

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON JUDICIARY

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 19, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 8:10 a.m., Tuesday, May 19, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Melvin D. Close, Chairman
Senator Keith Ashworth, Vice Chairman
Senator Don W. Ashworth
Senator Jean E. Ford
Senator William J. Raggio
Senator William H. Hernstadt
Senator Sue Wagner

GUEST ASSEMBLYMAN:

Mr. Nicholas J. Horn, Clark County, District 15

STAFF MEMBERS PRESENT:

Sally Boyes, Committee Secretary

ASSEMBLY BILL NO. 425:

Substantially revises procedure regarding incompetency of criminal defendants.

Mr. Ken Sharigian, Deputy Administrator of the Division of Mental Hygiene stated the division of Mental Hygiene is supportive of A.B. 425. He stated the division felt there are a number of problems with the bill. Chairman Close asked what this bill did that the previous bill introduced by the Senate, did not do. Mr. Sharigian stated it attends to a great deal more in regard to the incompetent standing trial. It is more in compliance with the findings on Jackson versus Indiana, a Federal Court case indicating a person cannot be held incompetent to stand trial for any time longer

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than what is reasonable. What has been happening around the country is that people are found incompetent to stand trial, never are brought to trial and are held in a state mental health facility for long periods of time. This bill places a limit on that. Mr. Sharigian then went through the bill. He suggested on section two, lines 21 and 22, "knowing the difference between right and wrong" be deleted and anywhere else in the bill it was stated. He stated this should be concluded by the judge. Mr. Sharigian stated this bill has a fiscal impact of \$480,000. Senator Hernstadt asked if this amount was in the budget. Mr. Sharigian stated it was not.

Chairman Close stated sections 3, 4 and 5 all are bill drafters changes.

Mr. Sharigian stated there was a problem on page three, section nine. He felt there was an error in bill drafting. In addition, there was a problem with the determination of finding a person not competent to stand trial and that person has no substantial likelihood of attaining competency to stand trial, the court should either order the discharge of that individual or place that individual on civil commitment; this is the bills intent to avoid that status. The only way this bill allows for the court to make that determination is if the division indicates the person is ready to stand trial, the district impanels a sanity commission and they determine there is no substantial likelihood of the person becoming competent. There is no method of getting that information before the court. Language should be drafted to allow that provision. Chairman Close stated that language would be drafted. Mr. Sharigian stated there was another problem on page six, lines 46 through 48; this is an amendment to N.R.S. 433 A, which is not the criminal commitments, but the civil statutes of the state. The bill amends the present civil commitment procedures so the district court can find someone mentally ill and likely to harm others. Should that be the case, that person is sent to a state facility and cannot be placed on convelescant leave or discharge without the order of the court. This amendment would allow for a court order to allow a convelescant leave. Sub-section four, section 12, page, if deleted, would not cause any problem. Should that section remain it will cost \$470,000 annually. Senator Don Ashworth asked how many problems were incurred with convelescant leave. Mr. Sharigian stated he did not know; there may have been one or two problems in the last year and they have become high profile problems. This bill would also allow for judicial review for a convelescant leave.

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SENATE BILL NO. 684:

Allows corporation listed on foreign securities exchange to register with gaming commission as publicly traded corporation under certain circumstances.

Mr. Harvey Whitamore, Attorney, stated the bill as it is presently worded was satisfactory. The attached statement is the comments Mr. Whitamore had in regard to this bill. See Exhibit C.

Chairman Close stated as he understood the bill, a foreign corporation could own a casino in the state of Nevada as long as they were registered on the foreign securities exchange. Mr. Whitamore stated a Nevada Corporation would be formed; this could be for investment purposes. The Board and Commission would be dealing with the Nevada Corporation. The foreign corporation would not be licensed. Chairman Close stated that foreign corporation would control the stock of the local corporation. He asked who sold slot machines in Nevada presently. Mr. Whitamore stated that was done through Bell Fruit Group. Patty Becker stated the slot machines were sold through a licensed distributor. Mr. Whitamore stated even though a foreign corporation can sell slot machines, they cannot hold a license, nor can each of the stock holders hold a license. This gives the Board and Commission the discretion not to license the individual stock holders. This bill would allow the same treatment for foreign corporations as is presently allowed for corporations now on the American securities exchange commission.

Mr. Jack Stratton, Gaming Control Board, stated this bill was originally attached to S.B. 527. That bill was opposed in that form and he did not really support this bill but it would not be opposed either. He felt this could be a source of funds for the industry, if properly controlled. There would be a great deal of investigative work and if the bill could be worked around the suggested amendments that Ms. Becker, Deputy Attorney General's Office, this may be able to be controlled and come back next session and have all the bugs worked out. Chairman Close asked what are the problems with the bill. Mr. Stratton stated controls would have to be investigated to see if foreign controls are the same as the controls here. He felt there were adequate handles on the bill but would require a great deal of study.

Senator Raggio asked if the cost of the application would be paid by the first applicant. Mr. Stratton stated that was correct.

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Chairman Close asked how many agents would be required to conduct a study for a foreign applicant. Mr. Stratton stated that was not known at this time. It would require several people but the availability of people would determine when a study would be done. Senator Wagner asked if this was enabling legislation. Mr. Stratton stated that was correct.

Ms. Patty Becker, Deputy Attorney General's Office, entered suggested amendments to the bill which are attached hereto as Exhibit D.

Mr. Harvey Whitamore stated the exchanges of England and Toronto were very similar to the exchanges of the S.E.C.

Mr. William Swackhamer, Secretary of State, requested an amendment that would require a foreign corporation to qualify under N.R.S. 80; this would be helpful to the State of Nevada.

Mr. Harvey Whitamore agreed to that amendment.

SENATE BILL NO. 688:

Prohibits houses of prostitution within certain distance of certain incorporated cities.

Mr. William Raggio, Senator, Washoe County, District 1, stated the reasons for this bill were self apparent. This bill would authorize the enforcement of this law by any district attorney, city attorney or the attorney general in any county that would be involved. A violation of the bill would be a felony and it would make it unlawful for any county to license a brothel in the county if the site of the brothel was within the perimeter. This bill effects only the Reno - Las Vegas area. It would also include the Mustang Ranch, Storey County. There have been numerous problems created from this brothel and they are now legend. Because of national and inter-national publicity on the problems relating to this brothel, there has been anything but credit given to the Reno - Sparks area. There are allegations of ballot stuffings and various other allegations revolving around this brothel. The owner is presently a fugitive from justice, and his whereabouts are not known, but apparently the profits from this operation are still being realized and undoubtedly being funneled out to the individual. Under all the conditions, it seems it is time to rid the area of the cancer on the area and the environment of the metropolitan area. This bill has been thought out over previous sessions. Mr. Raggio

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stated it was not his attempt to moralize on the issue of prostitution, but he did feel there are strong arguments that could be made in regard to this matter. The bill does not attempt to outlaw prostitution or organized prostitution across the state. He feels this has been a thorn in the side of law enforcement as well as the population of the people in the state. It is an undesirable situation which has an impact on the morals and general welfare of the urban area. He also feels unlawful activity emanates from the area of a brothel. Mr. Raggio stated there are several people who support this bill. He then read a statement from Most Rev. Norman Mc Farland, Bishop of Reno-Las Vegas. See attached Exhibit E. Mr. Leonard Robison, regional representative of the Church of Jesus Christ of Latter Day Saints, supports this bill, President Darrell Foote, Reno Stake of the church, also supports the bill. This bill has not been submitted to the church for any official position from it. Senator Hernstadt asked how many houses of prostitution would this bill effect. Mr. Raggio stated it would effect the Mustang Brothel and there may be some in Lyon County. Senator Hernstadt asked if Mr. Raggio would have any objection to making this bill broader; having a 10 mile limit from the county line, for instance. Mr. Raggio stated he had no problem with that except for the "hallway talk in the legislature" to the effect that should this be enlarged beyond the perimeter, there are those who will defend the existence of brothels in other counties. He stated his concern was seeing something done about the unsavory situation that existed on the perimeters of the Reno - Urban area.

Mr. David Fritsche, Life Center Church, stated he was in support of this bill. He felt this was a step in controlling something that was creating problems for this area. He feels this is more than a moral issue, it is a question of the quality of life. He stated it is time to close some of the pages of the colorful past of Nevada and there should be greater restrictions on the control of prostitution. Senator Hernstadt asked if it would be more consistant to have an all or none policy. Mr. Fritsche stated he would agree with that philosophically; and, if there were no prostitution, that would be within the perimeters of his personal belief. As a practical matter, it is the oldest profession in the history of mankind. The issue is to control it.

Mr. Robert Galli, Sheriff Washoe County, read a statement attached hereto as Exhibit F. He stated he is in favor of the proposed bill. He also included a series of offenses that have happened in and around the brothel. See Exhibit G.

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Mr. Cal Dunlap, Washoe County District Attorney, stated he also has dedicated a great portion of his career to the investigation of Joe Conforte. He entered a copy of the grand jury report of March 15, 1976. A copy of that report is with the secretary's minutes for reference. He concurred with the statements of Mr. Bob Galli. He stated he felt the licensing of the Mustang Brothel by Storey County accomplished literally the licensing of a brothel in Washoe County because the crime related to that brothel effects Washoe County much more than it effects Storey County. There is no access from Storey County to the Brothel only from the main highway which connects to the highly populated areas. A business like that attracts only the worst of the nations people. He sited murder histories that were related to that brothel. He commended Mr. Raggio for bringing this type of bill into the public eye, felt law enforcement as well as the general public support this bill, and felt it was long over due for this type of bill.

Mrs. Adonna Thormahlen, Sparks, Nevada, stated she fully supports this bill. A copy of her statement is attached as Schedule H.

Mr. Paul T. Tueller, Reno, Nevada stated he is in favor of the bill because he is a concerned citizen with two sons and two daughters. He feels there is a moral issue involved.

Ms. Betty Day, Administrative Assistant to Lyon County Board of Commissioners, stated she was representing the Board of Commissioners. She stated the board was concerned because this bill would also touch the brothels of Lyon County. There are four and they are situated in the six mile canyon. She stated they are within the 30 mile limit, as the crow flies. She said the wording in the bill did not specify how the 30 mile limit was determined. The revenue from those brothels amounts to about \$96,000 per year; that is about 8% of the entire revenue.

Mr. Ken Thormahlen, Sparks, Nevada, stated he is in favor of the bill. He stated he had spent time in the service and was aware of the problems prostitution caused from that aspect. He said there is a moral impact arising from prostitution.

Mr. Jack Christensen, Storey County District Attorney, stated he opposes the bill. He felt there were substantial misrepresented facts in the issue. He stated there is about 20% of the

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population of Storey County in the River District and it covers 15 to 20 miles. The brothel is in the center of that district. Senator Raggio asked if that included the girls in the brothel. Mr. Christensen stated there were no registered voters in the brothel at this time. In addition, there is another 20% of the population that resides near a brothel in Lyon county; that makes approximately 40% of the county population residing very near a brothel. He stated there is no dope or narcotics at the Mustang Ranch as has been previously indicated. There could be workers at the ranch that personally use that, but it is not at the ranch. Senator Hernstadt asked what the license fees paid to Storey County amounted to a year. Mr. Christensen stated it was about \$40,000 per year and it amounted to about 4% of the reduced budget. Senator Hernstadt asked who held that license. Mr. Christensen stated it was Sally Conforte; she has one conviction for a felony for failure to pay withholding taxes for people that were deemed by the government to be employees rather than contractors. He stated in regard to the violent instances, the only one he was aware of was the Bonovana murder and he felt there was not any real case of violence. He also stated that there are a great many people that patronize a brothel that are not criminal involved; they are people of high moral standing and they patronize the Mustang Brothel regularly. He felt morality could not be acted upon by legislation; each person had to regulate his own morality. He felt the bill itself was an attack on the local rule and did not believe the county of Storey should be ruled by the desires of Washoe County. Senator Raggio asked if it was necessary for the existence of Storey County to license brothels. Mr. Christensen stated no it was not necessary. He felt changing the boundaries of the counties would better solve this problem.

Mr. Robert Berry, County Commissioner, Storey County, stated the present situation in Storey County is that Joe Conforte no longer is in that county or anywhere in the United States. He stated as far as the proceeds of the operation, he could not attest as to where they went. He stated he felt this was special legislation, involving one brothel. He also felt this was an attempt to take away the rights of one county. As a county, it has the right to regulate in its own county. Mr. Berry stated the absence of law allowed a county to license a brothel. He felt the law should be all or nothing; either abolish prostitution or leave it alone; do not pick at it. Mr. Berry stated in listening to previous testimony, it sounds as though the Mustang

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Ranch is responsible for a great deal of crime in Washoe County; he said he felt sure it was not the cause of all crime in that county. He stated that Mustang possibly has become a "whipping boy" and is taking the blame for many occurrences throughout the area.

ASSEMBLY BILL NO. 560:

Makes various administrative changes concerning commission on crimes, delinquency and corrections.

Mr. Nicholas J. Horn, Clark County Assemblyman, District 15, read a statement attached hereto as Exhibit I. Chairman Close asked were else could this division go. Mr. Horn stated it could be a separate division by itself, it could be under the attorney general's office, or it could be assigned to the Department of Motor Vehicles. He stated the Department of Motor Vehicles was the one being recommended.

Mr. Bart Jacka, Director of the Department of Motor Vehicles, stated the language was the same, it has just been changed to this department. Senator Wagner asked if this was structured in the Governor's budget. Mr. Jacka stated it was not proposed in the budget; he responded to the Ways and Means Committee Chairman and the subcommittee on the Department of Law Enforcement Assistance to prepare a budget which would save money with the consolidation. The Ways and Means Subcommittee made the proposal and it was adopted; it is now an arm of the Department of Motor Vehicles. Senator Wagner asked if Senate Finance had adopted it. Mr. Jacka stated no, but they had been approached. He understands they concur at this point but it does have to be confirmed at the conference later this week. Senator Wagner stated this may lead to a state police force and asked Mr. Jacka his opinion of that possibility. Mr. Jacka stated he felt it would not lead to that; he felt the outline is clearly stated in the bill and it would not be his intention to develop a state police force.

