statute on July 12, 1976. Responding to a motion to dismiss the charges in this case, Judge Benjamin Altman declared the Ohrenstein Law unconstitutionally vague. Judge Altman said that statute gave "unfettered discretion" to the police enabling them to make arrests "upon mere suspicion" rather than upon "probable cause" — the standard required by law. This decision has been reversed by the Appellate Division.

15. What Are the Constitutional Issues Involved?

There are four main constitutional challenges to current prostitution laws.

First, such laws discriminate against women and thereby violate the equal protection clause. Even when the laws apply to men as well as women, they are generally enforced in a discriminatory manner. [Fourteenth Amendment]

Second, prostitution laws invade the right to privacy.

With respect to birth control, the Supreme Court has ruled that the sexual activities of both married couples and single individuals are free from government interference. Laws against prostitution intrude on the private sexual activity of consenting adults. [First Amendment]

Third, present laws violate due process requirements. Often women are not arrested for the act of prostitution itself but for disorderly conduct and the like, as a means of harassment. The "discon" arrest policy followed by the New York City Police Department is being challenged on the grounds that it violates due process guarantees. [Fourteenth Amendment]

Finally, it is charged that anti-soliciting statutes run counter to free speech guarantees. [First Amendment]

This is obviously a bare-boned analysis. For a more comprehensive discussion of the arguments, see Marilyn Haft's essay in <u>The Politics of Prostitution</u> (Social Research Associates, November 1975).

16. How Do Other Countries Deal with Prostitution?

The United States is one of the few countries in the world where the act of prostitution per se is a criminal offense.

Western European countries and cities have adopted different measures to attempt to control those aspects of prostitution that are viewed as public nuisances. In England, for example, open solicitation on the streets is prohibited, but there are no controls on private prostitution; contacts are made through advertisements in newspapers and on bulletin boards in the Soho area, where prostitution is centered. Amsterdam and Hamburg both allow prostitution in certain parts of the city; indeed, Amsterdam's "red light district," replete with sex shows and pornographic literature bookstores as well as prostitutes, has become a major tourist attraction. Prostitutes are not required to register with the police or to have medical check-ups, but the growth of the industry is regresidences in the red light district may not convert to business use, and working women must be 21 or married. Women who operate outside of the authorized area are fined on their first offense. In Hamburg, both registration and weekly physical examinations are required.

In Copenhagen and Stockholm, too, prostitution is generally 10 tolerated.

While French law affirms a woman's right to work as a prostitute, there are strict measures against living off the earn-

ings of prostitutes and against street solicitation. Efforts to close hotels and arrest pimps led to a prostitutes' strike in 1975; many women complained that only those who could pay off the police could continue to operate.

How well these solutions might work in New York City, where prostitution is more geographically dispersed, is, of course, uncertain. But the experience of other countries suggests different ways of thinking about, and dealing with, prostitution.

17. What Is the Difference Between Decriminalizing Prostitution and Legalizing It?

Decriminalization means simply the removal of criminal penalties from the act of prostitution. Legalization has come to mean government regulation of the business, through such measures as registering prostitutes, licensing brothels, enforcing health inspection, and collecting taxes.

The following explanation of legalization and decriminalization of prostitution is excerpted from the Politics of Prostitution (Social Research Associates, 1975.)

"Legalization maintains that sexual behavior should be regulated by the government. This system is usually characterized by house of prostitution or brothels. To work legally, prostitutes must work in these houses where they are supervised by a "madam' or "foreman." Customers come to the houses, select the prostitutes they prefer, and conduct their business in the house.

Experience in other countries has pointed out that, in the 1970's legalization will not work. Most prostitutes do not want to work in controlled houses where they cannot choose their customers and must make excessive payments to the madam or foremen. customers do not like the closed, commercial atmosphere of a house and still prefer to meet women on the street or through a call-girl system. Regulations that provide a license for the owner of a house, rather than for individual women, force the prostitutes to work under circumstances over which they would have little control. The only women who would actually work in state-run brothels would be those who are now most frequently arrested: the poor, minority, and less able women who have limited opportunities or alternatives. They would be forced to exchange one form of incarceration for another. Legalization would also require that law enforcement agencies become increasingly involved in regulating prostitution.

Decriminalization of prostitution is a less abusive legal choice. It differs from legalization in that, instead of more legal involvement, it removes prostitution from the criminal code entirely. It is an approach

which would put sexual behavior between consenting adults that occur in private outside the purview of the law. Contols could be devised, depending upon an individual community's concern about overtness, taxation, hygiene, and age. If overtness is a primary concern, then a street-citation system applying equally to loitering customers and loitering prostitutes can be employed. Ideally, this would not be necessary; given narrow American views of acceptable public behavior, however, it may well be.

