

QUALITY OF LIFE:

A Look At Successful Abatement of  
Adult Oriented Business Nuisances in

Oklahoma City, Oklahoma  
(1984 - 1989)

By  
Jon Stephen Gustin, Retired Sergeant  
Oklahoma City Police Department

Quality of life is of concern to every community in our country. Researchers from a variety of disciplines publish quality of life statistics for communities based on a variety of issues. Environment, economy, cost of living, employment and crime rate are examined to determine a composite look at overall quality of life.

On a seemingly minute scale, one factor directly effecting quality of life in communities across the nation has been the impact on a community by adult businesses. Recent attention to these businesses and associated problems have surfaced with the emergence of Moral Majority political activists and ancillary lobbyists. The attention to these groups in the focal limelight of the media has played a major role in the systematic eradication of many adult businesses and changed the way many communities, police departments and prosecutors respond to "victimless crime".

For the purpose of this report, adult oriented businesses include the following:

**Prostitution:**

Brothels, Escort Services, Massage Parlors, Street Prostitution.

**Adult Entertainment Businesses:**

Establishments selling, renting or offering for view any pornographic material including: Bookstores, Peep Shows, Theaters, or any other business where a clear intent is to appeal to the prurient interest including nude or semi-nude dancing.

Traditionally police departments have assigned personnel to investigate complaints stemming from adult businesses on a reactive rather than proactive basis. These units have usually been labeled or Morals Details consisting of both overt and covert investigations. In most cases this assignment has been an ancillary duty of officers involved in investigation of illegal drugs, although larger cities have recently realized the need for specialization of this difficult area of law enforcement.

Oklahoma City is a city of over 650 square miles within city limits with an MSA population is nearly 750,000. In the early 1980's Oklahoma City had a disproportionately large number of "Adult Oriented businesses". The economy of the '80s, in Oklahoma, helped pave the way for these businesses to thrive. The oil industry was in peak production and with massive exploration and production and state's population grew with an influx of oil field workers and support personnel. The salaries paid were often far above the national average in like industries and entertainment businesses grew rapidly in a symbiotic relation to the oil boom.

A fair historical comparison is the gold rush era in California and Alaska at the turn of the century. Along side legitimate businesses illegitimate businesses catering to the rapid growth of migrant workers thrived as well. Houses of prostitution, Nude and Semi-Nude bars, Adult theaters, Adult bookstores and all levels of prostitution spread through the city. From an historical perspective Oklahoma City was, in fact, a 20th century wild west during this era.

Pornography entrepreneurs, Pimps, and Adult Business related promoters relocated to Oklahoma City from across the nation to compete for their share of huge profits to be made.

By 1934 There were over 150 adult businesses operating in the city and an estimated population of 200 street prostitutes. The street offered their wares in half a dozen locations inside city limits and the crime rates in these areas sky rocketed. These areas came to be known as "strolls". Competition for a share in the profits to be made from adult businesses lead the owners to become increasingly more blatant with street signs and advertisements. Escort services purchased half and full page ads in South Western Bell Telephone Company's Yellow Pages, advertising for obvious prostitution. In 1984 Oklahoma City had an epidemic proportion of illicit sex related industries and the crime problems associated with them.

Citizens in the community began to voice concern about the decay of community moral standards and the associated high crime rate while property devaluation in adult oriented business affected home and business owners. In 1984 George Harper, a local grocer, mounted a media assault on these enterprises and his organization, "Oklahomans Against Pornography" began gaining grass roots support in the community. Other citizen's and church groups followed Mr. Harper's lead and in a relatively short period of time action group coalesced into a powerful block of local influence.

Robert Macy, the district attorney of Oklahoma County, a well respected local leader, took a clear stand that pornography and illicit sexual oriented business cases presented to his office by law enforcement personnel would be prosecuted with an emphasis on Maximum penalties for offenders. Mr. Macy's eagerness to become involved in an originally unpopular change of the status quo set stage for police action. Mr. Macy's predecessor was considerably more liberal in his approach to prosecution of pornography and illicit sexually oriented enterprises which made them nearly impossible to successfully prosecute. Abolishment of unwritten district attorney's guideline in Oklahoma County, which had been more stringent than Oklahoma State Law, finally made it possible to arrest offenders and seek prosecution in areas that were previously ignored. Assistant district attorneys began to specialize in first amendment issues with respect to pornography prosecution and took a hard stand against powerful national organizations, the foremost of which was the First Amendment Lawyers Association, a group specializing in criminal defense of pornographers across the nation.

Initially there was frustration on the part of the anti-porn special interest groups based on a lack of aggressive police enforcement. Frustrations escalated and a schism developed between the police administration and these groups. Local elected officials found themselves barraged with mail and phone calls. City Council chambers filled with supporters of an anti-porn crackdown on numerous occasions.

Pressure rapidly grew into demands for action from elected officials who passed their constituents' demands on to the police administration. Continued demands were made of the city fathers as well as the chief of police to take affirmative action. Mr. Macy, initiated additional pressure for the police to act aggressively by publicly announcing his position of strict prosecution. The demands were simple and succinct: mount an attack on adult businesses in community with the intent of putting them out of business if they are breaking the law.

Historically the police department had difficulty in successful prosecution of cases of pornography, prostitution and related adult businesses, particularly at the municipal level. With the blessing of the Chief of Police and the City Council and the backing of an enthusiastic District Attorney, street level enforcement began. The battle fell on the shoulders of the Vice Detail to mount an offensive against all aspects of the problem.