Senator Hernstadt asked what was wrong with the development of a state police force. Mr. Jacka stated there has been a hesitancy on the part of the legislature to develop such an agency; at one time there was a state police and the agency got involved politically in a great deal of controversy; several years ago it was dispensed with and the Nevada Highway Patrol was developed. He felt there was no necessity at this time for the state police agency. Mr. Horn stated what actually was developing was a

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division of investigation; narcotics would have a separate division. This would save \$142,000. Senator Wagner stated this would be limited to controlled substances but the wording in the bill also included the investigation of crimes. Mr. Jacka stated the language was the same as exists in N.R.S. 216 and the organization provides those investigative services of crime to the small counties only as indicated on lines 11 and 12; "upon the request of the attorney general or any chief of police"; the agency cannot go out and provide those services unless they are requested to do so.

Senator Wagner asked a representative from the Division of Investigation how much use was made by rural counties of the investigation services. He stated there was about 90% of the activities rendered to the 15 rural counties. The division is now Investigation and Narcotics; it includes a wide variety of investigation services not only narcotics. Senator Ford asked if the police officer function would be separate. Mr. Jacka stated there would be two functions that would be housed in the Department of Motor Vehicles: the division of investigation and the post unit; this consists of people, two teachers and one secretary.

Mr. Jacka stated page two, line nine should have the word "approved" in relation to the forms; line 22, subsection 3, should read "section in bank accounts" or in cash; page 14, lines 15 - 17, should be deleted; section 32 should read permissive situation instead of mandates. The only other changes in the bill would be changing the words to Department of Motor Vehicles from the Department of Law Enforcement.

The following bill drafters request was introduced and rejected for committee introduction:

BDR 16-2068

Prohibits certain sexual contact without consent.

SENATE BILL NO: 684

Allows corporation listed on foreign securities exchange to register with gaming commission as publicly traded corporation under certain circumstances.

Senator Raggio moved to amend and do pass S.B. 684.

Senator Hernstadt seconded the motion.

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Chairman Close stated he did not agree with the bill because he did not agree allowing foreign corporations to take over casinos. Senator Don Ashworth stated he would like further discussion with Mr. Jack Stratton in regard to the bill.

Senator Raggio withdrew the motion.

SENATE BILL NO. 688:

Prohibits houses of prostitution within certain distance of certain incorporated cities.

The committee agreed to amend the bill to 25 miles.

Senator Keith Ashworth moved amend and do pass S.B. No. 688.

Senator Raggio seconded the motion.

The motion carried with Senators Wagner, Hernstadt and Ford opposing the bill.

ASSEMBLY BILL NO. 425:

Substantially revises procedure regarding incompetency of criminal defendants.

The committee agreed to hold the bill until further discussion could be held

SENATE BILL NO. 670:

Reduces showing required in hearing on notice of pendency of action affecting real property.

The committee went through the amendments as proposed.

Senator Don Ashworth moved to amend and re-refer to Judiciary.

Senator Wagner seconded the motion.

The motion passed unanimously.

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There being no further business, the meeting adjourned at
11:00 a.m.

Respectfully submitted by,

Sally Boyes
Sally Boyes, Secretary

APPROVED BY:

Melvin D. Close, Jr.
Senator Melvin D. Close, Chairman

DATE: May 30, 1981

SENATE AGENDA

COMMITTEE MEETINGS

Committee on JUDICIARY, Room 213.
Day Tuesday, Date May 19, Time 8:00 a.m.

S. B. No. 684--Allows corporation listed on foreign securities exchange to register with gaming commission as publicly traded corporation under certain circumstances.

S. B. No. 688--Prohibits houses of prostitution within certain distance of certain incorporated cities.

A. B. No. 425--Substantially revises procedure regarding incompetency of criminal defendants.

ATTENDANCE ROSTER FOR

COMMITTEE MEETINGS

SENATE COMMITTEE ON JUDICIARY

DATE: May 19, 1981

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NAME	ORGANIZATION & ADDRESS	TELEPHONE
Rev. David Feitso E	Life Center Church - 445 S Virginia - Doon	322-3074
Ernes -	Ref	747-3073
BETTY DAY	2990 FIR AVE, S/S Lyon County	463-3341
Ken Sharigan	Div. of Mental Hygiene	585-5942
Ann Thormehlen	1885 Rindshawale	559 1624
Ken Thormehlen	500 Sparks NV 89431	" "
Paul T. Tueller	400 Tarn Way Perry Nevada	522-4247
Law CHRISTENSEN	STOREY COUNTY DISTRICT ATTORNEY VIRGINIA City	827-2332
Ann Tueller	STOREY COUNTY	785-2222
John Mc...	C	827-0555
Eric Galli	WASHOE CO SHERIFF	785-1-2720
Long...		785-6220
John...		827-2720
Sherman...		
Stan...		876-6220

1. Intent of S.B. 684

To allow ~~publicly traded~~ corporations which are listed on foreign securities exchanges to be registered by the Nevada Gaming Commission as publicly traded ~~holding companies.~~ *Corporations.*

2. Justification:

NRS 463.487 presently defines a publicly traded corporation to be one which has securities registered under the Securities Exchange Act or is subject to the Securities Exchange Act. A major foreign corporation which is traded on its country's major exchanges would therefore not be deemed publicly traded within the meaning of the Nevada Statutes. As a result, such a corporation could not be approved unless each shareholder were licensed. As a practical matter, this means that major foreign corporations cannot be licensed in Nevada.

The continued growth and development of the gaming industry in Nevada requires that the industry have access to all respectable sources of capital. One important potential source of this capital is from foreign investors. This was recognized by the Nevada Legislature in 1979 when it enacted Chapter 583 of the 1979 statutes which specifically prohibits the denial of gaming and liquor licenses solely because a person is not a citizen of the United States. However, because of the practical effect of NRS 463.487, the major publicly traded foreign corporations, which from a

standpoint both of assets and respectability are the foreign entities whose investment in gaming in Nevada should be most encouraged, cannot yet take advantage of the legislative policy behind Chapter 583.

If NRS 463.487 were amended to add a subsection providing that the definition of publicly traded corporations could be extended by the Gaming Commission to corporations traded on the national exchanges of foreign countries which are subject to regulation of their securities in a manner which the Commission determines adequately protects the public interest, we would be able to remove an unnecessary restriction on investment in the Nevada gaming industry and still fully protect the public. It should be noted that not only would the Commission have to determine that the basic scheme of foreign securities regulation is satisfactory, but even if the Commission determined that such a scheme were satisfactory the Commission would, of course, still be able to act against any individual unsatisfactory securities holder in the same manner that it may now act against such holder of U.S. corporation securities. The suggested bill is attached.

Date: 5/19/81

PROPOSED AMENDMENTS TO S.B. 684

Amend Section 2, page 1, lines 20-21, as follows:

(b) [Has been approved by the commission pursuant to section 6 of this act.] Whose activities are regulated in a manner which the commission, in its sole discretion, has found to adequately protect investors and the State of Nevada.

Amend Section 4, page 2, lines 1-14, as follows:

[1. A corporation or other legal entity which is organized under the laws of another country and seeks to register with the commission as a publicly traded corporation must first apply to the board to obtain approval for such a registration.]

[2.] 1. The application must provide the board with information showing that the applicant's business activities are regulated by a governmental authority of the foreign country in a manner which will prevent those activities from posing any threat to the control of gaming in this state.

[3.] 2. The board may conduct an investigation of the applicant and the governmental authority responsible for regulation of the applicant. The board shall require the applicant to pay the board's anticipated expenses for such an investigation, and may, after completing such an investigation, charge the applicant any amount necessary to cover an underpayment of the actual expenses.

Amend Section 6, page 2, lines 36-43, as follows:

1. The board may, in its sole discretion, reject any

[application submitted pursuant to section 4] applicant seeking to be registered as a publicly traded corporation as defined by NRS 463.487(2) [of this act] without conducting an investigation or hearing.

[2. If the board chooses to recommend approval of such an application, it shall submit its recommendation to the commission. Upon receipt of the board's recommendation, the commission shall decide whether or not to register the applicant as a publicly traded corporation and shall notify the applicant of its decision.]

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ANY ATTEMPT TO TREAT WOMAN AS A MERE THING, AS AN OBJECT, IS TO BE ABHORRED AND REJECTED. PROSTITUTION DOES PRECISELY THAT: TO USE A PERSON MERELY FOR PHYSICAL GRATIFICATION IS TO DISGRACE THE ONE USED AND TO DEHUMANIZE THE USER.

NO RATIONALIZATION ABOUT CONTAINING VENERAL DISEASE, OR HELPING TO KEEP STREETS SAFE FOR THE INNOCENT, OR OTHER PRAGMATIC ATTEMPTS TO JUSTIFY LEGALIZED PROSTITUTION CAN STAND UP AGAINST THE STARK REALITY OF ITS BASIC IMMORALITY.

THEREFORE, ANY ACTION TAKEN TO LIMIT THIS ABOMINATION I SUPPORT WHOLEHEARTEDLY. CONSEQUENTLY, I FIRMLY SUPPORT SB 688 and ESPECIALLY SO SINCE IT AFFECTS OUR MOST POPULOUS AREAS.

STATEMENT BY:

MOST REV. NORMAN MC FARLAND
BISHOP OF RENO-LAS VEGAS

WASHOE Co. HAS BEEN PLAGUED WITH THE JOE CONFORTE MUSTANG BROTHEL SYNDROME FOR OVER 20 YEARS. THIS SO-CALLED LEGALIZED BUSINESS OPERATION IN STOREY Co. HAS DIRECTLY CONTAMINATED WASHOE Co. WHICH HAS LAWS AGAINST PROSTITUTION. CONFORTE AT THE PRESENT TIME IS A FUGITIVE FROM JUSTICE, WITH A 5 MILLION DOLLAR BAIL SET BY THE COURT ON A CHARGE OF UNLAWFUL FLIGHT TO AVOID PROSECUTION, AND BRIBING THE LYON Co. DISTRICT ATTORNEY. HE HAS BEEN CONVICTED FOR ATTEMPTED EXTORTION OF THE WASHOE Co. DISTRICT ATTORNEY. ADDITIONALLY, HE HAS BEEN TWICE CONVICTED FOR INCOME TAX EVASION AND IS A WANTED FEDERAL FUGITIVE FOR FAILING TO APPEAR FOR SENTENCING UNDER THE FEDERAL CONVICTION OF INCOME TAX VIOLATIONS.

CONFORTE HAS MADE NUMEROUS ATTEMPTS TO INFLUENCE GOVERNMENTAL ELECTED OFFICIALS - IN SOME INSTANCES WITH SUCCESS. AT PRESENT, THE STOREY Co. GRAND JURY IS INVESTIGATING HIS INFLUENCE UPON THE GOVERNMENT OF STOREY Co. IN WASHOE Co. CONFORTE HAS CONTRIBUTED TO VARIOUS POLITICAL CANDIDATES WHO HAVE BEEN ELECTED, AND IN TURN HE WOULD SEEK SPECIAL FAVORS FROM THOSE ELECTED PERSONS. ADDITIONALLY, AT TIMES DURING POLITICAL CAMPAIGNS IN WASHOE Co. CONFORTE WOULD CONDUCT, IN HIS OWN MANNER, POLLS, USUALLY SHOWING HIS FAVORED CANDIDATE TO BE FAVORED BY THE VOTERS. HOWEVER, IF HIS CANDIDATE WAS NOT FAVORED, HE WOULD NOT TELL THE TRUTH SHOWN BY THE POLL, BUT WOULD SAY THE POLL FAVORED HIS CANDIDATE ANYWAY. THE NEWS MEDIA APPEARED TO HAVE ENJOYED PUBLISHING HIS POLLS IN THE PAST.

CONFORTE RESIDES AT A HOME ON SULLIVAN LANE IN WASHOE Co., THUS, HE CONSIDERS HIMSELF TO BE A RESIDENT OF THIS COUNTY. KNOWING FULL WELL THAT THIS COUNTY MAKES PROSTITUTION UNLAWFUL, HE IGNORES SUCH LAWS BY HAVING OUT-CALL SYSTEMS FROM HIS BROTHEL HOUSE IN STOREY Co. WASHOE COUNTY SHERIFF'S DEPT. HAS RECORDED WITH DOCUMENTATION A GOOD MANY ACTS OF CRIMINALITY THAT ARE DIRECTLY ATTRIBUTABLE TO THE BROTHEL IN STOREY Co. THESE ACTS OF CRIMINALITY RANGE FROM HOMICIDE TO ATTEMPTED EXTORTION OF OUR DISTRICT ATTORNEY, AND EXTORTION OF LYON COUNTY'S DISTRICT ATTORNEY. PHYSICAL BEATINGS OF INDIVIDUALS, ROBBERY OF INDIVIDUALS, CAB DRIVER MURDER AND ROBBERIES, SHOTS FIRED AT VARIOUS INDIVIDUALS FOR VARIOUS REASONS - ALL WITHIN WASHOE COUNTY - THIS ACTIVITY KEEPS THIS DEPARTMENT AND THE OTHER TWO LAW ENFORCEMENT AGENCIES BUSY AND CONCERNED WITH THE OPERATION OF THE MUSTANG BROTHEL. IN MY OPINION, THE MUSTANG BROTHEL'S PROXIMITY TO WASHOE COUNTY IS A CONTRIBUTING FACTOR TO OUR HIGH CRIMINAL INDEX. THERE IS ABSOLUTELY NO VALUE TO WASHOE COUNTY (OR IN MY OPINION TO THE STATE OF NEVADA) TO HAVE THIS BROTHEL IN OPERATION. TO THE CONTRARY, I FIRMLY BELIEVE THAT THE BAD PUBLICITY THAT THIS SO-CALLED LEGAL BUSINESS HAS BROUGHT ON THE STATE OF NEVADA HAS BEEN DETRIMENTAL TO OUR IMAGES.

I WOULD HIGHLY RECOMMEND THAT THE NEVADA STATE LEGISLATURE APPROVE THE PROPOSED ANTI-BROTHEL LEGISLATION, SB 688, BEFORE THE SENATE. YOU WOULD ERADICATE A LONG-STANDING CANCER WITHIN WASHOE COUNTY AND THE STATE OF NEVADA. ATTACHED TO THIS STATEMENT ARE SOME OF THE MANY CRIMINAL ACTS THAT ARE THE DIRECT RESULT OF MUSTANG BROTHEL.