Taxation, hygiene and age requirements can be approached in a number of ways. The least abusive to the individual woman would be a small business license with a health card requirement. Prostitutes would obtain a license much as a masseuse does; her place of business would have to conform with zoning requirements; she would be required to report her income, be of age, and keep her health card current. Violations would mean revoking her license and would be handled by a non-police administrative agency. Advertisements would be limited to discreet classified ads. Houses of prostitution would not be licensed.

A variety of systems of decriminalized prostitution have been tried in Europe. The British have instituted a system which places no controls on private prostitution. Contacts are made through subtle newspaper ads or referrals. Streetwalking is prohibited as a public nuisance, and violators are given citations by uniformed officers when they are seen to interfere with the freedom of passers-by. Other European cities, such as Amsterdam and Munich, have set up geographical areas where streetwalking is permitted.

Regulations such as the above still limit personal freedom in a purely private area. Of course, the non-licensed prostitute could still be prosecuted, although a civil citation rather than a criminal one would be issued. These regulations are presented because the ideal of a "consenting adults" approach must unfortunately be balanced by the reality of public expediency. Decriminalization, with some restrictions, is regarded only as a provisional solution while we seek to change the more fundamental causes of prostitution."

18. Why, Despite Laws and Police Efforts to Curb Prostitution, Does the "Profession" Continue to Grow?

As a stroll up Eighth Avenue indicates, statutes and "clean-up" efforts have not been successful in curbing prostitution.

Efforts to eliminate prostitution require large sums of money, large numbers of law enforcement and court personnel, and community support. In a time of fiscal crisis for state and local governments, and of a rise in criminal activity which directly injures the victims, few communities are in a position to make enforcement of anti-prostitution laws a high priority.

Successful law enforcement requires community support. Although there have been periodic demonstrations of support for strong anti-prostitution efforts, these have not been broadly based. Rather, they have focused on the streetwalker, who is the end-person in a series of entrepreneurs — landlords and hotel-owners whose buildings are used, pimps or madams who control prostitutes, police officers and building inspectors who take pay-offs to "look the other way," and "legitimate" business people in commercial sex centers whose profits are affected by the availability of all forms of commercial sex. Few community groups are anxious to support the kind of expensive and revealing law enforcement effort which would be required to root out and punish all those who profit from prostitution.

Because customers are rarely arrested or prosecuted, patronizing a prostitute is fairly "safe." Indeed, prostitutes apparently serve an important social function for which there is a continuing demand.

The prosperity of the prostitution business suggests that the much-vaunted sexual revolution of the 1960's and 70's has had a mixed impact: while encouraging greater emphasis and understanding of sexual needs, it has also pressured men and women to engage in sex as a substitute for relating in other ways.

19. What Would the New City Planning Commission Zoning Plan Provide?

In January, 1977, the New York City Planning Commission approved new zoning regulations that would ban all massage parlors and would severely curtail other commercial sex establishments. Specifically, the new regulations would:

- * Ban all massage parlors. (Bonafide health clubs, with pools, would still be permitted to give massages.)
- * No pornographic establishments within 500 feet of all residential areas.
- * No more than three pornographic establishments ("adult uses") within 1,000 foot-wide zones in commercial districts and no more than two such uses in shopping districts in outlying boroughs.

If the number of existing "adult uses" in an area exceeds proscribed limits, some would be forced out of business.

The City Planning Commission estimates there are 245 "adult uses" today, including adult movie theatres, massage parlors, and adult bookstores or peepshows.

Civil liberties spokesmen and others believe that these zoning regulations may violate First Amendment (free speech) freedoms. 12

20. Do Any Organizations of Prostitutes Currently Exist?

The chief such organization is COYOTE (Cast Off Your Old Tired Ethics), founded in 1973 by former prostitute, Margo St. James, with headquarters in San Francisco. COYOTE's principal goals are to provide legal assistance and to educate the public, with an eye to decriminalizing prostitution.

SCAPEGOAT is a non-profit organization based in New York City that assists current and former prostitutes and their families. It makes referrals to medical, legal, and job training services and operates a child care and drop-in center. Its chief aim is to help women choose freely from available alternatives. More information about SCAPEGOAT may be obtained by writing to its founder, Mari Maggu, at 1540 Broadway, Suite 300 H, New York, New York 10036, or by calling (212) 757-6300.

