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City Club of Portland Report on Adult Prostitution in Portland Revisited

City Club of Portland (Portland, Or.)

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Information Report on
ADULT PROSTITUTION IN PORTLAND REVISITED

I. "PLUS CA CHANGE..."

The City Club's August, 1984 report on "Adult Prostitution in Portland" benefited from the collection of recent data on prostitution statistics collected by Lloyd Hayne of the City of Portland's Auditors' Office (Special Report #AA-84). That report examined prostitution arrests by gender, offense and outcome from May 1983 through March 1984. To date, there has been no effort to follow up on the City Auditor's report nor has there been any public release of additional data by the Portland Police Bureau to update its own statistics.

There is a need for an ongoing collection and dissemination of additional data on prostitution arrests in the city of Portland. This disclosure of data is important because it will not only tell us more about the arrestees, but it also will provide some statistical insight into current enforcement practices. These enforcement practices have an obvious effect on prostitution arrest statistics, the public's perception of the problem via those statistics, and the nature of the prostitution problem itself.

Recently the City Club received a printout from the Portland Police Bureau which detailed all prostitution-related arrests from July 1985 through June 1986. In addition to the statistical analysis (summarized in Figure 1), the data released by the Police Bureau indicate the location and date of prostitution-related arrests. (1) A graphic portrayal of those arrest locations over time indicates that the Police Bureau has run "sweeps" on prostitution through the use of decoy officers, in an effort to crack down on prostitution in a particular neighborhood (Figure 2). (2) The enforcement pattern also indicates that the Police Bureau succeeded in shifting the problem of prostitution from one neighborhood to another, but had to return in a matter of months to original neighborhoods to run a new

(1) Dates and locations of prostitution-related arrests were as follows: July 1, 2, 3, 4, and 10, 1985 - NE Union at NE Wasco; July 12 and 17, 1985 - NE Sandy at 30th; July 18, 1985 - SW Broadway at Taylor; July 19, 1985 - NE Sandy between 19th and 27th; August 2, 1985 - NE Sandy between 17th and 37th; August 14 and 22, 1985 - NE Sandy at 30th; August 23 and 27, 1985 - NE Union and Graham; Sept. 6, 1985 - NE Sandy at 19th; Sept. 23 - 26, 1985 - NE Union at Wasco; Oct. 4 - 5, 1985 - NE Sandy at 19th; Oct. 7 - 10, 1985 - NE Union at Wasco; Oct. 11, 1985 - NE Sandy between 70th and 80th; Oct. 14 - 15, 1985 - NE Union at Thompson; Oct. 17, 1985 - NE Sandy at 20th; Oct. 29, 1985 - SW Alder at 4th; Nov. 1, 1985 - NE Union at Tillamook; Nov. 1 - 2, 1985 - NE Sandy at 19th; Dec. 18 - 19, 1985 - NE Union at Wasco; Dec. 31, 1985 - NE Union at Tillamook; Jan. 7 - 8, 1986 - NE Union at Mason; Jan. 17 - 18, 1986 - NE Burnside at 10th; Feb. 17 - 19, 1986 - NE Union at Wasco; Feb. 21, 1986 - NE Union at Hancock; Feb. 21 - 22, 1986 - SE 82nd at Holgate; March 20 - 21, 1986 - E. Burnside at 10th; April 7 - 8, 14, 1986 - NE Union at Hancock; April 17 and May 15 - 16, 1986 - SE Holgate at 82nd; June 5 - 6, 1986 - E. Burnside at 10th; June 10, 1986 - E. Burnside at 8th.

(2) A "sweep" is defined as four or more prostitution arrests in a defined vicinity in one day/evening.

"sweep" in the same area. Contacts with neighborhoods reveal that police presence has not held prostitution activity to a tolerable level, much less eliminated it from any neighborhoods. One neighborhood appears to "win," at the expense of another.

Despite any "crack down" on male customers using expensive undercover operations, street prostitution simply has rotated among neighborhoods. The Police Bureau's arrest statistics and enforcement patterns demonstrate that so-called "equal enforcement" practices and "undercover operations" do not significantly impact street prostitution throughout the City.

The need to gather continuing data on prostitution arrests is vital to this Task Force's goal of assisting in the development of a city-wide task force on prostitution. Each neighborhood needs to see the city-wide effect of current enforcement practices to better understand the nature and scope of the problem.