CHRONOLOGY OF EVENTS

<u>Date</u>	<u>Incident</u>
11-05-59	Joe Conforte is arrested for Vagrancy
01-15-63	Joe Conforte arrested for Income Tax Evasion
09-28-63	Ross Brymer charged with Burglary
10-08-63	Ross Brymer charged with Burglary
01-07-64	Ross Brymer charged with Probation Violation
03-14-64	Joe Conforte arrested by U.S. Marshal's Office
07-04-64	Alberta Arnold arrested for Assault w/Deadly Weapon
03-01-65	Ross Brymer arrested for Theft over \$50.00
07-25-65	Alberta Arnold arrested for Assault to Kill
06-02-66	Joe Conforte charged with Failure to Register as Ex-felon
06-27-66	Wanted person apprehended at Mustang Ranch
07-15-66	Two wanted persons apprehended at Mustang Ranch
07-25-66	Wanted person apprehended at Mustang Ranch
08-08-66	Ross Brymer arrested for Assault and Battery
10-08-66	Joe Conforte charged with Prostitution and Vice
10-12-66	Ross Brymer charged with Prostitution and Vice
03-18-67	Ross Brymer charged with Assault and Battery
04-06-67	Ross Brymer charged with Prostitution and Vice
04-16-67	Joe Conforte charged with Vice
05-06-67	Ross Brymer charged with Assault and Battery
6-23-67	Joe Conforte charged with White Slave Traffic
11-06-67	Todd Baber arrested for Conspiracy to Poss. Controlled Substance
12-02-67	Mental subject found wandering in Mustang Ranch area

<u>Date</u>	<u>Incident</u>
05-01-68	Ross Brymer charged with Possession of Drugs
05-16-68	Ross Brymer charged with Possession of Drugs
06-13-68	A vehicle burglary reported on Mustang Road
08-06-68	Ross Brymer charged with Burglary
03-08-69	A bomb detonates on Mustang Road
03-09-69	A bomb is found at Joe Conforte's residence
05-30-69	Injury traffic accident reported on Mustang Road
07-19-69	Traffic accident reported on Mustang Road
10-06-69	Traffic accident reported on Mustang Road
10-20-69	Report of theft from vehicle on Mustang Road
11-14-69	Sniper/shots fired on Mustang Road
11-18-69	Fight reported at Mustang Bar
03-21-70	Recovered stolen vehicle on Mustang Road
04-28-70	A Whittlesea cab driver found shot to death in his cab on Mustang Road
07-03-70	Fight reported at Mustang Bar
09-01-70	Fight reported at Mustang Bar
11-29-70	Bomb threat reported on Mustang Road
04-18-71	Theft from vehicle reported on Mustang Road
08-19-71	Disturbing the Peace at Mustang Bar
03-10-71	Prostitution at Mustang Bar
10-31-71	Assault and Battery at Mustang Bar
11-05-71	Homicide at Mustang Bar

<u>Date</u>	<u>Incident</u>
11-10-71	Bomb threat at Joe Conforte's residence
01-06-72	Arrest of disorderly person at Mustang Bar
02-06-72	Mustang prostitute kills boyfriend in Sun Valley trailer
02-07-72	Ross Brymer arrested for making threats
02-26-72	Alberta Arnold arrested for Assault with Deadly Weapon
04-06-72	Ross Brymer arrested for Bribing a Witness
05-07-72	Ross Brymer arrested for Battery w/Deadly Weapon
12-08-72	Ross Brymer arrested for Possession of Dangerous Drugs
12-15-72	Burglary reported at the Mustang Bar
04-23-73	Robert Rife arrested for Assault w/Deadly Weapon (Gun)
12-10-73	Alberta Arnold arrested for Assault and Battery
03-19-74	Todd Baber arrested for Pandering and Living off the Earnings of a Prostitute
05-16-74	Todd Baber arrested for Pandering
05-24-74	Todd Baber arrested for Making a False Statement
08-22-74	Robert Rife arrested for two counts of Battery
11-13-74	Robert Deatherage arrested for two counts of Possession of Stolen Property
12-02-74	Theft from Vehicle reported at Mustang Bar
03-20-75	Traffic accident reported on Mustang Road

<u>Date</u>	<u>Incident</u>
04-08-75	Fire at Mustang Bar
06-10-75	Robert Deatherage arrested for Failure to Appear
11-20-75	New Mustang Ranch Arson
05-03-76	Ross Brymer charged with two counts of Battery and Exhibiting a Weapon in a Threatening Manner
05-22-76	Oscar Bonavena shot and killed at Mustang Ranch
10-28-77	Joe and Sally Conforte convicted of Income Tax Evasion
05-12-78	Traffic accident reported at Bland's Market, Lockwood
08-16-78	Mustang Security Supervisor arrested for Possession of 100 pounds of P.C.P.
10-08-78	Vandalism reported at Mustang Bar
01-06-79	Burglary at Bland's Market
04-16-79	Theft at Mustang Bar
07-03-79	Joe Conforte arrested by WCSD for Attempted Bribery of Lyon County District Attorney
08-01-79	Armed Robbery at Mustang Bar
08-25-79	Burglary at Bland's Market
11-24-79	Armed Robbery at Mustang Bar
07-11-80	Ross Brymer arrested for Endangering and Abusing a Child
12-23-80	Joe Conforte becomes Federal Fugitive
12-30-80	Ross Brymer arrested for Battery w/Bodily Harm and Malicious Destruction of Property

Excerpt from "The Last Mafiosos"
(Fratianno)
book 357

† Sir Francis †

Malta had sent three burglars to crack the two safes and they had come up empty. When Jimmy reminded the builder of his obligation to the burglars, he promised to make it up to them. "Give them a piece of land, let them build a house," Jimmy said. "Those guys risked going to jail for twenty years for nothing. It's the least you can do."

Rick Manzi had a problem of his own. He thought Harry Margolis, a tax shelter expert, had hustled Barbara McNair for a cool million dollars and he wanted Margolis whacked if they lost their lawsuit against him. But on December 15, 1976, long before the case would go to trial, Manzi was found shot to death in his Las Vegas home. The murder remains unsolved.

Then there was the dentist from Toledo, who was having marital problems. He told Shapiro he wanted his wife killed but he also experienced a change of heart.

Another contretemps involved Oscar Bonavena and Joe Conforte. Once the world's fifth-ranked heavyweight contender, Bonavena at 33 was rapidly falling off the ladder of contention when he hooked up with Sally Conforte, who at 59 was grossly overweight and had been a madam since the age of seventeen. At the time she fell in love with Bonavena, Sally and Joe were jointly involved in the completion of their new million-dollar whorehouse on the outskirts of Reno. Called the Mustang Ranch, it was built along the lines of a prison, with seven wings of cinder block cell-like trick rooms shooting out like spokes from the enormous hub of the reception room where as many as fifty girls gathered in a chorus line whenever a customer wanted to make a selection. There was a ten-foot fence topped with barbed wire and a wrought iron gate that was electrically controlled by an armed guard. Overlooking the entire spread were two 24-foot gun towers. It would soon become known as a pleasure fortress.

When Jimmy came into his favorite hangout, Sal's, one day, Sal Amarena sat down next to him and said, "Jimmy, you won't believe what just happened here. Oscar Bonavena was in here today with Sally Conforte. She introduces this guy to me as her lover and takes off to do some shopping."

"That must have been exciting."

"Wait a minute, this Bonavena can barely speak English and he's sitting there, eating a fucking pizza, and looking at me like he's trying to make up his mind about something important. Then he says, 'How much it cost to get Joe Conforte killed dead?' I told him I didn't know but I'd check around."

A few days later, Jimmy received a frantic call from Joe Conforte who wanted Jimmy to fly to Reno to discuss an urgent matter. Jimmy took the next flight and Conforte picked him up at the airport.

"I want to show you my new joint," he said, "I've got a million bucks in this place. It's got everything. You can even fuck in a Jacuzzi."

"I hope you didn't drag me all the way up here to show me a fucking whorehouse," Jimmy said.

Conforte looked at him. "How's your nerve?"

"What're you talking about? Do I look like I've got fucking palsy or something?"

"Well, I've a little piece of work I'd like done. How do you feel about icing a woman? Did you ever ice one before?"

"Joe, don't come up with them questions. What are you, a prosecutor? Are you talking about Sally?"

"Let's say it's Sally. Now I'm not saying it is, you understand, I'm just trying to get a ballpark figure. Would ten thousand do it?"

"Let's lay it out in the open," Jimmy replied. "If it's Sally, it's going to be one hundred grand. Think it over and let me know and I'll let you know."

"I'd like to have it done in South America. She's going on a trip with Bonavena."

"Forget South America. We can do it right here, bury her and nobody'll ever find her."

"Well, let me think about it. A hundred is your rock bottom figure?"

"Yeah, but I wouldn't wait too long if I was you. Somebody else might get the same idea about you, know what I mean?"

Less than two weeks later, Oscar Bonavena was dead, shot through the heart at the Mustang Ranch at six o'clock in the morning. He and Sally had been barred from the whorehouse by Conforte and as Bonavena was angrily walking back to his car, having been refused admission, someone called "Freeze!" and a shot was fired from the rear gun tower. Bonavena's body was shipped home to Buenos Aires, Sally returned to the Mustang Ranch, and the guard who shot Bonavena took up writing and singing country music.

"THE BIGGEST PIMP OF ALL"

Prostitution and some facts of life

by Elizabeth and James Vorenberg

The oldest profession predates history, and laws designed to subdue it have rarely proved effective. At worst, uneven justice—hitting prostitutes with criminal fines with one hand, tolerating or encouraging them with the other—makes the state "the biggest pimp of all," in the words of New York City's vice squad chief. After on-the-spot studies, the authors compare the prevailing approach to prostitution in American cities with decriminalization as practiced in several European cities and the legalization of brothels in rural Nevada.

Lyon County, Nevada. The sign reads "Kit Kat Ranch—Men Only." But it is hardly a ranch. Five trailers painted pink, linked by a corrugated metal roof, are surrounded by a six-foot fence topped with barbed wire. It is three o'clock in the afternoon and inside a dozen girls, young, mostly bikini-clad, lounge in the parlor or in their small

rooms. A buzzer sounds. The maid in a white uniform calls "Company!" The girls assemble for the "lineup" and the client makes his choice. The sheriff plays pinochle at the kitchen table with some of the girls who aren't working. The taxi driver who brought the last customer waits in the parlor to drive him back to Carson City, ten miles away.

Amsterdam, Holland. Zeedijk Street, flanking a small canal in the port district. At dusk the porno film theater flashes its lights, a child plays outside his house, a sex-shop window offers its display of magazines and erotic gadgets. It is an odd mélange—an Indo-Chinese restaurant, a vending machine dispensing condoms, a bistro-like restaurant with an American Express card sign, an occasional police officer, and the windows . . . Lit by a red bulb and framed with lace-edged curtains, each ground-floor window reveals a neat room—bed, sink, a chair, and a young woman. No more than a few inches from passersby, the women are reading, knitting, brushing their hair, or just looking. When a customer comes in, the clean, starched curtains are pulled.

Paris, France. Saturday, payday, around nine o'clock in the evening. There is still daylight because it is June, and on the small streets off the

Boulevard Barbès the men line up outside the doorways. Almost all are Algerians, neatly dressed. One holds a bouquet. They stand quietly, orderly, except when the door opens and they strain to see the half-dressed woman who lets a customer out. The police station is a few yards away, but the officers on patrol show no interest in the line of customers. It is like other poor neighborhoods in Paris—drab houses, small shops, and cafés—but something is different. After a few moments, the observer realizes there are no women in the streets. They have been left behind in Algeria while their husbands earn a living at the lowest-paying jobs in Paris.

Far apart both geographically and culturally, these three scenes have one significant common ingredient: sex is bought and sold with, if not the approval, at least the tolerance of both the police and the community.

The picture in most American cities is very different. The prevailing policy toward prostitution is "get rid of it." No one, including the state legislatures which mandate this policy, believes this is possible. But the consensus that official recognition of sex as a business would be immoral prevents thinking about prostitution in any other way.

The burden of enforcing the policy, of course, falls on the police. And they are attacked from all sides. Required by law to be enemies of the prostitutes, the police are also harassed by the public they are trying to protect. If the crime rate goes up in a city, the police are criticized for using scarce resources to chase whores. If, in order to make an arrest, a cop disguises himself as a customer, civil libertarians charge "entrapment."

Lawmakers bold enough to propose licensing prostitution or zoning for it make few friends. Neighborhood groups and business associations say, "Sure, an entertainment zone is a great idea, but not here." Feminist groups such as the National Organization for Women oppose licensing and support decriminalization of prostitution, insisting that women have a right to do what they want with their bodies. They also argue that it is unfair to arrest the prostitutes and not their customers.

In 1971, the Nevada legislature authorized any county with less than 200,000 inhabitants (thus excluding the counties in which Reno and Las Vegas are located) to license brothels. No other state has legalized prostitution. So far four Nevada counties have exercised this local option. Almost

all of the licensed houses were in operation before the law passed, but now each house pays the county a business tax of \$1000 per month (\$500 if there are less than seven prostitutes at work in a house).

Lyon County received \$42,000 in taxes last year from its four brothels. It is not an important source of county revenue compared with taxes from Anaconda Copper, which has its largest open-pit mining operation there. On the other hand, neighboring Storey County, which ekes out just a little tax money from the tourist business at Virginia City, gets its largest revenue from Joe Conforte's Mustang Ranch, the biggest and best-known of Nevada's brothels.

Bob Griffin, a retired garlic grower and chairman of the Board of Lyon County Commissioners, led the campaign to license the county's brothels. Griffin sat in his comfortable, newly built farmhouse and explained:

"If I was to vote again tomorrow, I'd do the same thing. Morally prostitution may be wrong, but how can you legislate morals? The whorehouses have always been here and the people want them. You know, the strongest support came from mothers—they'd rather have their sons go there than get some local girl in trouble. The only opposition was from one of our ministers.

"It's a way of life out here, going all the way back. Remember what Mark Twain wrote—'The miner came in '49, the whore in '51. They rolled upon the barroom floor, then came the native son.'"

George Allen has worked for Lyon County for twenty-seven years, almost ten of them as sheriff. It is his job to enforce the prostitution statute. For three dollars each prostitute is issued a work permit. In the sheriff's office, the women are fingerprinted, photographed, questioned about their age (they must be at least eighteen) and any past criminal record. "If she's been arrested twice or convicted once of a drug charge, she's gone," Allen says, "or else the madam watches her carefully." Thus, in spite of formal rules, actual practice is quite casual. And there is not much red tape. The day we visited the sheriff's office, three young women who were getting their licenses at 11:00 A.M. were at work at the Kit Kat Ranch by mid-afternoon.

Elizabeth Vorenberg has taught about crime at Boston University and the Boston Community School. Her husband, James Vorenberg, teaches criminal law at Harvard Law School. Last year they studied prostitution in six foreign countries and in the United States.

