

Chapter Six

PROSTITUTION

"Q. Do the police ever bother you?"

"A. Not here, get off . . . Not here. Are you kidding? Are you for real? No way, honey. No way."

— Recorded conversation between a Commission investigator and the hostess of a prostitute bar.

In its investigation into prostitution, the Commission was able to find little hard evidence of regular payments to police for protection from arrest. It did find specific evidence that some madams occasionally pay police officers on a one-time basis, and considerable circumstantial evidence that police protection on a regular basis is available to bars and nightclubs acting openly as the base of operations for large numbers of prostitutes.

The investigation into possible police connections with prostitution was focused mainly on the East Side of Manhattan from 40th Street to 80th Street, from Park Avenue to First Avenue, which takes in parts of the Seventeenth and Nineteenth Precincts. The principal factor in selecting this area was that it afforded a convenient view of several different forms of prostitution, namely brothels, independent call girls, streetwalkers, and prostitutes who work openly out of bars. Investigators interviewed prostitutes and madams, infiltrated and conducted surveillances of brothels and prostitute-bars, and used confidential informants who were sometimes equipped with electronic recording equipment.

Police Attitudes Toward Accepting Payoffs from Prostitutes

Prostitution in New York, while widespread, is unequivocally illegal and would seem to be a likely target for corrupt police officers.

However, it is an unwritten rule among policemen that taking money from prostitutes is unduly risky. Patrolman Phillips testified that the advice he was given by older officers when he joined the force was "never to take money in narcotics, prostitution, or involving weapons." He conceded that the rule has broken down concerning narcotics, but that for the most part it still holds concerning prostitutes. When asked why it was considered a bad idea to get involved with prostitutes, he explained the prevailing attitudes of policemen toward prostitutes, "[W]ell, first of all, prostitutes are known to be dangerous people to deal with. They are unreliable and they give people up. People [policemen] shy away from them." This conventional wisdom, coupled with the fact that other more lucrative sources of payoff money were available, apparently acted as a brake on police involvement with prostitution.

Brothels

Although the Commission encountered several brothels in the course of its investigation, its efforts focused on one in particular which seemed fairly typical in its operations. The madam of the establishment was a foreign national who had operated her business at varying East Side locations over the preceding two years. She employed from two to ten prostitutes and a maid who served drinks to customers.

Commission investigators held a number of interviews with her, during which she described several episodes in which she said she had paid off policemen in the past. To protect her operation from police interference, the madam said she utilized several precautionary measures. She had an arrangement with the building doorman to notify her through a series of buzzer rings of any suspicious police activity in the vicinity. She used a free-lance chauffeur to pass payments to individual police officers to head off impending raids. And, lastly, through her boy friend, she cultivated a friendship with a sergeant who she claimed served as her unofficial contact man within the Police Department and who allegedly agreed to warn her of any raids he knew about but couldn't head off.

The madam said that the friendly sergeant told her on January 18, 1971, that a lieutenant in the "vice squad" knew about her operation, was planning to arrest her, and that the lieutenant wanted \$1,000 for calling off the arrest. The sergeant told her that he thought the lieutenant would settle for \$500, which she gave him for transmittal to the lieutenant. She said she believed the sergeant gave the money to the lieutenant either that evening or the next day.

Six weeks later, according to the madam, a free-lance limousine chauffeur of her acquaintance called to tell her that there were two uniformed police officers downstairs in her building, but that he knew them and for a payment of \$200 to each officer could stop them from coming up and arresting her. The chauffeur went up to the madam's apartment, she gave him the money, and the officers went away. She said that the payoff was witnessed by one of her girls and by the building doorman.

The following evening three plainclothesmen entered the madam's apartment and arrested her. She was charged with a felony for operating a house of prostitution, a charge which could have led to her deportation.

A month later, the establishment was raided for a second time. Plainclothesmen confiscated the madam's client and cashbooks and demanded \$400 for their return, which the madam paid. The charges against her were reduced to a violation.

At this point, apparently tired of being raided, the madam designated an associate of hers to explore the possibility of obtaining regular police protection. Unbeknownst to her, this associate was working as an undercover informant for the Commission and wore a transmitter during most of the subsequent conversations, allowing Commission investigators to substantiate the following account.

The informant was introduced by a third party to Patrolman William Phillips (starting the chain of events that led to his being uncovered by the Commission). Phillips negotiated with the informant

and the madam, and they were able to agree on a figure of \$1,100 a month to be paid by the madam for protection of her operation, with the money to be distributed among plainclothesmen at precinct, division, and borough levels. Phillips told her that this arrangement would provide a 98% guarantee of protection against arrests and raids. To cover the remaining 2%, a code was established whereby the police would notify the madam in advance of any pending raid by calling up and making an appointment for "Mr. White from Chicago."

During the same period—and also documented by undercover tape recordings—the madam asked Phillips for help in gaining a dismissal of the felony charge she faced as the result of her first arrest for running a house of prostitution. If convicted, she would have been subject to deportation as an undesirable alien, as in fact she ultimately was. She spoke to Phillips and asked him if he could help her. Phillips agreed to get in touch with the arresting officer in the case and try to arrange for him to alter his testimony. After considerable bargaining, Phillips persuaded the madam to pay \$3,500 and the arresting officer to accept \$2,500, with Phillips keeping the remaining \$1,000. The madam paid \$1,500 to Phillips before the trial, and Phillips passed some of the money on to the arresting officer, who arrived late for the trial, after the madam's attorney had made a deal with the prosecutor whereby the felony charge was dropped and the madam pleaded guilty to a violation for disorderly conduct. Since the arresting officer had been of no help, the madam balked at paying the \$2,000 she still owed, and Phillips eventually settled for \$1,000, of which he gave half to the arresting officer.