Figure 1

CITY OF PORTLAND PROSTITUTION ARREST STATISTICS

July 1985 through June 1986

	<u>1985-86</u>	<u>PERCENTAGE</u>
TOTAL ARRESTS (1)	898	
Arrests of:		
Males	336	37%
Females	562	63%
Arrests for:		
Prostitution (2)	534	59%
Promoting Prostitution	12	1%
Compelling Prostitution	5	1%
Loitering to Solicit	339	38%
Procurement of Prostitution	8	1%
Arrests of:		
Adults	797	89%
Juveniles	101	11%

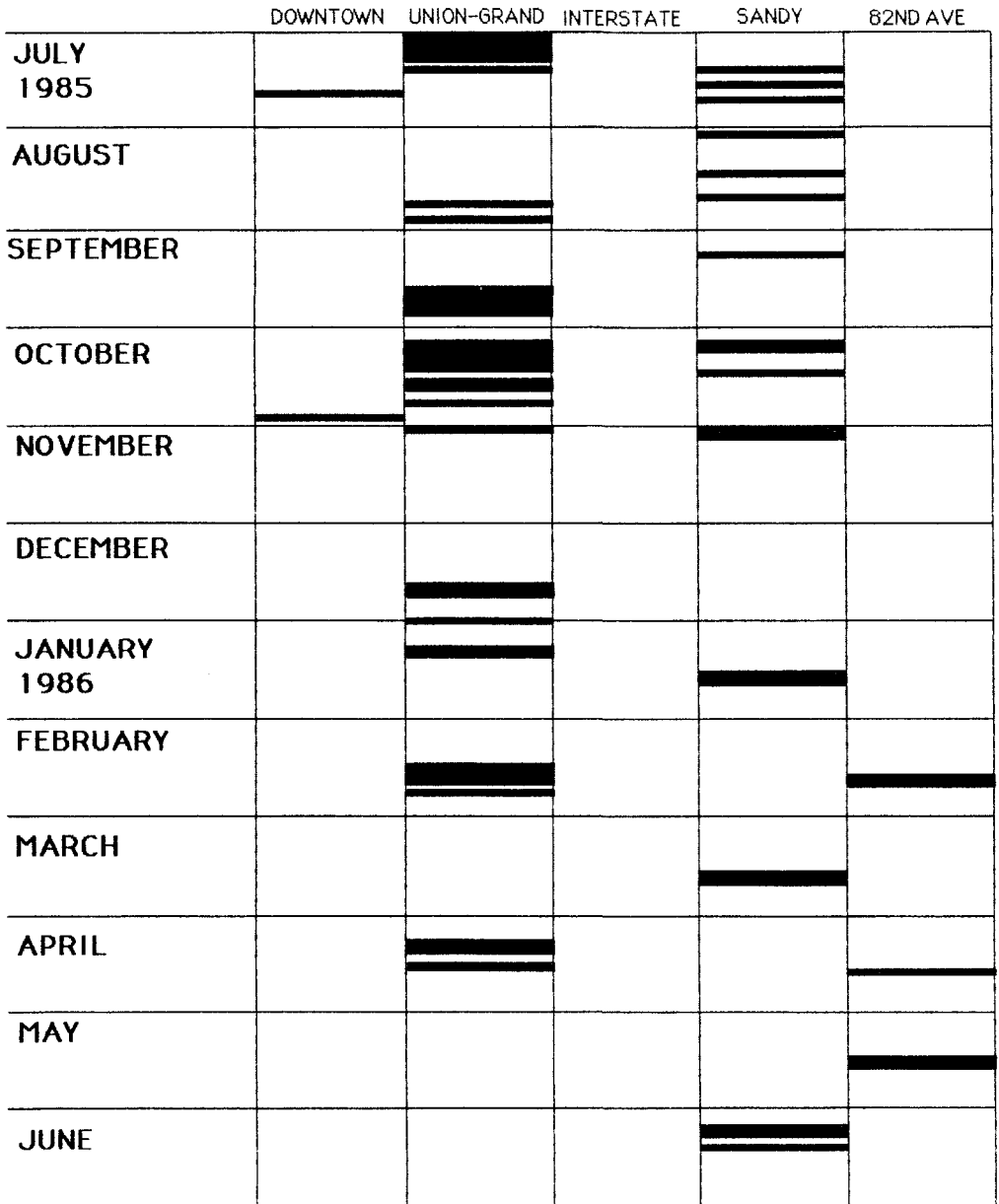
Source: Portland Police Bureau

(1) Arrests in the period May, 1983 to March, 1984 (the period of time examined in the Club's 1984 study) totaled 1,660.