The Nevada law requires weekly venereal disease examinations, so a doctor visits each brothel once a week. Advocates of official supervision of prostitution, like the officials of Lyon County, usually raise venereal disease protection as a major plus for licensing. But public health officials estimate that only 5 percent of venereal disease in the United States can be attributed to prostitutes. (High school students contract VD more than any other age group, but only a small fraction of prostitutes' customers are teen-age boys.)

As Sheriff Allen drove us through sixty miles of sagebrush between Yerington, the Lyon County seat, and the Kit Kat Ranch, in the corner of the county closest to Carson City, Reno, and South Tahoe, he talked about the four licensed houses he supervises:

"It's a good system. The girls get steak a couple times a week. Pimps? We've eliminated them. State law says a girl can't arrive at the house with anyone. They come in their own cars or a cab. Of course they have boyfriends. When a girl's off, she wants to travel, she's making good money. So the boyfriend quits his job and she supports him. Housewives work there too, weekends only, usually. She and her old man have a fight so she decides to make some easy money. I once arrested a man bringing his wife over. He got two years at Carson, over at the state prison.

"We have no prostitutes working in the county outside the few houses, but there's plenty across the county line in South Tahoe and Reno. Business here isn't as good when the police aren't enforcing over there.

"The owners are good citizens. They contribute to the United Fund and the fire department. Some of the mothers around here would be surprised to learn who's paying for their sons to play Little League."

The sheriff turned down a dirt road marked by a large sign, "Central Valley Steel Pipe Co." Underneath was a small square sign which said "Kit Kat Ranch—½ mile." (The law forbids any larger signs or lighted displays, but the sheriff permits Moonlight Ranch, one of Kit Kat's competitors, to use a large flashing arrow visible from the road because without it prospective customers had often knocked on the doors of nearby homes.)

At the Kit Kat Ranch, Sheriff Allen exchanged friendly greetings with the young women who were sitting around in the main parlor or drinking coffee in the kitchen. Some of them looked younger than the law's eighteen-year-old minimum. A few of the prostitutes were black, but, the sheriff said, none of Lyon County's brothels accept black cus-



In a Nevada "ranch"

tomers, a source of unpleasantness between county officials and the commander and black men of a nearby military base. Only Mustang Ranch in the next county has let down the color bar, but even there blacks use a separate entrance and parlor.

Big spenders at the Kit Kat Ranch can ask for its special lounge with purple walls, mirrors on the ceiling, and a leopard spread on the double bed. Other special luxuries or services carry an extra fee. But the standard rate is about a dollar a minute, fifteen minutes minimum. Says the sheriff, "By the time the customer decides on the particular program he wants, he's likely to be paying a lot more than fifteen dollars."

The sheriff introduced Marie, madam and owner of the Kit Kat Ranch. She is about sixty, a grandmother and still very good-looking. As she talked in a small sitting room, flashing pictures of naked women appeared on the top of a jukebox.

"I hate to see a girl start," she said, but quickly added that she thought legalized houses did not, as some argue, encourage more girls to enter the profession. Before prostitution was legalized the police rarely interfered with the Ranch, but Marie feels the change is clearly for the better. "You have a legitimate business, you keep your books, you're

not hot and on the run. The girls prefer it too. They're not going to get hurt. When they're sick or have their period they have a place to stay. If they manage their money, they can retire and have a good life." College students do stints at the Ranch in the summer, and a student at a nearby medical school used to work during weekends.

"I still hear from her," Marie said. "When they decide to leave, I tell them to forget where they've been and make a new life, but some of them say, 'It's a part of my life,' and they don't lie about it." Girls who want to work seldom call ahead; they arrive at the Ranch and ask for work. To Marie women who make a man feel at ease are successful: "It's not the looks that count."

Streetwalkers who disparage life in a brothel claim the prostitutes at the Ranch are confined there. Marie denies the charge, and says they may come and go as they please except when they are working a shift. Most houses permit women to leave for a week once every three or four weeks.

The four houses in Lyon County are clustered along the highway several miles from any town, and perhaps their isolation accounts for why the Kit Kat's women are free to go where they want. But in other counties local authorities have established restrictive regulations, including hours that the women can be in towns, and buildings in which they are permitted, specifically excluding bars, gaming houses, and residential areas. The town of Winnemucca, for example, does not allow prostitutes to have friends within the town, including pimps, boyfriends, or husbands.

If hostility toward the prostitutes exists in Lyon County, we did not find it. District Attorney Ronald Banta and Sheriff Allen both spoke warmly of the Kit Kat Ranch's annual Christmas party, which they and other county officials attend with their wives. It was a fine party last year, with lots of food and liquor. Banta told us: "We all danced with the girls while our wives watched."

Amsterdam is a port city of tiny islands interlaced with canals. For centuries sailors have come off the boats and looked for girls, and for centuries the girls have been there. Today the Amsterdam harbor red-light district is much as it has always been: small family homes, shops, churches, and restaurants side by side with three- or four-story buildings which rent furnished rooms to prostitutes. In the large windows on the street floors prostitutes sit and wait for customers.

Interspersed on almost every block within the district are theaters featuring "live shows" and

shops selling pornographic materials. The Tourist Sex Map and Plan features something for everyone—erotic stores, porno films, hotel hostess services, private clubs, all with telephone numbers and addresses carefully numbered and marked on the map. Yet the neighborhood does not give off the honky-tonk air of a comparable corner of an American city; the town hall, the royal palace, and the best hotels are within a few blocks' walk. The stock exchange and railroad station are even closer.

In addition to the harbor area, several smaller spots around Amsterdam have been designated by city officials as red-light districts. Although the law authorizes prosecuting prostitutes in any part of the city, government officials have chosen to control prostitution by confining it to these tolerated areas. T. J. Platenkamp, chief of the city's vice



Street scene in Amsterdam . . .

squad, says. "It's the best system because there's a lot of history in it. The city has always been an important port and sailors want women. The people who live there are used to it." Outside the designated areas women are warned against street-walking and about fifty to one hundred women a month are picked up. For first arrests, they are fined. Even within the harbor district active soliciting is prohibited and the women must sit in their windows or stand quietly outside their doors.

Policemen on foot patrol the red-lighted harbor neighborhood, but have little to do except help with traffic as tourist buses unload passengers, most of whom have come to gape at the windows. No registration or medical checkups are required by law, but even without these controls, the police know most of the prostitutes, where they work, and, if they have pimps, who they are.

Informal controls limit the number of working prostitutes. For example, existing residences cannot convert to business use within the red-light districts. Women working as prostitutes must be twenty-one or married, and women from other countries are not allowed to work. The authorities try to pressure "hippie prostitutes"—girls fifteen to seventeen from America, Germany, Belgium, and France—to leave the country.

Even at the Salvation Army's Amsterdam headquarters, adjacent to the red-lighted windows, the women and their work are accepted as a fact of life. Lt. Col. A. M. Bosshardt, the Army's chief social worker, is not agitating to close prostitution down, but counsels the women and estimates that she helps about fifty a year who want to leave the profession. To her the proximity of families and brothels in the same neighborhood is not shocking: "No children from this district go into prostitution. They see all the bad parts." A psychiatrist who has studied young prostitutes gives his opinion about the effect on children living in the area: "Cigarette smoking is more dangerous."

Copenhagen, Stockholm, and Hamburg: here also prostitution is tolerated.

In Copenhagen porno film theaters and sex shops exist side by side with the Royal Copenhagen porcelain shop and Georg Jensen silver. Prostitutes can be found in certain restaurants and massage parlors, and, in small numbers, on the streets just west of the railroad station, a block or two from the Tivoli Gardens. The police or prosecutors show no concern about prostitution, and inquiries about it amused officials, although some appeared embarrassed by Copenhagen's freewheeling image. "We think we can keep prostitution at a stable

level simply by letting it be there," said one ministry official.

In Sweden neither prostitution nor solicitation is a crime and, although police have authority to pick up women on charges of disorderly or indecent conduct, very little attention is given to prostitution in general. One reason, says Chief Public Prosecutor Holger Romander, is that there simply isn't much of it: "We have no slums and no poor people, so women are not forced to do it for economic reasons. Also there's an open view of sexual relations. You go to a restaurant or dance, meet a girl, go home with her. It's not necessary to pay."

Hamburg resembles Amsterdam in some ways. Its principal red-light area, the Reeperbahn or St. Pauli district, near the harbor, is more than a hundred years old. Women may sit in lighted windows or walk certain designated streets between 8:00 P.M. and 6:00 A.M. One long block, Herbertstrasse, has iron barriers at either end with signs prohibiting entry to those under eighteen years old. Prostitutes register with police and public funds pay for a weekly medical examination.

But Hamburg has something Amsterdam does not—Eros Centers. These are apartment-like buildings with private rooms, electronically controlled entrances, and closed-circuit TV in the corridors. Customers choose women from those circulating in an enclosed, covered area below the building.

The furnishings in each room include two candlelabra—one on the dressing table, one on a table next to the bed—which the women can knock over to signal an attendant if a customer is abusive in any way. Often the dispute is mild—about the price or the termination of the twenty-minute limit. If the attendant cannot mediate or handle the situation, he will call the police who will make an arrest if a customer is violent.

The police seem to be helpful, almost benevolent, with the women in all the areas in Hamburg designated for prostitution. The prostitutes ask the police for help in renewing their registrations, in pursuing a threatening landlord, or for advice when they have forgotten their checkups. The police are satisfied that the laws and regulations now in effect in Hamburg work well.

By contrast, consider the state of the oldest profession in the United States. In every state except Nevada a prostitute carrying on her business is committing one or more crimes—performing sexual acts for payment, solicitation, or, in six states, just being a prostitute. Nonetheless, probably more than half a million women work as

prostitutes in America—some regularly, some from time to time. (They have male counterparts, but too few to make male prostitution a comparable problem.)

The law enforcement resources committed to arresting prostitutes and employing our criminal justice system against them are enormous. There are about 100,000 arrests a year for prostitution and related crimes. Professor Jennifer James of the University of Washington estimates that at least 30 percent of the population of most women's jails are convicted prostitutes; in New York they exceed 50 percent. A San Francisco study commission found that it cost San Francisco \$375,000 to arrest 2000 prostitutes and transport the women to the stationhouse. It also found that most were back working the streets soon after they were released.

Does any of this make sense? "No," says Joe Freitas, San Francisco's new district attorney, who campaigned on a pledge that he would not waste his office's resources on prostitution cases. "No," says Charles Gain, San Francisco's new police chief; "I wouldn't waste the taxpayers' money trying to eliminate prostitution." "No," says Margo St. James, who heads the three-year-old organization of prostitutes, COYOTE.

No public relations expert could do more for prostitutes than ex-prostitute Margo St. James has done with COYOTE (Call Off Your Old Tired Ethics), formed on Mother's Day in 1973. COYOTE now has affiliates in more than a dozen cities, including PONY (Prostitutes of New York), Honolulu's DOLPHIN (Dump Obsolete Laws; Prove Hypocrisy Isn't Necessary), and CAT (California Association of Trollops). Its principal goals are public education and legal assistance, but its best-publicized activities are the Annual Hookers' Convention (where in 1974 a giant keyhole was awarded to the "Vice Cop of the Year") and the Annual Hookers' Ball, a West Coast radical-chie event (song of the evening: "Everybody Needs a Hooker Once in a While"). COYOTE's goals are similar—in part, at least—to those of the National Organization for Women and other feminist groups: decriminalization of prostitution as an interim measure, followed by eventual removal of all prostitution laws.

Margo St. James has a loft office on Pier 40 in San Francisco. COYOTE's headquarters, it is a combination of packing cases and unpainted furniture with a few soft, low, overstuffed pieces reminiscent of a 1920s bordello. She has sharp words for the way major American cities, as well as Lyon County, Nevada, officials, deal with prostitution:

"The whorehouses in Nevada are lousy. They're

good for the owner but the women are totally dependent. The houses are supermarkets, there's no leisure time, the women are not allowed out. Decriminalization is the only way to go. Most whores do it for the money—99 percent. Others for adventure—breaking the law, excitement, the whore-cop relationship, getting back at men by giving them a lousy screw. Cops are whore-haters and nigger-haters. In San Francisco the cops work with the hotels and arrest or move the prostitutes when the hotels tell them to. I don't know a cop who doesn't get a free . . . job."

Margo St. James believes that if prostitutes were allowed in bars and hotels like any other single women, they wouldn't walk the streets, the source of most public opposition to prostitution. Some San Francisco bars tolerate white prostitutes; almost all exclude blacks. She would like to see her organization rather than a public agency regulate prostitutes: "Licensing," she points out, "labels us and then we can't get other jobs." Acknowledging that COYOTE is not yet a strong, cohesive union (its literature describes it as "a loose organization for women"), she proposes a labor union for prostitutes who would police themselves: "We know the hotels don't want girls standing around in hot-pants and big Afros." As for taxes, "We won't pay until the churches do. Why let the government be the pimp?"

The publicity given the San Francisco district attorney's campaign pledge not to prosecute brought many additional prostitutes to San Francisco in the winter of 1976. For a few weeks the sidewalks in front of the St. Francis and other big hotels were crowded with women aggressively soliciting passersby. Opponents of decriminalization cite this influx of prostitutes as proof that criminal penalties are needed. But the law of supply and demand eased the problem. When competition for business got too intense, some of the women returned to their old beats in other cities, or tried elsewhere around San Francisco.

San Francisco's Chief Gain would like to see the state legislature allow counties to have local option to decriminalize prostitution, or zone a designated area for it. He finds existing arrangements futile:

"Don't think about the morality of it. There's no way we can eliminate prostitution with the resources we have. We can move it around, make it uncomfortable for the girls. My undercover officers make themselves available for solicitation, but this is not very effective. My uniformed officers make it uncomfortable for the customers. We have to react to complaints, but it's only street cosmetics. People have a constitutional right to be on the sidewalk. Free sex for cops? I wouldn't doubt that a bit."

"The Biggest Pimp of All"

Eighth Avenue entitled "How Not to Get Hooked by the New Prostitution Law."

No one knows yet whether the Convention Law will make a difference, but for Inspector Dillon the issue is not how the crime is defined in the statute, but the judges' willingness to impose tough sentences:

"We made 190 arrests in January and February of 1976 but only 10 percent of the girls were jailed. I think ninety-day sentences would be more effective. The girls would be more careful and stay off the streets. It would cut down on supply and demand.