In this last incident, it is noteworthy that the arresting officer never approached the madam asking for money and that he was drawn in only after she approached him through Phillips.

The madam told the Commission that she knows of two other madams who had paid off the police in the past. Another madam, running a similar operation, told Commission investigators that during a ten-month period she had paid plainclothesmen twice in amounts of \$1,000

and \$800. She said that she finally changed her location to avoid paying. Other madams interviewed by Commission investigators denied ever having been asked by policemen for money, but they did say that they charged half price to members of the force, which would in itself assure a certain amount of police protection.

The latest dodge used by brothels to avoid police interference is that of masquerading as massage parlors. According to the owner of one such parlor who was interviewed by a Commission attorney, a customer pays the massage parlor a fee for his massage and then makes whatever private arrangements he chooses with the "masseur." However, the owner also said that he hires streetwalkers as his masseuses, which must have some effect on the nature of the massages offered. The set-up is a very private one, similar to that of private call girls, and as such is not a likely target for police shakedowns.

Prostitute Bars

There are several bars in the midtown area which the Commission found acted as bases of operations for large numbers of prostitutes. Most were operated very openly, in a manner similar to one described by Patrolman Phillips:

"I had observed [one bar] for about half an hour—forty-five minutes—and I saw the same woman go in and out with two different men . . . I informed [the sergeant] of what I had observed . . . and he said, 'Well, don't worry about it. I don't think it's anything. It's a real busy bar.'

"And later I found out through my own information that the place was a large call girl operation . . . There is no way that this place could operate without paying somebody. It was just too wide open."

Owners of such bars are extremely vulnerable to police interference, since they run their business at fixed addresses which are very visible to the public and to the police. In addition, if a bar owner were convicted of promoting prostitution, or even permitting it, he would

lose his liquor license. The investigation concentrated on two particular bars, but no hard evidence of police payoffs was found.

In the first of these bars, girls sat at tables in twos and threes. When a customer entered, he was approached by the hostess and directed to a table. If she approved of him as a customer, she would direct one of the girls to join him. All contacts between male and female customers were directed strictly by the hostess or bartender. After one or two drinks, the couple would leave and go to one of the better hotels in the area. The rate was a minimum of \$50, plus the cost of drinks consumed and, in some cases, a non-existent dinner.

The manager of this bar never admitted paying off the police but the hostess confidently stated that she was not worried about being arrested. Such assurance in view of the notoriety and openness of the operation leaves room for the possibility of a police fix, although it could be simply a case of police inaction.

The manager of a similar operation freely admitted that prostitution was the most lucrative part of his business, and that without it he would have to close his bar. Again, the Commission obtained no admissions or direct evidence substantiating police involvement. Yet, the bar was a notorious operation which was the subject of 100 police visits within a six-month period, although none of these resulted in the issuance of a single summons.

Call Girls and Streetwalkers

Call girls work very privately from their apartments, accepting only known or recommended customers by phone appointment. They are the least conspicuous of all prostitutes and consequently the least vulnerable to police interference. The Commission did hear allegations of payments made on a haphazard basis by call girls to individual policemen, but these allegations were unsubstantiated.

The Commission found no evidence that police officers shake down streetwalkers, although we heard numerous allegations—from police-

men as well as prostitutes—that policemen often arrest women they assume to be prostitutes without obtaining any evidence that the women are actually soliciting. Before an officer can make a legally valid arrest of a prostitute, she must solicit him in explicit terms. Because most streetwalkers simply approach prospective customers and ask, “Want a date?” then discuss price, a legitimate arrest is difficult to make. Instead, officers will often just pick up women loitering in the target area and later claim in court that they were solicited for explicit sexual purposes. Such arrests are resorted to particularly when public pressure mounts to “clean up” one area or another. Streetwalkers are the most overt of all prostitutes and would seem to be the most vulnerable of all to police interference. However, such interference takes the form of arrests rather than shakedowns. One reason for this may be that streetwalkers carry very little money with them, turning their earnings over almost hourly to their pimps, and thus would not be very profitable sources of payoffs. A more likely explanation is the fact that streetwalkers are considered unstable, slovenly, disagreeable characters, many of whom are addicts, and even very dishonest police officers are probably loathe to deal with them. In addition, the relatively mild sanctions of the law make arrest only an inconvenience for them.

Comments

Whether or not prostitutes regularly pay off the police, it is clear that current police practices have had little effect on curtailing illegal prostitution. Prostitutes operate openly and are likely to continue to do so. Although the Commission’s investigation turned up little hard evidence of extensive or organized corruption of police by prostitutes, the Department itself recognizes prostitution as a definite corruption hazard. In other jurisdictions attempts have been made to solve the problem by legalizing prostitution but that step has had mixed success and involves social judgments beyond this Commission’s purview. At this time, the Commission can offer no alternative to police enforcement of the anti-prostitution laws, with all its incumbent problems.