FOOTNOTES

- 1. One study reports that "probably more than half a million women work as prostitutes in America some regularly, some from time to time." Elizabeth and James Vorenberg, "The Biggest Pimp of Them All: Prostitution and Some Facts of Life" The Atlantic Monthly, Vol. 239, No. 1 (January 1977), 31-32. The New York City estimate of 40,000 was provided by Samuel James, a pschologist who has worked with prostitutes. His figures may be high, however. A New York Police Department lieutenant puts the number of "hard core" street prostitutes at 2,500, an estimate which includes women working in West Side massage parlors. This disparity is obviously sizable, and is partly attributable to problems of definition, for instance, deciding how "hard core" a part-time operator really is.
- 2. No written communique forbidding the practice of disrobing on the job exists. This policy is, however, an unwritten law that appears to be generally obeyed.
- 3. Jennifer James et al., The Politics of Prostitution (Social Research Associates, November 1975), pp. 52-53.
- 4. Section 230.35 of the New York State Penal Law.
- 5. U. S. Department of Justice, Federal Bureau of Investigation, Crime in the United States: Uniform Crime Reports (1974), as cited in James, op. cit.
- 6. Charles Winick and Paul M. Kinsie, The Lively Commerce: Prostitution in the United States (Chicago: Quadrangle, 1971).
- 7. New York Police Department, Crime Analysis Report, 12/76.
- 8. Winick and Kinsie, op. cit.
- 9. Vorenberg, op. cit., pp. 30-31.
- 10. Ibid., p. 31.
- 11. Ibid., p. 35.
- 12. See, for instance, The New York Times, Thursday, December 2, 1976.

CHIEF SOURCES CONSULTED

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- Winick, Charles, <u>The Lively Commerce</u>, Chicago, Quadrangle Books, (1971)

불왕 맛있다면 나는 사람들은 하는데 하는데 그렇게 되는데 나는 그 나는 것이 없다.	
주민이들은 말이는 그리눅에서 불어받아 이번 보이 되어 하는 것만 되었다.	
생산을 내용 음악은 생기에는 본 기가를 다르고 그는 생 원모들은 한 생각이 되는 것 같다.	
특별의 후 아님들이는 배우는 힘들는 그들은 것은 그의 일반 등에 되었다.	
잃었다. 하지 한 보내는 이 사람이 되는 사람이 되었다. 그 사람은 그리 하네다.	
장병님 얼마는 얼마는 이번 그는 그는 사이를 하는 이 상사를 하는데 없다.	
요즘 그는 그는 한국에는 그 그들은 어떤 것이다. 사람들은 것이 없는데	
[발문] 유경 배우 아이노, 얼마 노랑는 다음 국제로 수 한다고 아니노 (Aller)	
선생님의 경우 가는 어느 얼마는 이 이 사람들이 모든 사람이 집에 전하다는 모든데요?	
그는 기업으로 하면 하는데 그런 사람이 그 사이를 하는데 하는 것 같아 나를 했다.	
그렇게 되다 하면 바람들이 하다 하는 것들은 그리 되는 것으로 되는데 되는데 하는데	
그러운 기를 가게 하는 사람이 되어야 하는데 하는데 이번 사람이 되었다.	
사람에 가는 그는 그 없는 사람들은 사람들은 그들은 사람들이 가지 않는데 보다는데	
통의 물병원들은 열망하여 한테 보는 살림은 나는 이 모두 모양하는 안 하는 사람들 모양이라고 함	
고양으로 함께 있는 일을 가는 눈으로는 생각한 그일 그들은 그는 그를 하는 것이 되었다.	
그렇게 되다면 하다니다. 한 경기에 가는 하는 사람들이 가지 않고 모임되었다.	
그는 어디로 맞은 하다 하나는 요즘 살이 되었다면 하다는 나를 하는 것이라고 하는 것이다.	
그들이 말하면 하다 하는 사람이 되었다. 그런 그리고 하는 사람들이 되었다.	
[홍점] 고등일, 공하 전환하는 하음하다. 나는 요요 그리고 이 모고 그 모든 전 하는데 다다.	
그래요 문항원이 되었다면서 아이에 있었다. 그렇다 그런 아르아로 그리면 아이네요.	
그렇게 한다. 이는 민들은 것들은 이번 그리다는 것이다는 것이 되었다면 하는 것으로 살고 있는데 다시다.	
- ''' 주문에서 이렇게 그릇하는 것이 있었다. 그는 그 아는 그는 그를 하는 것이 되었다.	
- 활용하고 있는 그런데 그렇게 있었습니다. 그는 그 그는 그리고 있는데 그는 그리고 있다. 네트리스	그는 기계 중인 네트 사이 없이 사람들이다.
그렇게 들었다. 얼마 바다 가장하다 하나 되었다. 그렇게 하는 사람들이 되는 것이 되는 것이 되는 것이다.	
,她就是我们的过去式和过去分词的复数形式,我的现在分词的现在分词的,我们就是这个一点,我们就是这个一点,这个一点,就是自己的一个一个一点,我们还是一个一点。"	, in the control of the second second of the Control of the Contro

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