"Ninety-nine percent of the massage parlors are whorehouses, but it's hard to make an arrest there. Before they'll do anything, the girls make the customers take off their clothes. The Department refuses to let its men strip, so we get no basis for an arrest. Anyway, what's the use? The girls know they won't get time.

"Some judges give heavy sentences to first offenders, thinking they'll be discouraged; others give fines. The D.A. thinks he's got a good case but the judge dismisses it. The cops are demoralized because they don't know whether to make arrests or not, and each week it's a different story. And when a judge gives a high fine but gives the girl time to pay it, New York City is the biggest pimp of all."

Solicitation in New York City is not confined to a single area as it is in Amsterdam. Along several blocks of Eighth Avenue and Broadway, and around the best East Side hotels, women approach pedestrians and drivers of cars when they stop at lights. Ironically, the proliferation of massage parlors has increased the number and aggressiveness of prostitutes working the streets—they have to work longer and harder to make a living because of the competition.

New York's troubles with prostitution are typical of those faced by most large cities in the United States—and some that are not so large—although like everything else in New York, numbers aggravate the problem. In many cities residential and business areas are interspersed with hotels, bars, and tourist attractions that are the natural focus for street prostitutes; but unlike Amsterdam, there is no history in American cities of peaceful co-existence of prostitutes with businesses and residents. The prostitution "scene" is inherently predatory and the fact that a large proportion of the women are black, while their customers and most of the other people in the area where most streetwalkers operate are white, has added tension and bitterness on both sides. Many black prostitutes and their pimps are particularly hostile to white customers



Margo St. James of COYOTE

Few police chiefs are as outspoken as Charles Gain, who is nearing retirement age. But most of them would agree privately that under present laws, responding to specific complaints from the community and moving the girls around is probably the best the police can do.

Inspector Richard Dillon, head of New York City's vice squad, is one officer who disagrees with Gain. He wants stricter enforcement, and the New York state legislature tried to help him out with what is known as the Convention Law, effective July 11, 1976, the day the Democratic convention opened in Manhattan. The law permits prosecution for "repeatedly" beckoning to, stopping, or attempting to have conversation with passersby, for the purpose of prostitution. The police have issued guidelines defining "repeatedly" as two or more incidents.

Prior to the new law the police arrested prostitutes either for soliciting, which required officers to pose as customers, or for disorderly conduct, a ground which was successfully challenged in the courts. The Legal Aid Society has already filed a suit challenging the new law's constitutionality and the Civil Liberties Union, which supports legalized prostitution, has distributed pamphlets along

and seek to get as much money and give as little pleasure as they can.

In contrast to places where prostitution is accepted, there is little the police in American cities can do to make the scene safer or more civilized for the women, their customers, or anyone else in red-light districts, since their energies are directed at putting the prostitutes out of business.

From time to time, legislators in New York and other cities have proposed that prostitution be permitted in certain areas or buildings. In Boston, for example, Barney Frank, a state legislator from the residential district where street prostitutes congregate, introduced a bill to create an adult entertainment zone where prostitution, pornography, and gambling would be open.

Frank is not worried about issues of public morality or street cosmetics, but he had hoped his plan would deal with legitimate nuisance complaints connected with prostitution—noise late at night and heavy traffic on residential streets, for example:



... in New York ...

"First of all, let's recognize that adults have the right to engage in sex without first getting the state's permission. And I don't much care if people don't like to see the streetwalkers. Who's to determine what looks good? There are people in South Boston who find a black-white couple walking arm-in-arm more offensive than a prostitute soliciting customers.

"But I do think people have a right to peace and quiet. That's what zoning regulations are all about."

Frank would implement his proposal for an entertainment zone by allowing prostitution in Boston's Combat Zone, already well-known for its streetwalkers and adult movie theaters, and in streets surrounding South Station and the bus terminals during evening hours when trains and buses run infrequently.

Frank, whose proposal was defeated, thinks it will be a long time before the Massachusetts legislature is willing to accept even a limited change: "We're dealing with a lot of history here also. This is a state where it's still a crime for two unmarried people to have sexual relations."

The New York chapter of the ACLU believes that there should be an authorized red-light district. But, argues New York Vice Squad Chief Dillon, about the only place in the city where neighbors would not object would be alongside the piers.

"But the johns aren't going to go down there. They want the whole Times Square scene. Anyway, the public doesn't want to face up to prostitution—they'll never go for legal zones. It makes them feel good to think we're out fighting to keep the city clean. They don't know what they want."

People's uncertainty about what they want reflects the conflict between traditional religious and moral teachings and acceptance of the inevitable. Nowhere is this more sharply presented than in Israel.

Until 1967 there were almost no Jewish prostitutes. Strict Arab rules of honor kept most Arab girls from the profession because Arab family law requires the oldest brother to kill a sister who becomes a prostitute.

After the 1967 war, Jewish families from Asia and North Africa emigrated in large numbers to Israel and from these families, on the bottom of the nation's economic ladder, come Israel's prostitutes. At the same time, because of the annexation of territories on the West Bank of the Jordan, Arabs began moving freely throughout the country, and Arab men became the customers of the new Jewish prostitutes.

Nonetheless, most Israelis would rank prostitu-

tion low among problems the nation is facing and would prefer to see police resources used elsewhere. But Jewish religious law complicates the issue, as it does many aspects of Israeli political life. Relying on Talmudic prohibitions, the Orthodox religious parties which are part of the coalition government demand that prostitution be made a crime and press the police to use existing laws against solicitation and public nuisance to stamp it out.

The reactions of Ezekiel Carthy, Israel's deputy commander of criminal investigation, are familiar:

"We have been assigned Mission Impossible . . . Personally, I am for more liberal laws, provided the girls are not forced or coerced, or unreasonably or inhumanly treated. If a woman is fully aware of what she is doing, she has a right to use her body as she wants. But as a police officer, I am obliged to intervene when laws are infringed."

Pimp. The word itself is unpleasant and the man it describes is seen as combining the ugliest and most predatory aspects of prostitution. The popular view of him—and all too often the reality—is that he recruits runaway youngsters at a bus station, offers them a bit of affection and support—perhaps some drugs—and induces them to become whores; that he practices or threatens violence to keep his women working and sharing their earnings with him; and that he uses strong-arm methods or deception to steal from their customers.

Concern about pimps has led to a simplistic assumption that every man with whom a prostitute has a relationship is imposing on her. Police estimates of how many women have pimps range from 40 percent in Israel to 70 percent in Paris to 90 percent in New York. The figure is meaningless since there is no way of determining how many are exploiters, how many are lovers, and how many are somewhere in between. In Nevada, for many women the decision to support a man often reflects the woman's desire to have him available when she wants him.

Israel's Commander Carthy points out that some pimps in his country are husbands: "He is the housekeeper, she goes out working." Lt. Col. Bosshardt of the Dutch Salvation Army observes, "Many prostitutes have a man who walks the dog and cleans the house. The cheapest housekeeper you can have, but he doesn't say what to do with the money."

French prostitutes complain that the police do not take account of different kinds of relationships the prostitutes may have with men. The French

word "*proxénétisme*," roughly translated, means "living off the earnings of prostitution," and includes owners of hotels where prostitutes work, anyone who rents a room to a prostitute, and "*souteneurs*" (pimps). The common complaint of French prostitutes is that "it is forbidden to have a boyfriend." They cite instances of male friends who earn plenty of money as truck drivers or hairdressers being jailed for *proxénétisme*. "Our boyfriends hide themselves all the time."

Proxénétisme is one of two crimes relating to prostitution which have been the focus of the government's enforcement efforts. The other is solicitation.

The legality of prostitution as a profession has deep roots in French history. Until 1946, brothels were legal in France and individual prostitutes were subject to police regulation and medical inspection. In that year "*maisons de tolérance*" were outlawed, as was solicitation, although the right to work as a prostitute was reaffirmed. For reasons that are now unclear to officials, the government thought this approach would help eliminate prostitution. On the contrary, prostitution increased. In 1958 the Brigade du Proxénétisme was created and, according to André Solères, its present director, the theory this time was that "if you could close hotels and arrest pimps, you could suppress prostitution because the girls would have nowhere to go." In 1975 the government proposed to increase the penalties for *proxénétisme*.

As a result, thousands of prostitutes went on strike, occupying churches throughout the country to call attention to their grievances. They contended that police harassment combined with the closing of hotels and rooming houses deprived them of their legitimate means of earning a living. Public sympathy was aroused. Although no official government policy has yet been changed, the police seem to have let up.

Mlle. Grisélidis Réal, a prostitute in her late thirties who participated in the Paris strike, still feels the situation in Paris is difficult:

"The girls have no place to go. The police have closed the hotels. If a girl buys a studio, the police take it away. Also her car—any place where she can do business. Only the girls who pay the police can work."

According to Solères, girls who are caught soliciting ("calling or stopping" or "walking back and forth for at least one half-hour") can be fined but not held more than one hour. And, Solères says, "The police are told to apply this law with moderation."

But, says Mlle. Réal,

"You have to pay to walk on the street, even if you're not looking for a customer. You don't have time to make the money before you have to pay the fine. Sometimes you are picked up by the police five times in one night. If you cannot pay the fines, of course you go to jail. The real pimp is the state—they want part of the money."

The 1975 demonstration has had an impact in France like that of COYOTE in America, but in both countries there are few members, and unionization has little appeal for most of the women who work at the trade. Mlle. Réal is pessimistic about maintaining an effective organization: "A few women are strong, but others say, 'What's the use?' Our leaders are like children. You give them candy, they want it all." Referring to Sonia, the leader of the Paris strike: "Now she acts like the queen of England. She writes a book, and we have nothing. These women are not educated to be leaders."

Another leader of the strike was Mme. Constance, a fifty-seven-year-old prostitute who still works afternoons in her neighborhood, the famous St. Denis area, where, starting at 11:00 in the morning, at least a dozen women stand outside doorways on the narrow streets off the Boulevard de Sebastopol and smile or murmur a quiet greeting to passing men. In the evenings there are many more.

Perfectly groomed, tanned, well-dressed, Mme. Constance carries a large handbag on one arm and a tiny dachshund in the other. She feels the government is still harassing prostitutes and puts much of the blame on Valéry Giscard d'Estaing, president of the Republic. Last year she joined other prostitutes in demonstrating in front of the president's home. Generally warm and cheerful, she becomes angry when she talks about the president: "He treats us like animals."

Mme. Constance once ran a hotel used by prostitutes and served time in prison after the police shut it down. Now she has a studio where she takes clients. As we climbed the stairs at her invitation, she pointed out other doorways—all studios for prostitutes. Like Mme. Constance herself, the studio is immaculate and charming—pink chintz curtains and bedspread on the double bed, a small bar—what one could call "old-fashioned comfort."

Mme. Constance thinks the situation in her *quartier* is better since the strike, but arrests are still made. "What do the girls want? They want social security and state-paid medical care, what other people have. They don't want their boyfriends arrested. And of course they don't want to be harassed."

Prostitutes are available in several parts of Paris different services and prices in different places. Many female and male prostitutes work the Bois de Boulogne. Cruising cars containing clients and spectators are bumper-to-bumper on the broad *allées* each evening while the prostitutes stand along the road, ready to take customers into the woods. Just outside the Bois at the Place Dauphine, cars circulate looking for those interested in group sex ("*partouze*") and male homosexuals wait for a pickup.

In St. Denis and the Bois de Boulogne, standard rates are 100 francs (\$22) a trick. Higher-priced prostitutes stand on both sides of the elegant Avenue Foch or walk on the small streets around the Place de la Madeleine. Some sit in cars and are available for oral sex. Place Pigalle is another focus—honky-tonk streets where many of the prostitutes work as bargirls.

At the bottom of the ladder is Barbès, the womanless Algerian and Moroccan quarter where prostitutes work in small hotels and rooming houses, servicing as many as eighty men a day at fifty francs each. It is hard work and the girls keep only half the money. *Proxénétisme*? By definition, at its very worst. But, says Solères: "If I closed these hotels, there would be another revolution."

Except for some residents of the expensive apartments at the edge of the Bois de Boulogne who object to the evening noise and the condoms their children find in the park during the day, Parisians do not seem very concerned about the large number of visible prostitutes. It is hard to know how extensive or effective the campaign against *proxénétisme* is and whether the other charges of police harassment are warranted. Since the French police worry less about the legality of arrests than do their counterparts in most American cities, the level of harassment is whatever the government decides it wants. On the other hand, French police officers do not pose as customers, so a French prostitute does not have to start each negotiation by trying to find out if she is being trapped.

In general, the prostitution scene in Paris is less ugly and tense than in New York and surely Commissioner Solères sounds more relaxed on the subject than Inspector Dillon, his counterpart in New York. Solères concluded:

"There is no ideal solution. There will always be prostitutes as long as there are clients and it's foolish to think legislation will change that. But I am absolutely against houses of tolerance such as they have in Germany. Why? If you have an institution of this kind, you encourage all sorts of perversion. The girl is shut in and exploited by the owner. If

houses are legalized again in Paris, I would quit an immoral system. All the police can do is see that it's working and I would not like to see my agents participate in houses of toleration.

"The best solution is to accept a certain number of prostitutes in certain *quartiers*. But it is not possible to do that in France at the moment. We can do it in Barbès because few people from outside go there. In other parts of the city we have to show we are doing something."

What can be learned from looking at the ways different countries and cities handle prostitution?

A starting point is an evaluation of the policy of sporadic offensives presently waged in most American cities. The system is flexible. When the public gets upset about prostitution the police make more arrests and harass the streetwalkers more. Some of the women move from areas where complaints have been made, and for a time prostitution is less visible. When public opinion calms down, police activity subsides also and business resumes as before.

The best that can be said for this policy is that the government is not acquiescing or participating in what many people regard as sin. That its efforts are likely to fail produces less discomfort than if it were not trying at all. We are used to the notion that pollution, corruption, traffic deaths, and other social evils may resist such efforts. Marie, the Kit Kat's madam, may be right when she says that legalization in Nevada did not encourage new recruits, but elsewhere the fact that prostitution is a crime may discourage some women whose need or inclination to participate is marginal and who may not feel it is worth committing a crime and being hassled by the police.

Would increasing the likelihood of arrest and conviction and lengthening sentences help eliminate prostitution? The record offers little encouragement. Even before New York's new Convention Law, judges could have imposed ninety-day sentences but rarely did. Proposals have been made for mandatory minimum sentences that would prevent prosecutors or judges from being lenient, but long sentences would produce results their advocates may not envision. Although they complain about it, prostitutes now accept as a cost of doing business a system in which—in Boston legislator Bailey Frank's words—"the prostitutes and cops are chasing each other in and out of courtrooms like a Mack Sennett movie."

