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CRIMINAL JUSTICE: Lyell group wants tougher stand on prostitution

By Tim Louis Macaluso on Apr. 3rd, 2007

Like most parents, Shirley Pratt would like to think about college and her daughter's future. But right now, she says, she doesn't have that luxury. Her only concern is keeping her safe.

"The streets along Lyell are so congregated with prostitutes and Johns, sometimes you can't get through," she says. "It's my biggest fear as her mother. Where is she? Is she safe? Are the doors locked? You can ask her: I call her all the time I'm at work to make sure she's okay."

"It used to be that you didn't see the prostitutes until afternoons or later in the evening," she says. "It was just a handful of them then. Now they are there at all times of night and day, early in the morning, freezing cold --- it doesn't matter. And now we got the Johns circling and the drug dealing. It's just out of control."

Pratt's neighbor, Dick Rozon, has lived in the neighborhood since 1979. He says he watched the neighborhood improve for a few years, and then go into a steady decline. Topless bars and liquor stores, though legally zoned for that area, have not helped, Rozon says.

"I've been propositioned so many times, I can't begin to tell you," he says. "I've even been propositioned while I was attending a funeral at Holy Apostle Church. It can make you feel very sad to see it all the time around your home. I would just like to feel proud of where I live again."

The two neighbors say they see all types of women and some men selling sex.

"They're all races and colors, all ages, from the very young to the very old," says Pratt. "The Johns, they come from the city and the suburbs. It's the working people, professionals and the wealthy men, too."

Pratt and Rozon are members of the Lyell Avenue 230 Group, an eclectic mix of homeowners, members of the Interfaith Action Network, and city and county officials. The "230" refers to New York State Penal Code 230, laws dealing with prostitution. The group's primary goal is to toughen those laws. There is no other way, they say, to stop their neighborhood's deterioration.

"There are still good people trying to live their lives in this neighborhood as best as they can," says Pratt. "Some of them are afraid to come out. Some have just given up. But I am not leaving and I am not giving up. Who else is going to do this?"

Cities across the US cope with prostitution in some form. The most familiar type is street prostitution, because it is so visible. And because of its collateral damage --- drug dealing, violent crime, burglaries, and declining real-estate values --- street prostitution is particularly painful for the residents of affected neighborhoods.

City Councilmember Bob Stevenson, who has been working on the issue with Lyell Avenue residents for nearly 20 years, has compiled a list of Rochester prostitution arrests since 2004. The list contains the names of about 300 women, their date of birth, and date of arrest. About 25 percent have multiple arrests, some as many as five. Many of them have children, he says.

"The 230 Group was formed a year ago following a two-day conference on the quality of life issues impacting Lyell Avenue, specifically street prostitution," says Scott Benjamin, president of Charles Settlement House. "People often say that prostitution is the world's oldest profession and that it's not that serious, that it's a victimless crime. And neither statement is true. It's not a profession. And the damage that it does to individuals, to families, and to whole communities is significant."

Typically, prostitution is a Class B misdemeanor. The maximum sentence: up to 90 days in jail and a \$250 fine. Members of the 230 Group want to see the level of the charge changed to Class A misdemeanor, which would carry a penalty of up to a year in jail and a \$1,000 fine. The change, they say, would give City Court judges a better tool to persuade prostitutes to go to drug court.

"The Class A misdemeanor is a step above a parking ticket," says Bob Stevenson. "You won't serve more than 58 days in jail, and when the judges ask them if they want 90 days in jail or a year in drug treatment court, one out of 100 will pick a year in drug treatment court."

The 230 Group's members say their goal is to help prostitutes by making drug court more appealing, not to punish them. "There's nothing we can do to punish them," says Stevenson. "They are already living in a state of constant punishment and abuse. They need the money to support their addiction. If we can get even 15 percent of them to get the help they need, we'd be doing very well. Now they just go back out on the street."

The drug treatment court program is funded by the state, says Stevenson, "so the support is there, if we can get them to take it."