Priorities were established in the initial plan of attack. Along with street prostitution, which was at epidemic levels, the worst offenders in pornography distribution were selected for strict enforcement. Enforcement measures began, first against the nearly 200 street prostitutes who were the most visible problem. Arrest levels were dramatic and "John Traps" were simultaneously conducted, where the males seeking prostitute's services were arrested by female police decoys.

Media involvement played an essential role in the plan to decrease the prostitution problems. Published names of arrested customers as well as prostitutes along with television coverage of persons arrested brought the problem into the living rooms of every home in Oklahoma City. Television media accompanying police on raids and filming from inside surveillance vans, was unprecedented and the media's attention to the situation increased public awareness further. Citizen support grew from a more enlightened public. Community tolerance of adult enterprises turned to outrage and unilateral support for police and prosecutors in enforcement of "victimless" crimes for the first time.

After the street prostitute population was diminished through a "no tolerance" enforcement approach coupled with aggressive prosecution at the County level, enforcement efforts were focused on brothels. In one raid Vice Officers simultaneously made arrests at 12 houses of prostitution where officers arrested all of the madams, prostitutes and customers. Again media coverage continued to fan the fire for citizen support.

Adult book stores with peep shows posed a particularly difficult problem for law enforcement as well as prosecution personnel. A variety of arrests from these establishments included males customers offering to engage in sex acts with undercover officers, sale of and possession of pornography, display of pornography, and health department violations.

In several investigations officers swabbed the walls and floors of peep show booths securing samples of seminal fluids in the evidence seized.

The president of the First Amendment Lawyers Association personally conducted the defense initial prosecution for the sale of pornography to undercover police officers. In every instance the district attorney's office soundly won every case and informed juries assessed maximum penalties each time. A precedent was set in the community and adult businesses began closing city wide, some voluntarily and others after conviction of pornography charges.

The growing momentum then focused on nude and semi-nude dance bars involved in prostitution and drink hustling with promises of sexual favors for the purchase of expensive cocktails. In many investigations undercover police officers observed nude dancers seated with customers in dimly lit areas of the bars, known as "kinky corners", fondling customers genitalia or permitting customers to fondle them. Repeated arrests in these bars forced them into compliance with the law forcing them out of business based on a lack of customers' support.

The final arena of the battle became escort services which were no more than illegal organized fronts for prostitution. A year long investigation of escort services began with nearly a 100% conviction rate obtained by the district attorney's office in State Court, including convictions of madams who owned and operated the services.



It quickly became evident that arrest and conviction had little effect on these businesses and that in order to effectively abate this nuisance it would be necessary to eliminate the only link between the prostitutes and their prospective clients. In an attempt to accomplish this, Vice Detail officers operated their own undercover escort service arresting those persons who sought prostitutes in this manner. The investigation drew media attention, but since man clients were travelers visiting Oklahoma City from other areas of the country no noticeable decline was observed.

It was determined that the only solution to the problem was the elimination of phone service to those phone numbers where documented prostitution cases had been made and convictions obtained. This matter was taken before the State Corporation Commission in an effort to obtain an order from the commission to mandate Southwestern Bell Telephone Company to suspend services of phone numbers utilized in the furtherance of criminal conduct. In this instance Vice Officers were not represented by the District Attorney's office, but instead by the Oklahoma City Municipal, Counselor's office. The attempt was not successful in that municipal counselors refused to press forward with the issue. It was later learned that the Municipal Counselor himself was employed by Southwestern Bell Telephone Company at the same time he Municipal Counselor. This action occurred near the end of the examined five year period of 1984 through 1989.

At the beginning of 1990 only a handful of the original 150 adult business were still in operation and that remained operated within statutory guidelines. Hard core pornography was nearly impossible to openly purchase in Oklahoma City, rarely were prostitutes noticed on the streets and none of the houses of prostitution remained in business.

Documented links between rape and pornography have been made in number of instances including a 1983 study by *Murray Straus* Larry Baron of the University of New Hampshire. Ted Bundy, a serial rapist, admitted his use of pornography as a fuel for his murders of 24 young women and children. Bundy is not a select example of this phenomenon, but is more a typical example of the devastation of pornography in the hands of a dysfunctional individual.

The measure of success of vigorous enforcement and prosecution efforts in a community are only evidenced in changes noted in that community as a result of those efforts. Active enforcement in Oklahoma City began in 1984 and continued into 1989. It has been documented that incidents of reported rape during that period decreased in Oklahoma City while rising in the rest of the state as well as the nation. In 1983, 588 rapes were reported to police and it is estimated that only one third of actual rapes are reported. By the end of 1989, 427 rapes had be reported to police. The 27% reduction in reported rape accounted for 641 women and children who were not raped but would have been had the rape remained unchanged for the five year period.

The rest of State of Oklahoma experienced an increase of reported rape by 16%. Had Oklahoma City's rape incidence increased at the same rate of as the remainder of the state, reported rape in Oklahoma City would have been close to 1,000 more victims between 1984 – 1989. It is also interesting to note that in 1983, nearly half of the rapes in the entire State of Oklahoma occurred in Oklahoma City, while in 1989 only one third of the rapes occurred in the in the same city.

In a proactive policing environment numbers of arrests decrease proportionately to the number of crimes committed. Vice Officers made only 10% as many morals arrests in 1989 as they were required make in 1985 to abate the same nuisances.

Oklahoma City is an example of the benefits of stringent enforcement and prosecution of Adult Oriented Businesses commonly characterized as "victimless crimes". Because of the actions and efforts on the part of citizen's groups, District Attorneys and Police Officers working as a team 1,000 potential rape victims are healthy, happy and alive today.