If, instead of the brief inconvenience of an arrest



... in Hamburg.

and moderate fine, the women face loss of income and liberty for months, they or their pimps will hire good lawyers to defend their cases. Just as the Massachusetts gun law which mandates one-year sentences for illegal possessors of handguns clogged the courts with appeals and delays, prostitutes' lawyers will raise factual and legal issues that will tie up court time while the women continue to walk the streets. To have any impact at all, vast resources—police, prosecutorial, and judicial—would have to be diverted toward processing these cases, resources which the public surely wants directed toward preventing more serious crime.

The examples of Amsterdam, Hamburg, and Lyon County, Nevada, suggest that Americans pay a heavy price for pitting the police against the prostitutes. Many women, needing protection against the law enforcement system and illegal violence, turn to pimps. The police can permit prostitutes to do business in return for bribes of money or sexual services. Since the sexual transaction is outlawed, the customer is also without police protection and rarely will report theft or extortion. The police are given an assignment at which they must fail; thus they become the objects of contempt and hostility from the community that are matched only by what the prostitutes themselves feel.

Where government is not engaged in a holy war of abolition, it can, by controlling how and where

prostitution may be carried on, protect those who may be affected. That is not to argue for a simplistic transplantation everywhere of an approach that happens to work in one setting. It would be a mistake, for instance, to underestimate the significance of a century or more of amicable relations between prostitutes and their neighbors in rural Nevada, or an even longer history of acceptance of the women in the windows of Amsterdam by their neighbors in the center of the city. Changes in law and law enforcement usually must be preceded by changes in public attitudes.

Only in recent years have the houses in Nevada become legal and the women who work there licensed. But those same houses have been part of the landscape for as long as anyone who lives there can remember. To license brothels and prostitutes in American cities without such a history would be a visible and shocking renunciation of presumably shared moral values. Before government becomes that affirmatively involved in the business of prostitution, there probably must be a first stage of open toleration.

There are also practical problems in the application of Nevada's approach to more populous areas—as presumably was recognized when that state's legislature excluded the counties with Reno and Las Vegas from its licensing law. It is one thing for Sheriff Allen to keep an eye on the four small Lyon County brothels, and for his secretary to fill out license forms for ten or twenty women a month. It is quite different to envision the kind of bureaucracy that would administer such a system for thousands of prostitutes in Chicago, Los Angeles, or New York.

Further, if rules like those in Nevada excluding minors and those with felony arrests and drug records were strictly applied, probably most streetwalkers in big cities would be ineligible for work in licensed houses. Thus, even adopting Nevada's approach would leave many street prostitutes at work. Finally, in view of how easy it is for prospective employers to obtain arrest records, one cannot help sharing COYOTE's concern that licensing labels women and would make it hard for them to leave the profession and find other work.

Houses and apartments, clubs and call-girl operations, all providing sex for sale in some form, exist in many cities in the United States. Although illegal, they are usually left alone by the police as long as their visibility is low. Occasionally, however, a department decides to crack down: for instance, in Cambridge, Massa-

chusetts, five police officers were recently assigned to telephone "masseur" advertising in an underground newspaper. They followed up by making appointments and arrested eight women. It seems doubtful that this is how a small police force in a high-crime city should be spending its time. Discreet advertising is permitted in England as a way of cutting down on streetwalking. Decriminalizing off-street solicitation is an obvious first step toward ending the confrontation between the prostitutes and the police.

But toleration of off-street prostitution will not end street solicitation, as the experience of London and other cities demonstrates. Confining solicitation on the streets to certain areas is an approach that can and does work in major cities in Europe. There is a long history in this country of using zoning restrictions for isolating noisy, traffic-producing, or otherwise offensive businesses within a particular area, and prostitution is such a business.

The Dutch and German approach suggests that if solicitation is permitted in designated areas, prostitutes and their customers can largely be confined there. Solicitation within the zones would no longer be a crime; outside them, it would still be punishable. It would take much less police effort to deal with those women who violate the zoning requirement by soliciting outside the designated areas than to prevent solicitation everywhere. This would enable the police to provide intensive patrol within the zones, where they could prevent disorder and deal with theft or assaults.

To propose that our government stop making war on prostitution may seem quixotic. But American attitudes toward sex have been changing rapidly. The notion of a young couple openly living together or college clinics routinely providing birth-control devices would have been as shocking to most Americans a generation ago as toleration or regulation of prostitution is today. Furthermore, legislatures and the public in some states have begun to recognize how costly it is to use criminal sanctions against consensual behavior—evidenced by softening or removal of criminal penalties for public drunkenness, smoking marijuana, gambling, and abortions.

It does not depreciate the depth of concern about prostitution itself to recognize that the police are not about to eliminate the oldest profession. Indeed, its durability suggests it is time to take note that there are ways to provide sex for money that are acceptable to prostitutes, law enforcement officials, and the surrounding communities; and to speculate about the form decriminalization or legalization might take in American cities. □

Brothel owner says Nye County is run by 'Tonopah Mafia'

LAS VEGAS (AP) — The owner of a Pahrump brothel destroyed by fire in 1978 charged Wednesday that Nye County is run by a "Tonopah Mafia" that does all it can to keep outsiders out of business in the county.

Walter Plankinton, was the first witness called in the federal trial of three men, including the owner of a rival brothel, who are charged with conspiring to firebomb Plankinton's Chicken Ranch brothel in Pahrump.

Plankinton described the "Tonopah Mafia" as a "loose-knit political machine of people who have been in office for 30 or 40 years, built up a lot of favors and operate under the good old boy system."

Charged with conspiring to firebomb the brothel are rival brothel owner William Apfel, his manager, Ken Kolojay and James Tatum, a handyman at Apfel's Shamrock brothel.

Government attorneys said Wednesday it was their contention that Apfel conspired to firebomb the Chicken Ranch because when it opened in 1976 it became the closest brothel to Las Vegas. The Chicken Ranch is about 50 miles from Las Vegas, about 40 miles closer than the Shamrock in Lathrop Wells.

Prostitution: Nevada Officials Offer Views

N.S.J. - 7-31-74

Decisions on morality should be left to society, Washoe County Sheriff Bob Galli said Tuesday in response to an American Bar Association committee statement proposing legalized prostitution. The committee, in a statement from Chicago, says laws against prostitution are blatantly discriminatory, and recommends elimination of laws making prostitution a crime and says the laws invade individual privacy. Action will be taken on the recommendation by the association's House of Delegates at its annual meeting in August.

The rise of the liberated woman, expanding notions about the right of privacy and a growing concern about so-called victimless crimes contributed to the committees' unanimous approval of the report, Chicago lawyer and committee vice chairman Carole Bellows said.

The report states, "Whether a person chooses to engage in sexual intercourse for pure recreation, or in exchange for something of value, is a matter of individual choice, not for governmental interference."

Galli said he doesn't think it's up to the bar association to dictate to society, but rather for society to dictate to the bar association. "If society wants to decriminalize prostitution, it certainly will show its desires at the state legislatures."

But the recommendation won't have much effect on Nevada, think the district attorneys of Lyon and Humboldt counties, which

have either legalized or tolerate prostitution.

Lyon County Dist. Atty. Ronald Banta said prostitution as such is not illegal in Nevada, though it falls under public nuisance laws. The county takes in about \$42,000 a year in license revenue from the houses, said Banta.

"We have very little prostitution outside of the four licensed houses of prostitution (now operating there)," he said.

The only change Humboldt County Dist. Atty. William Macdonald said he can see for Nevada counties might be a need to insure that areas of prostitution are controlled through zoning laws. Prostitution is "tolerated" in Humboldt County.

"I suppose by zoning, the community could still keep them (the houses) where they want them," Macdonald said.

Estranged Wife Claims

Treasurer Tied To Mob

CARSON CITY (UPI) — State Treasurer Mike Mirabelli gets special favors and discounts from a California car dealership owned by the sons of a reputed underworld figure, Mirabelli's estranged wife said today.

Mrs. Dorothy Mirabelli, who has sued the treasurer for divorce after 18 months of marriage, says Mirabelli has bought at least four cars from the dealership in San Jose owned by the sons of Joseph X. Cerrito, receiving discounts up \$1,500 and greater.

Cerrito was named as a Mafia figure by the California Organized Crime Control Commission earlier this year. He does not have a criminal record in California and neither do his sons.

Mirabelli, according to Dorothy, also gets free mechanical work and extra sets of tires from the dealers. And she says Mirabelli drives the vehicles for months before he decides to buy them.

Mirabelli says he does get the new cars for \$100 over cost, but he knows nothing about the background of the brothers Toni and Roy Cerrito and has never met their father. He said he first met the brothers because they were neighbors at Lake Tahoe, where he was president of a condominium association.

And he says he doesn't do them any favors. He concedes he is now driving a "loaner" from the dealership and says he will probably buy the vehicle.

"Everybody is looking for a deal and I get one and now I'm in trouble," complains Mirabelli.

Mrs. Mirabelli contends the couple had dinner several times with the sons and she had met Joseph X. Cerrito in California through her husband. She also alleges that Mirabelli helped the Cerrito brothers set up a car agency in Elko, Nev. Mirabelli says the Cerrito brothers do not own a car agency in Elko.

Mrs. Mirabelli earlier said that the treasurer was involved in shady dealings with brothel owner Joe Conforte and got free rooms and meals at Las Vegas hotels and vacation spas through Nevada banks.

Mirabelli said he had a regular land deal with Conforte, but admitted that the brothel owner had offered him a special price on land in Sparks "as a favor." He also said the casinos pay for his rooms and food, not the banks. She alleged Mirabelli phones bank president Bob Sullivan of Las Vegas to get the reservations at the hotel-casinos. But he says he has never talked to Sullivan but admits he phones his secretary, who is a friend of an official at one of the casinos.

Mrs. Mirabelli said the treasurer recently picked up a new car in January and later paid \$5,100, or some \$1,500 less than the list price. State records show the car was purchased from Toyota of Almaden in San Jose, the firm owned by the Cerrito brothers.

Mirabelli contends his estranged wife "is out to ruin me politically" because he will not give her everything in a divorce settlement. But Mrs. Mirabelli, who is the treasurer's fifth wife, says she wants the \$100,000 condominium they were living in in Reno. She says it was her money from the sale of another home that made the down payment on the condominium.

I. DIRECT PROBLEMS

A. Physical Logistics

1. Washoe County is the sole business target of Mustang Ranch.
 - a) The brothel is accessible only through Washoe County. No road, other than a 4-wheel drive trail, links the bordello with its own county seat.
 - b) In virtually every media exposure, Reno is specifically used to identify the location of Mustang Ranch, i.e.:
 - 1) (book) BROTHELS OF NEVADA by Robert Engle
 - 2) (book) THE GIRLS OF NEVADA by Gabriel R. Vogliotti
 - 3) (movie) THE HOUSE THAT JOE BUILT
 - c) Business cards distributed by brothel employees graphically depict its location in direct relation to Reno.
2. Washoe County taxi cab companies offer "package rates" for trips to Mustang Ranch.

B. Social Implications

1. The prostitutes, for the most part, reside in Washoe County.
 - a) More than half of the prostitutes work in the brothel under the auspices of an outside pimp. When not physically residing at Mustang Ranch, their work continues in Washoe County.

2. Prostitutes frequently perform "out dates" in Washoe County.
 - a) Mustang Ranch employees including security guards, bodyguards, and supervisors have been surveilled transporting prostitutes to various locations in Washoe County.
 - b) Local taxi cab companies have been observed transporting prostitutes to Washoe County locations.
3. The majority of prostitutes work under assumed names. This presents an identification problem. In the case of wanted persons or those contracting venereal disease, by the time their true identity is learned, they have either left or are working at another brothel under yet another name.
4. Concerning the brothel and its employees, little or no cooperation is received from the Storey County Sheriff's Department. In the simple identification and location of specific prostitutes it is often more expedient to use confidential sources than to seek the information from the very agency whose statutory duty it is to issue work permits and identify employees.

-4-

collective Washoe County entity preparing to vote on a million dollar plus expenditure.

- b) In another incident, two local elected officials were frequently observed discussing official business in the Mustang house, and they were given "comps" at Mustang Ranch.
3. Politicians from as far away as Las Vegas have been observed receiving special favors, money and gifts from Conforte.
 4. More recently, Conforte has been charged in Washoe County with the attempted bribery of a Lyon County District Attorney while attempting to "buy" a brothel license in that county, at the same time eliminating a competitor. This case is pending due to Conforte's Fugitive status.

II. COLLATERAL AREAS

A. Employee Criminal Backgrounds

1. In virtually every instance, Mustang employees have extensive criminal records. These range from prostitution and soliciting, in the case of the "working girls," to narcotics possession/sales, assault and battery, CCW, and murder for support personnel.

B. Employee Criminal Behavior (selected examples)

1. May 1972 - a Mustang security guard confronted a pair of young men sitting in an automobile. He attempted to force them out of the car at gunpoint. In fear, the men fled. The guard chased them into Washoe County firing several shots. Later, he was charged and convicted of Battery with a Deadly Weapon in Washoe County.
2. In 1975 heavyweight boxer, Oscar Bonavena, was shot and killed outside the front gate to Mustang Ranch. Ross Brymer served two years for the death.
3. In August 1978, a male Mustang Ranch employee was charged in the possession of 100 pounds of P.C.P., also known as Angel Dust. The confiscated drug had a street value of \$80 million dollars. Three other persons were arrested in Minneapolis and charged in the interstate manufacture and distribution of the drug.
4. Mustang Ranch employees representing one of the largest employers in Storey County, have traditionally voted as a block, swinging elections in favor of those candidates sponsored by Joe Conforte.

- a) Conforte has been observed specifying which candidates his employees will vote for.
- b) Conforte has gone in to citizens' homes and marked their sample ballot with his choices.
- c) Conforte has been observed waiting outside the polling place to collect ballot stubs of each employee after voting.
- d) In documented cases, Mustang prostitutes have attempted to vote in both Washoe and Storey County elections, using fictitious names and identities.

C. Other Crimes of Violence

1. In April 1970, a cab driver was found shotgunned to death a short distance from Mustang Ranch. The killer continued on to the brothel and engaged in sex with a prostitute.
2. Several armed robberies involving cab drivers enroute to Mustang Ranch are reported to the Washoe County Sheriff's Department each year.
3. On November 20, 1975, a suspicious fire gutted the new Mustang Ranch still under construction. This case has never been solved.