(2) Male or female, buyer or seller of sexual services.

Figure 2
**PROSTITUTION "SWEEPS" BY PORTLAND POLICE
 APPROXIMATE DATES & LOCATIONS**

JULY 1985 - JUNE 1986



Source. Portland Police Bureau.

Bars (██████████) represent days.

II. CONTINUING COMMUNITY INTEREST

There appears to be substantial continuing interest within the Portland metropolitan community regarding the entire subject of prostitution. The City Club receives ongoing requests from civic organizations, neighborhood associations, educational institutions, media representatives, and, recently, the Ecumenical Ministries of Oregon, for a representative of the Club to describe the 1984 research report. Not all of the requests are from organizations whose members are entirely supportive of the recommendation for community control of adult prostitution. And not all of the requests are from individuals who reside in the directly affected neighborhoods. Those discussing this topic are concerned with the existing neighborhood problem, and with finding a long-term solution.

The discussions which have involved a member of the City Club Task Force on Community Control of Adult Prostitution focused on one of the original recommendations in the research report: the formation of a city-wide Task Force representative of the total community. The merit of this proposal is demonstrated by the ongoing discussions which continue even without an official forum. Because a small group appointed in Spring, 1985 included mostly City employees and met for only a few months, it did not accomplish this goal. In terms of finding long-range solutions to the problem of adult prostitution in Portland, or even in developing creative short-term remedies for neighborhood relief, citizens report that City officials have not given serious attention to the issue, because it is a political "hot potato."

III. ALTERNATIVE PROGRAMS

The Club's original report recommended that the City of Portland and Multnomah County continue to budget supplemental funding to support and enlarge successful established programs that provide alternatives for prostitutes who wish to leave the street. The City and County have done so by supporting the Council for Prostitution Alternatives, which is a coalition of agencies which provide rehabilitative services to prostitutes. The City Club has provided support to the Council by sending representatives to Council meetings and by offering assistance where appropriate, in applications for funding and community contacts.

Still, the money is going only to a minority of the agencies involved in the Council (four out of the 18 Council associated agencies) because these agencies have the trained staff, time and resources to enable motivated participants to extricate themselves from prostitution. Between March and June, 1986, the Council maintained a waiting list of 48 prostitutes seeking assistance. There is a grave shortage of both emergency housing and community programs with trained personnel.

On the positive side, the Council IS providing alternatives to prostitution, and IS enabling some former prostitutes to live a legal lifestyle at a relatively low cost compared to costs of law enforcement, prosecution and incarceration. Between January, 1985, and September, 1986, 202 people entered the Council's program. Of these, 52 currently are participating in the program, 115 have dropped out and 35 have "graduated." The average cost per graduating client has been \$1,700, for an average of 7 months. Dropouts spent an average of 7 weeks in the program, each person costing approximately \$300.

Small church-funded or volunteer-run programs usually do not receive financial support from the City or County. The services offered by these programs often fill a need that the others do not. City-County recognition, support and financing would expand the reach of these programs.

IV. OTHER RELEVANT INVESTIGATIONS

Since the Club's report was published in 1984, several other national and local reports have been issued which further reinforce the Club's study conclusions. In December 1984, PSU's Urban Studies and Planning Department students completed a model for implementing the Club's report recommendations, and concluded that "given specific (zoning) criteria, suitable land was identified which was sufficient to accommodate the projected demand (for the year 2000)." Appendices to the PSU report include specific information on streetwalker density (current and projected) and maps, detailing current prostitution activity and "land meeting adult services zone requirements."

In 1985, the New York State Bar Association's Criminal Justice Section took public testimony concerning "What Laws Should Govern Prostitution?". Transcripts of that testimony and related materials (on file at the City Club office), reveal "no support for present law and policy" which attempt to eliminate prostitution activity by means of criminal law enforcement. As a result of this study, the New York State Bar Association passed a resolution in 1986 calling for state legislation enabling counties to try zoning (by time and place) of street prostitution and decriminalization of off-street prostitution (attached as Appendix A).