Members of the 230 Group have been circulating a petition to amend the state law on prostitution, and they've collected about 600 signatures. But Stevenson has tried twice before, unsuccessfully, to get the law changed.

Changing the law isn't the group's only strategy. Its members want the Rochester Police Department to increase its activity. Over the years, police have conducted numerous prostitution sweeps and have conducted stings on Johns, using female officers as decoys.

But those tactics present another set of problems. The sweeps tend to push the prostitutes into other areas of the city. Sweeps along Lyell drove the prostitutes over to Monroe Avenue, says Stevenson. And the stings on the Johns are expensive. They require not only one officer as a decoy but additional officers for protection.

Stevenson also sends a letter to convicted Johns on City of Rochester letterhead, telling them they have no right to destroy a city neighborhood and asking them to "reflect on the damage you have done to our City by your action." The letters, he says, get attention.

"Some have said to me, 'Thanks pal for ruining my marriage,'" says Stevenson. "Others have thanked me for saving their marriage."

While the 230 Group and advocates like Stevenson support further criminalization of prostitution, some experts dispute its merit. Says Melissa Farley, a San Francisco-based psychologist and researcher who has been studying prostitution for 30 years: "Once you understand prostitution is violence committed by a wide range of

Article Photos



Area resident Shirley Pratt: "I am not giving up." Credit: Jeff Marini



Outreach worker Jennifer Wolfley: "It's about more than drug addiction." Credit: Jeff Marini

perpetrators, why would anyone want to further prosecute the victim? It makes no sense."

"Prostitution is a last-ditch means of economic survival, or 'paid rape' as one survivor put it," says Farley. "Its harms are made invisible by the idea that prostitution is sex, rather than sexual violence."

Reducing prostitution requires increased education among everyone in the community, says Farley, including health-care workers. Help with housing and mental health are important factors in the treatment of women leaving prostitution, since most suffer from severe post-traumatic stress disorder and other mental-health problems.

Rochesterian Jennifer Wolfley says she wishes there were more emphasis on prevention and rehabilitation, but she also believes that punitive measures are sometimes necessary.

Wolfley runs a prostitute outreach program through a grant obtained by Stevenson. Day and night, she is on the street, providing prostitutes with condoms and personal hygiene products.

"I go out to where they are --- under the freeway ramps, the railroad tracks, abandoned buildings --- and talk to them," she says.

She listens to their stories of rape, incest, beatings, abandonment, and growing up with addicted parents. She speaks their language, she says, and they trust her.

"Prostitution is about more than drug addiction," she says. "It is very complicated. It's really a lifestyle."

Prostitutes live outside the mainstream, says Wolfley, and the lifestyle is part of their addiction.

"The social matrix that we are part of excludes them," she says. "They don't have a calendar on their refrigerator reminding them it's time for a mammogram. You are talking to people who have multiple medical and mental-health problems. I may go over safe-sex practices with them, and the next night they may remember that we talked, but they may not remember what we talked about."

And, she says, she understands what residents like Roson and Pratt are going through.

"I don't blame them," says Wolfley. "Who wants to walk out their front door to find strangers sleeping on their porch? Who wants to get up and go to work to pay a mortgage that is now more than the value of their home?"

Wolfley says she listens to the prostitutes as they discuss their problems and directs them to sources of help. Sometimes support on small medical problems can lead to helping the women deal with bigger issues.

And Wolfley says she believes that the drug treatment court program works, but she has some concerns.

Judges require unannounced urine tests, and if the prostitute tests positive, her court-imposed treatment year can start over. Or she can be kicked out of the program and sent to jail. Judges also want to see the women working and continuing with their education.

"For every day you are abused physically, sexually, spiritually, it's my theory that you need at least two days to recover," she says. "You're asking someone who has been living on the street for the last 10 years to suddenly get up and go to work at the Dollar Store, when the week before they were high on crystal meth thinking they could climb a building. Change like that doesn't happen overnight."

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