D. Organized Crime Associations

1. Joe Conforte was documented meeting with publicly identified Mafia Captain John Simone in a Palm Springs hotel.
2. Sally Conforte has had a long-time association with organized crime figure Barney Pearlman.
3. Telephone toll records link Joe Conforte with the late San Diego LCN boss, Frank Bompensiero.
4. In Ovid Demaris' book, THE LAST MAFIOSO, as told to him by Mafia member Jimmy Fratianno, Joe and Sally Conforte both solicited for "hit men" to take care of business and personal problems.
5. After his IRS conviction for Income Tax Evasion, Joe Conforte attempted to sell Mustang Ranch. The "front" business he negotiated with represented a company publicly identified by the Pennsylvania Crime Commission as being operated by organized crime.

1) Unfortunately people have a tendency to think that if anything is concerned with that six years old ok. This true & many adults get involved in some of children's terms. For example, sometimes - sometimes say "yes". Unfortunately, because of the fact that is a child is taken to the school, the school is a place where we can see something. The notion that there's something happens, still it's true that it's not a legal charge.

2) Once something is a school, we can see that said no to an adult hotel. I don't know what we're getting at. It's like we have an adult hotel.

3) The typical way to attract people is by having a lot of people. They are in most of the cases, we don't attract a large number of people who were coming to the school. ~~I am not sure if this is the right way to attract people.~~

4) On a community school, there would be no agreement, good results from people. For whatever reason, we can see that in a community school.

would be made in addition of some improvement, local service would be very good. Our most important budget since stopped there with a whole lot of other things. We certainly see financial benefit there. Recent history has shown that most of these places ~~in~~ have & since seems to flourish.

I'm not so naive to think ~~it~~ ^{that my local economy} doesn't benefit at least directly or indirectly from gambling. I however & I think most people would agree that we do not wish to benefit monetarily from the gambling business bodies.

(5)

(6) ~~Some writers have the authority to conduct research but a very important decision power for all people~~

(7) I believe it is wrong for our society to consider anything in such a way as to be regarded as objects & not human beings. The idea of prostitution is very much disapproved to women, we cannot afford to demand that young people in our community will come to regard ~~the~~ women in this way. We have a tolerance towards prostitution in general women's reliance upon it.

then (7) (5) (5)

10 ~~ist~~

I believe the same will be acc. with it
wonder how many had
a good one

~~the opportunity to degrade a woman~~

6) Once we have lost the ability to be shocked we have no defense. Crime is a good thing.

7) We cannot afford anything in which women can be regarded as objects or not human beings. The whole idea of prostitution is a gross violation of our moral principles. We must find a way to deal with women, telegraphically.

8) The... Billings... made...

9) ... this is the way... limit of...

10) Some... increased...

11) ... in fact leads to an increase in... studies... similar... found to have seen... many... have...

ASSEMBLY BILL 560, AS AMENDED, PROPOSES TO PLACE THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE UNDER THE AUSPICES OF THE DEPARTMENT OF MOTOR VEHICLES. AS PROPOSED, THIS WILL CREATE A DIVISION OF INVESTIGATIONS WHICH IS RESPONSIBLE FOR FURNISHING CRIMINAL INVESTIGATIVE SERVICES CONCERNING THE DANGERS OF CONTROLLED SUBSTANCES. THIS DIVISION WILL BE THE PRIME ENFORCER OF THE CONTROLLED SUBSTANCE ACT. THE INVESTIGATIONS DIVISION WILL ALSO PROVIDE GENERAL INVESTIGATIVE SERVICES TO THE SMALL COUNTIES IN NEVADA.

ADDITIONALLY, ASSEMBLY BILL 560 PROPOSES THAT THE DEPARTMENT OF MOTOR VEHICLES WILL ASSUME THE RESPONSIBILITY OF THE PEACE OFFICERS STANDARD TRAINING WHICH THROUGH A PROPOSED THREE MEMBER COMMISSION WILL CONTINUE THE STATEWIDE COMPREHENSIVE PLAN FOR THE IMPROVEMENT OF LAW ENFORCEMENT IN NEVADA AND BE RESPONSIBLE FOR THE ^{in certifying and} CERTIFICATION TRAINING OF ALL PEACE OFFICERS THROUGHOUT THE STATE. → *The savings over the next biennium would be \$142,000*

THIS PROPOSAL WAS MADE DUE TO THE FACT THE FEDERAL GOVERNMENT, AS OF DECEMBER 31, 1981, WILL NO LONGER BE PROVIDING FEDERAL FUNDING FOR MANY OF THE PROGRAMS AND RESPONSIBILITIES ADMINISTERED BY THE CRIME COMMISSION. [THIS BILL ABOLISHES THE 16 MEMBER COMMISSION, TRANSFERS THE REMAINING FUNDING TO THE DEPARTMENT OF MOTOR VEHICLES, AND ^{This} PROVIDES A COST SAVINGS OF MORE THAN \$142,000 OVER THE NEXT BIENNIUM.

Bart Jacka → Details

Why prostitution in a nice state like this?

EDITOR'S NOTE: The Oakland Tribune, a finest newspaper serving a metropolitan Florida area in which legalization of prostitution is being discussed, is publishing a series of essays on the subject, including the following which Oakland editors asked the Journal and Gazette publisher Warren Lerude to write about varying Nevada attitudes.

WARREN LERUDE
In Nevada, a land of contrast where frontier spirit shapes individualism, for better or sometimes worse, there are two themes which raise the question of whether the state ought to legalize prostitution.

Interestingly, in small town Nevada, conservatism and forthrightness result in prostitution being legalized by government if accepted, if not applauded, by most of the community.

Equally of interest, in metropolitan and more sophisticated Nevada, namely Reno and Las Vegas, the greater complexities of urban attitudes shape a societal — and legal — stance against prostitution.

Prostitutes, of course, work with varying degrees of success in both environments, just as they do in downtown Oakland, San Francisco, Los Angeles and New York and in suburbs across America wherever supply is needed upon to meet demand.

Why the different attitudes? Why is a whore house accepted in the out-of-the-way mining town of Ely in population-rare eastern Nevada or a silver state ranch, farm and tourism community such as Winnemucca, busy stopping place for motorists crossing America on Interstate 80?

And, if Nevadans will accept the trappings, licensed and medically inspected brothels and prostitutes in such country, or as we call them, "Cow County" communities, why will usually the same Nevadans make prostitution illegal in the cities, where they know it will some aspects of tourism demand the community?

One could write off the answer as hypocrisy or perhaps be somewhat accurate.

The fact is, the answer is elusive. In Reno, Las Vegas, Oakland, San Francisco, Los Angeles, New York and most other urban centers deal with societal questions quite differently than do smaller countryside communities, be they on Nevada's sagebrush plains or in California's agricultural valleys. Take, for instance, the simple arrest in a community park of a couple of persons most reasonable observers would conclude to be innocuous.

Arrest the derelicts in urban Reno and chances are the civil liberties union will dust off a constitutional argument about the right of the citizens to assemble.

Arrest the derelicts in Winnemucca and chances are, if any, local citizens will argue against letting the bums on the town's border, the out-dated "floater sentence" which dictates a firm message: Get out of town, now, into the slammer you go.

There's something pragmatic about small town living that gets to the heart of the matter without a lot of energy being spent on theoretical considerations. For lack of a better solution, consider it a frontier attitude toward problem-solving.

Prostitution's acceptance in small town Nevada is sometimes explained to New Yorkers



and other urban visitors this way:

It's 100 years ago. Male school teacher with wife, two young daughters, adventure in his heart — and theirs, if out of loyalty rather than enthusiasm — goes to gold rush Alaska, leaving behind security and attitudes heretofore shaped in Who-knows-where, Mass., or some other reasonably established place.

Family shows up on the Klondike. Let's see. Two thousand drifting miners looking for, in no particular order, fortune, a stiff belt of whiskey and fulfillment of a human need we shall identify as sex.

In the community now are: teacher's wife, two daughters, 27 other women who for one good reason — or maybe a couple had ones, ended up in the same place about the same time.

Whether for security, fear of rape, calculation of reality and/or odds or some other pragmatic reason, chances are these new to town, very decent females do not lead the local cheering section, if they can find one, to shut down the town's whore house, which may include five of the 30 females now calling the Alaskan mining town home.

In fact, history shows us in most frontier attitude communities, the church-going, proper ladies of the community become quite satisfied with the fact the drifters have a place to drift toward. The place, of course, is the local whore house, conveniently located on the other side of town from the Methodist church.

That may not make it right, but it makes it so. And that's pretty much how it is in frontier America where simplicity and pragmatism are problem-solving tools used with the same dispatch urban American applies due process and other fair but time-consuming alternatives.

The phenomenon finds full circle of conservatism and liberalism wherein if you think carefully, you'll hear someone say something like this:

"If Joe Blow wants to run a whore house, that's his business, and if Betsy Jones wants to work there and Pete Smith wants to employ and help her earn a living, that's his business, and we don't want the government or anyone else interfering, so long as no one is hurting anyone."

Liberal? Conservative?

Tough to classify.

In frontier Nevada, you'll find a conservative, be he or she a rancher in town in cowboy boots or, perhaps, a minister's son doing such talking.

In urban Berkeley, Oakland, San Francisco or other such places of presumably enlightened thinking, you'll find such talk coming from a gentleman or lady of a liberal persuasion.

Individual freedom to choose, each one might argue.

So long as treacherous pimps are not trapping unsuspecting young women into certain slaveries of drugs and sordid sex on streets or anywhere else.

Or brothel operators aren't secretly using their questionable trade's profits to buy city hall and gain political favoritism.

Or the whole practice isn't conducted such chauvinism that a poor working man can't get a job in one of those toney places with the lace curtains and red glow lights.

Any of which possibilities could turn the whole affair into human degradation, exploitation or, perhaps something worse, a rift between ERA backers and the Gay Liberation Front about equal opportunity.

JUDGE ATTACKS BROTHEL OWNER

By ANN HALEY
SUN Staff Writer

He's nothing more than a disreputable pimp and he never was," U.S. District Court Judge Bruce Foley said Friday of brothel owner Joe Conforte after determining that a nearly \$5 million jeopardy tax assessment levied against him is reasonable.

"A pimp sitting on the banks of the Truckee thumbs his nose at the United States government and for many years," Foley declared in a scathing attack on the diminutive owner of the Mustang Ranch. Conforte stared stonefaced at the judge during the attack.

Foley issued his ruling at the close of the second day of hearings to determine if the \$5,600,000 jeopardy tax assessment was unreasonable, as Conforte contended.

"Brothels in Nevada exist because of the tolerance of local law enforcement officials and local county commissioners who will not enforce the law," the judge said.

"Conforte is unique," Foley said. "He's a unique pimp. I don't like to impugn the integrity of public officials, but he operates with their tolerance. Does he buy them?"

Foley also took the side of his colleague, U.S. District Court Judge Bruce Thompson of Reno, who last year sentenced Conforte to 20 years in prison and imposed a \$10,000 fine after finding him guilty of employment tax evasion.

Conforte has charged Thompson was biased against him before hearing the case without a jury. He currently has a motion for a new trial pending before U.S. District Court Judge Warren Ferguson of Los Angeles.

According to testimony given Thursday in the jeopardy assessment hearing, IRS officials levied the assessment for the years 1973-76 after Conforte's conviction, fearing he would sell the Mustang Ranch brothel and flee the country.

Citing the "severely biased" testimony made on one of the district federal judges, Foley said, "I feel better. I've shown my bias toward this man and I'm glad. It's based on many years of experience."



JOE CONFORTE

glad. It's based on many years of experience."

But, Foley also said, "Like Judge Thompson, I hope I can live up to my constitutional oath" in judging Conforte.

He called Conforte "this despoiler of young women" and said, "Run out of town." Judge Thompson is absolutely right. He ought to be hung."

In charging Thompson with bias, Conforte has contended the judge said at a 1973 Reno party that he should be run out of town.

In earlier testimony Friday, IRS Agent Ronald Wiggins described his work with a Mustang Ranch "trick sheet," listing \$5,031 in gross receipts and \$3,962 in expenses incurred by the 38 working prostitutes at the ranch over a single 24 hour period. It was this document that IRS officials, unable to get records because Conforte has them destroyed, used in determining the amount of the jeopardy tax assessment, according to testimony at the hearing.

Wiggins said that when computing the amounts earned by the Mustang Ranch from 1973 to 1976, he knew that the prostitutes kept about 55 percent of their earnings and gave about 45 percent to the ranch management, in addition to paying some rent.

The revenue agent said he originally computed some expenses and deductions for Conforte but was told by the IRS regional counsel to make his calculations again, leaving out deductions and expenses.

In addition, IRS lawyers told him to redo the jeopardy assessment calculations this time basing them on married yet filing separately tables for Conforte and for his wife, Sally.

Conforte attorneys protested that the IRS had levied the entire jeopardy assessment separately against both Conforte and his wife, rather than splitting the income from the brothel between them and then computing the tax allegedly owed. This was done despite Nevada's community property law for married persons, attorneys contended.

Later in the day, government attorneys called their sole witness, IRS attorney Benjamin Sanchez, to the stand.

Sanchez explained the IRS's logic in assessing both Conforte and his wife separately for the entire amounts of taxes owed.

According to Sanchez, if an assessment isn't high enough, the government must assume burden of proof in a civil tax case and could lose the money it claims is owed.

Commerce charges linked to brothel fire

LAS VEGAS (UPI) — Federal charges against four men arrested for setting a Nevada house of prostitution on fire include destruction of property used in interstate commerce because the brothel accepted credit cards.

The four men, including the owner of a rival house of prostitution and a former sheriff's lieutenant, were arrested Monday after a federal grand jury in Las Vegas returned a seven-count indictment stemming from the incident at the Chicken Ranch in Nye County last year.

The suspects face formal arraignment on the charges next week.

Mahlon Brown, U.S. attorney for Nevada, said because the brothel's customers used credit cards, the establishment was engaged in interstate commerce.

During the grand jury's investigation, the owner of the brothel, Walter Plankstain, also produced receipts showing 60 percent of his customers were from out of state.

"I suppose if we wanted to get specific, we could prove that the customers were crossing back and forth over state lines," Brown said Tuesday in reference to the interstate commerce matter. "But the credit cards are enough."