The Mayor of Sacramento's Task Force on Street Prostitution cites the use of "health cards" by at least two cities in California. The State's Venereal Disease Control Officer described for them the "defacto decriminalization" of prostitution in cities in San Joaquin and Monterey Counties for women vendors who could produce cards certifying that they were disease-free after recent checkups at county clinics. In October 1986, the Oregon Public Health Association, concerned about the spread of AIDS, issued a resolution urging "the Oregon Legislative Assembly to repeal laws which make prostitution a criminal act and to allow local jurisdictions to regulate the places and times in which prostitutes may practice..." (attached as Appendix B).

Finally, there have been two reports confirming the conditions cited in the 1984 City Club study which lead women to lives as prostitutes. In 1986, Church Women United updated their packet of materials containing national data on "The Feminization of Poverty," which included the fact that while the unemployment rate "peaks at 42% for minority females ... federally-funded programs specifically designed to aid girls and young women are targeted for elimination or curtailment" and "girls on the streets often ... [turn] ... to prostitution as a way of surviving." In August 1986, the City Club Board of Governors reiterated its commitment to homelessness as a "premier issue," following publication of its steering committee report which found that approximately one-third of the local homeless women "have young children in their care." As the research committee described two years ago, punishing women such as these who turn to prostitution in desperation only perpetuates the problem and pushes them further away from the few available social services.

V. SURVEY NEEDS

In April 1985, The Oregonian conducted a survey of its readers on crime in the Portland Metropolitan area. The survey respondents represented every area of Portland and every economic and social background. The survey asked three questions regarding prostitution in Portland: "In your opinion, should prostitution be legalized?"; "Would you support prostitution in certain areas?"; and, "In which area of the city should prostitution be legalized?". A breakdown of responses to the first two questions is given in Figure 3. Figure 3 can be summarized as follows:

- 1) The main opposition to the solution proposed by the City Club comes from women under 25 and over 64 years of age, and those with incomes between \$20,000 and \$49,000.
- 2) There is a greater positive response when the word "legalize" is not used. 51.6 percent of all males and 40.6 percent of all females responding favor "zoning" of prostitution, whereas only 43.4 percent of all males and 35.6 percent of all females favor "legalizing" prostitution.

Figure 3
APRIL 1986 OREGONIAN SURVEY RESULTS

The percentage of respondents answering in favor of question 28 ("In your opinion, should prostitution be legalized?") and in favor of question 29 ("Would you support prostitution in certain areas?") were as follows:

	<u>Responding Yes</u> <u>On Legalization</u>	<u>Responding Yes</u> <u>On Zoning</u>
<u>Sex</u>		
Males	43.4	51.6
Females	35.6	40.6
<u>Age</u>		
18-24	22.0	32.2
25-64	45.8	51.9
>65	25.6	32.2
<u>Income</u>		
<\$20,000	44.5	46.6
\$20-49,000	35.7	42.5
>\$50,000	45.2	61.3

Currently the Oregonian's survey represents the only statistical information available regarding the public's opinion on prostitution since the issuance of the Club's report in 1984. (3) While the survey did ask three questions regarding prostitution, a new survey focusing specifically

(3) On April 18, 1985, Channel 2 TV asked its audiences to call in responses to the question "Do you favor or oppose some form of legalized prostitution in Portland?" 7,110 responded in favor, and 7,219 called in opposition.

on this issue and avoiding emotional language is needed for objective updated data on the public's opinion. This type of study was proposed by your Task Force but rejected by the Board of Governors as too costly for City Club to conduct.

VI. LEGISLATION

In response to the Club's recommendation, legislation will be introduced in the 1987 legislative session to repeal ORS 167.002 and 167.007, thereby repealing the current criminal laws against prostitution. Legislation will be proposed to allow counties to regulate prostitution consistent with zoning requirements and sex-blind enforcement. Finally, the legislation will grant local option to communities in Oregon to permit or exclude prostitution within their jurisdictions.

If the legislature acts favorably on these proposals, the Task Force will ask the Portland City Council to amend local ordinances to conform with the Club's recommendations of August 31, 1984.

VII. CITY-WIDE TASK FORCE

Representatives of the City Club Task Force for Community Control of Adult Prostitution in Portland met with the Mayor's staff in March 1985 to seek implementation of the Club's recommendation that the City Council "create a city task force of citizens including representatives of the Police Bureau, defense bar, business, education, labor, neighborhood groups, civic interests and the media ... to submit recommendations ... for acceptable regulation (of prostitution) ..." Although several community groups have indicated an interest in participating in such an effort, no leadership has been forthcoming from the City Council to actualize this opportunity for citizen involvement. One community leader has characterized the current situation in Portland vis-a-vis the prostitution zoning proposal as "intense community interest attended by politicians' intense apathy."

Respectfully submitted,

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Philip Spiers
Charles Davis, Co-Chair
Kris Olson Rogers, Co-Chair

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NOTE: BECAUSE THIS REPORT CARRIES NO CONCLUSIONS OR RECOMMENDATIONS, NO OFFICIAL ACTION IS REQUIRED OF THE MEMBERSHIP.

Appendix A

NEW YORK STATE BAR RESOLUTION

New York State Bar
Committee on Revision of
the Criminal Law
January, 1986.

RESOLUTION

WHEREAS, the Criminal Justice Section of the New York State Bar Association has considered laws governing prostitution in this State, along with the dramatic increase in arrests for prostitutional loitering and widespread complaints of futility, injustice and impropriety in arrests and Court processing of related offenses, and

WHEREAS, we believe that greater control can be obtained over prostitutional loitering to limit its affects on residential areas and the business communities, while providing greater respect for the criminal justice system, and a more fair, honest, economical and effective system,

NOW, THEREFORE, it is Resolved that

We endorse the concept of State Legislation enabling counties to opt to delete all penalties for prostitutional loitering (and patronizing) at specified locations and times, and to increase such penalties to A misdemeanor levels at all other locations and at all other times; and

We endorse the repeal of the prohibition on discreet and private prostitution *per se*, and support the enactment of moderate mandatory sentences for violation of remaining prostitutional loitering prohibitions, whether a present-law B-misdemeanor level or the new "split" legalized A misdemeanor level; and

We support objective monitoring of enforcement procedures and appropriate reporting of improprieties, if any, to the public, police Internal Affairs, District Attorneys and the Special Prosecutor.

Appendix BOREGON PUBLIC HEALTH ASSOCIATION (OPHA) RESOLUTION NO. ---
ON PREVENTION OF AIDS BY LEGALIZING PROSTITUTION

WHEREAS, the acquired immunodeficiency syndrome (AIDS) is a new and deadly viral disease afflicting Oregonians; and

WHEREAS, female and male prostitutes and their customers are known risk groups for AIDS transmission, with prostitutes believed to have been implicated in a small number of cases (so far) in this country, but substantial numbers of cases abroad; and

WHEREAS, female prostitutes have been the focus of outbreaks of antibiotic resistant gonorrhea in Oregon, and of other serious venereal diseases elsewhere; and

WHEREAS, investigation and control of sexually transmitted disease in prostitutes is made more difficult because of the concealment which surrounds the currently-illegal industry; and

WHEREAS, those risk groups for AIDS which consist of persons whose risk-creating activity is not illegal have been active participants in planning to control the spread of the disease, while prostitutes and i.v. drug abusers have not been represented or reached in Oregon's planning process; and

WHEREAS, prostitutes, especially those who also use i.v. drugs, are a likely source for transmission of AIDS to the general population if infection among them becomes widespread; and

WHEREAS, the City Club of Portland has recommended legalizing prostitution under carefully controlled circumstances designed to remove street solicitation from residential neighborhoods, now therefore be it

RESOLVED, the OPHA emphasize that the best way to prevent AIDS is to avoid sexual contact with persons in high risk groups, including prostitutes; and be it further

RESOLVED, that OPHA urge the Oregon Legislative Assembly to repeal laws which make prostitution a criminal act and allow local jurisdictions to regulate the places and times in which prostitutes may practice; and be it further

RESOLVED, that OPHA ask the AIDS/HTLV III Advisory Committee of the State Health Division to propose appropriate regulatory and educational policies to motivate prostitutes to practice safer sexual techniques, that clients are adequately warned as to risk, that prostitution not take place anonymously, and that prostitutes undergo appropriate and periodic preventive screening for communicable diseases as a condition for lawful practice.