The fire at the brothel June 10, 1978, caused about \$230,000 in damages. There were 15 employees in the structure at the time and one woman suffered severe cuts and internal injuries when she jumped through a plate glass window to escape the flames.

Witnesses said a man with black tape covering his face set the fire by pouring a flammable liquid onto a sofa and lighting it.

Arrested Monday were William Apfell, 60, also known as William Martin, the owner of the rival Shamrock Brothel in Lathrup Wells; Kenneth Kolojay, 32, of Lathrup Wells, manager of the Shamrock; Glen Henderson, 59, of Amargosa Valley, a retired Nye County sheriff's lieutenant; and James L. Tatum, 33, of Oroville, Calif., a self-employed handyman.

Tatum was arrested in Oroville and a bail-setting hearing was held before federal authorities in Sacramento, Calif. The other hearings were in Las Vegas.

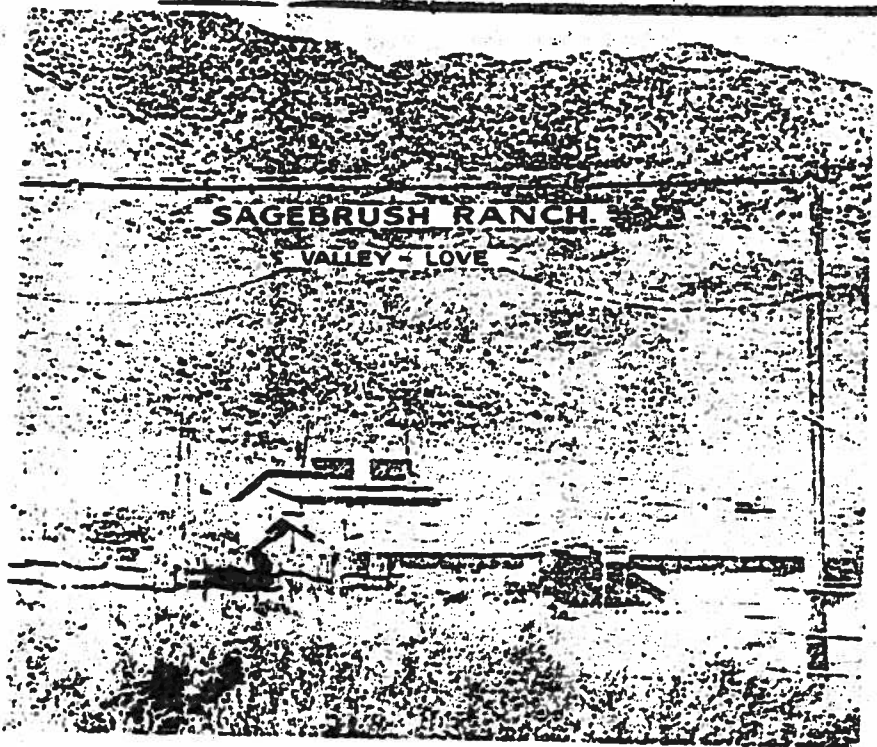
The indictment also included charges of obstruction of justice, conspiracy and making false statements to a grand jury.

The brothel was ordered burned by Apfell, according to the indictment, and Henderson used his influence as a former sheriff's lieutenant to stall the investigation. The indictment alleged that Apfell paid the men \$10,000 each for the firebombing.

The government's star witness is expected to be convicted killer Elbert Easley, who also allegedly was involved in setting the fire. Easley was not indicted in the case but is facing a death sentence for the stabbing death of a Modesto, Calif., couple.

If convicted, Apfell faces a maximum sentence of 30 years and a \$40,000 fine; Kolojay could receive a 15-year sentence and a \$45,000 fine; Henderson faces a maximum prison term of 10 years with a \$20,000 fine, and Tatum could receive a 30-year sentence and a \$40,000 fine.

A Nye County grand jury has also been investigating the firebombing and is expected to return indictments next week. Sources have said, however, that the county investigation is more far-reaching and has also focused on alleged corruption in Nye county.



Sagebrush Ranch.

Osborne/Journal photo

ol. The brothels do not pose law enforcement problems, r said. "The bars are worse than the houses," he said. "Bartenders are usual and think they can take a disturbance. The women houses either talk a guy out of trouble or call us." biggest headache, said Wen- registering the prostitutes ured by the county ordi- The Dayton substation has red 290 prostitutes for the othels in the last 15 months.

three other brothels — the te Ranch, Kitty's Guest and the Kit-Kat — are in- sed among a growing num- retirees' mobile homes and 1 subdivisions along with equipment yards, machin- ly businesses and roadside uments clustering along the ins east of Dayton. th bordello — the Starlite — is closed. In July 1979, g Ranch brothel owner Joe e allegedly tried to bribe in return for help in obtain- license for the Starlite. said he started invest- forte, more famous for his ip of the larger Mustang brothel in neighboring County, after Lyon County

Sheriff E.L. "Red" Kingsley received information that Conforte had been the hidden owner of the Starlite for years.

After Glomi carried a hidden tape recorder to a meeting in which Conforte allegedly offered him \$1,000, gaming chips, cigars and other favors in return for a license to operate the Starlite, a Washoe County grand jury indicted Conforte for bribery.

The trial was delayed several times while Conforte fought federal income tax evasion charges. Conforte failed to appear for sentencing on those federal convictions. His attorneys said they didn't know his whereabouts. Thus it remains in doubt whether the Washoe County bribery case will ever go to trial.

Glomi said he still feels stung at the doubts that case raised in some people's minds about him, even though he was investigating Conforte before the alleged bribe offer. He said he hopes that his tape-recorded conversations with Conforte can some day be made public.

Thus the extortion charges against the two commissioners are the second time in 18 months that brothels brought unwanted notoriety to the county, Glomi said.

"My main concern is the impact they've had on county government, no matter what the outcome on the commissioners' case," he said. "And it appears they've had a hell of an impact."

District attorney takes on prostitution

By DOUG McALLAN
State Editor

YERINGTON — Lyon County District Attorney John Gloni has called for delegalizing brothels in the Dayton area following federal indictments of two Lyon County commissioners for allegedly accepting bribes in a brothel licensing case.

The first county in Nevada to legally recognize the world's oldest profession, Lyon County has four brothels — all in the northwest corner of the county near Dayton.

The county seat of Yerington has not had a brothel in 20 years "since a bunch of holy rollers and do gooders shut it down," according to our local resident.

Although two Yerington ministers have started a petition drive against legalized prostitution in Lyon County, a spot check of Lyon County residents found strong support for retaining the county's four legal brothels.

In spite of the federal extortion charges against Lyon County Commissioners John Poll and

John McNow — for allegedly soliciting bribes to help the licensing of brothels — it is hard to find anyone on the streets of Lyon County communities who blame the brothels for putting temptation in the path of elected officials.

Gloni, however, said he thinks legalized prostitution has been giving Lyon County a black eye.

"I think the brothels are not worth the trouble they are to Lyon County," he said this week. "I'm going to encourage the County Commission to abolish legalized

prostitution in Lyon County.

"I think the people of Lyon County feel the brothels are not worth the \$100,000 or so in revenue they bring," the district attorney said. He cited recent conservative religious and political movements such as the Moral Majority to support his argument.

An anti-brothel petition drive announced by the Rev. Mr. Leslie Chism and his son, the Rev. Mr. Tom Chism, both Baptist ministers

(Please see BROTHELS, P. 5A)

Brothels

(Continued from page 1A)
in Yerington, supported Giomi's stand.

"We want to take a hard look at prostitution," the Rev. Leslie Chism said. "We want to have the possibility of disposing of it."

He predicted the anti-brothel supporters would have no trouble getting enough people to sign the measure on the ballot, although he did not know how many signatures will be needed. Chism said he would call on church groups in every Lyon County community to support the drive. "Every evangelical church probably will be involved in the struggle," he predicted.

An anti-petition drive by a Fernley man fizzled 15 months ago, but Chism said it was "so poorly worded, it didn't have a prayer."

Regardless of whether the bribery charges against the two county officials prove to be true or not, they "gave us a door," Chism said.

On the other hand, a small sample of Lyon County residents did not seem to bear out Giomi's contention that brothels brought corruption to the county.

"I haven't heard anyone mention that," said E. Neil Gilstrap, a county employee in Dayton. "It don't seem to make any difference to people around here. It could just as well have been a grocery store."

"I'm tickled to death they're legal," said Stagecoach real estate agent Carl McHenry. "They are a legitimate business in Lyon County. If it's legal in a state, city or county, then it should be no different than selling an automobile. There shouldn't have to be a pay-off."

"It's the same as applying for a building permit or a dog license," agreed Fred Crockett, also of Stagecoach. "They shouldn't have to pay anything under the board to anybody."

"I think cathouses are fine," declared Wayne Thomas, a Dayton musician, who said more crime would come into the county without legalized prostitution than with it.

The charges against the two commissioners "have nothing to do with who or what is legal or illegal in this county," agreed Ken Kramer, a Dayton builder and contractor.

But Dick Stebbens, a Yerington certified public accountant, said just the opposite. "I'm against prostitution, legal or otherwise," he said. "It breeds corruption because the hand of organized crime is so often involved." The cases

against the two Lyon County commissioners, although yet to be proved, demonstrate the "easy money concept" that prostitution brings, he said.

Stebbens also said arguments that legalized brothels cut down on crimes such as rape are fallacious. "Anybody who gets his jollies that way - doing anything by force - is going to do it anyway."

Lyon County was the first in Nevada to legalize prostitution when it passed the state's first county brothel ordinance 13 years ago.

Dayton's former town constable, Rocky Adamson, recalled fighting for that precedent-setting ordinance.

"I worked in the 60s to get these houses of prostitution legalized. The main reason was that you could police them so much better. Before, when it was illegal, the sheriff would bust them every three months. The only money the county coffers received was the fines. The girls would all pay a couple hundred dollars."

Despite the indictments against Poll and McNow, whom Adamson hastens to say "are not proven guilty," revolving around a brothel, the former constable believes that legalized prostitution reduces the chance for corruption. "As long as it's legal it's harder to have that under-table money exchange hands."

Adamson recalled that the Sagebrush Ranch, which is the brothel involved in the current extortion case, flourished at the opening of Six-Mile Canyon long before Lyon County legally recognized the world's oldest profession.

"It was a half-mile from the Storey County line, and the two trailers were jumping back and forth between the two counties. When the shake-up was heavy in Storey County, they would go to the Lyon County side, and vice versa."

Today, the Sagebrush Ranch sits by itself in "the Valley of Love," according to its signpost, a mile off U.S. Highway 50 considerably east of the other three Lyon County brothels which cling close to the Carson City boundary and snagging business from the state capital.

Sgt. Rob Wenner, commander of the Dayton Sheriff's substation, said he had heard rumors that the two San Francisco women who were trying to buy it had planned to ask the county to move it to the Moundhouse area, east of Dayton, near the other three bordellos - a capital idea, according to Wenner, since it would have made it easier

The Sagebrush Ranch

to police.

But the brothels could be law enforcement men," said. "The

Wenner said. "The

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On 'Angel Dust' Charges

Brothel Cop Arraigned

RENO (UPI) — Mark C. Pratt, identified as a security guard in a brothel near Reno, was arraigned Wednesday on charges involving possession of a massive quantity of the drug PCP.

He is accused of being part of a drug ring manufacturing the substance in Minneapolis and distributing it in several western states.

U.S. Magistrate Harold Taber set bail at \$100,000 in the case and ordered a hearing on the charges for Aug. 22.

Pratt was arrested Tuesday by Reno Drug Enforcement Administration agents who say a total of 100 pounds of the drug, also known as "angel dust," has been confiscated in the case.

They said they are searching for three other persons also indicted in the case. The drug was confiscated from an illegal laboratory in a Minneapolis home.

The 10 count indictment against Pratt and the others resulted from a two month investigation. Agents said the drug was being

manufactured in Minnesota for distribution in Nevada, California, Washington and possibly several other western states.

They described it as, "the biggest drug bust of this type in Nevada history."

Agents estimated the value of the drugs confiscated could run as high as \$80 million on the street.

Pratt is accused of unlawful distribution of the drug, aiding and abetting distribution and conspiracy.

Although he listed his place of employment as Mustang Ranch Brothel east of Reno, brothel operator Joe Conforte said Pratt was fired four days ago for insubordination.

LV SUN 8-17-78

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Prostitutes Start To Fight Back

By JANET LOWE
Copley News Service

A politician in Utah was arrested by an undercover policewoman for soliciting for prostitution. In the Midwest a clergyman was arrested for the same reason.

The politician denied the charges but lost his battle in court. The minister confessed his sins the next Sunday before his congregation. These and similar stories are hitting the headlines more frequently now that some cities are deciding that prostitutes shouldn't bear the full burden for the continuation of their profession.

It's strange how such a role reversal, a slight switch of perspective, can focus the public eye on a profession as old as Aristotle himself. The only difference is that Aristotle and his fellow Greeks did not consider prostitution a problem. It was simply a part of life.

If you think entrapment is new, you're mistaken. It has been a part of life for prostitutes for quite some time now. While this crackdown on vice may seem commendable at first glance, it does little to curb the practice. Entrapment focuses on the most vulnerable hooker of all, the plain streetwalker. Those who work in brothels, massage parlors or expensive prostitution rings represent less than 3 per cent of those who are jailed.

But now, the prostitutes are fighting back. They are organizing. In San Francisco, there is Coyote; New York has Pony; Honolulu, Dolphin. A primary aim of these groups is to push

for the decriminalization of prostitution. Not the legalization, which brings about other sorts of controls, but decriminalization, which puts prostitution outside the realm of the law all together. Like cigarette smoking or gun ownership.

Though the idea is frightening at first thought, these women make strong points in its favor. Prostitution laws are extremely costly to enforce, and certainly detract from the time and attention that can be paid to victim-oriented and violent crimes.

According to the panelists, there are three major myths surrounding prostitution:

The first is that prostitution causes widespread venereal disease. The U.S. Public Health Service claims that hookers represent less than 3 per cent of the national incidence of VD.

The second myth of prostitution is that the activity is so involved with organized crime that to decriminalize it would increase racketeering. This seems unfounded, since if prostitution weren't a criminal offense, there would be little need for protection and police graft.

The third myth is that prostitution involves the crimes of robbery, assault, and drug offenses, and in order to control these, prostitution must be curbed. Actually, when a customer is relieved of his wallet or other valuables, the crime often goes unreported because the victim would have to admit to illegal activity himself.

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LV SUN 7-25-77