

Community Mobilizes Over False Prostitution Arrests at Video Stores

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Robert Pinter, whose October arrest for prostitution first sparked investigation into false arrests of gay men by the NYPD, spoke at the January 15 town hall at the Center.
GAY CITY NEWS

As Robert Pinter, a 53-year-old gay man and licensed massage therapist, was being arrested outside Blue Door Video on First Avenue in the East Village in October after agreeing to leave the establishment with a man in his 20s so the two could engage in consensual sex, he demanded to know why he was being taken into custody.

"Why the fuck do you think we're arresting you?" the officer in charge finally responded.

The police arrested Pinter for solicitation of prostitution, despite the fact that he and the younger man, who turned out to be an undercover cop still identified only by his badge number, had made plans to go to a car so that Pinter could perform fellatio on the other man. On the way out of the store, the undercover officer said, 'Oh, I want to pay you \$50 to suck your dick,'" a comment Pinter found odd, but gave little more thought to. He felt fortunate enough to have been approached by the younger, buff Asian-American man.

"This guy was half my age," Pinter recalled. "It was my lucky day. I also thought, 'How unusual, in Manhattan, to have sex in a car.'"

Pinter was cuffed and shackled and left in a police van for four hours, spent another three at the Seventh Precinct, and then another 16 or 17 hours in the Tombs, the infamous jail downtown near police headquarters. On the "strong" urging of a "poorly prepared" Legal Aid attorney, Pinter pleaded guilty to disorderly conduct, paid a small fine, and was ordered to attend five health classes.

Pinter recalled his arrest at a January 15 town hall meeting at the LGBT Community Center held to address a rash of prostitution stings, resulting in the false arrests of gay men, many of them over 40. The pattern of arrests was first reported by Duncan Osborne, in Gay City News, who learned of this law enforcement activity when contacted by Pinter.

In 2008, 12 men were arrested for prostitution at Blue Door. Eight of them - 66 percent - were 40 or older. But according to statistics from the NYPD's press office, only 17 percent of the 179 men arrested for prostitution in the Manhattan South area last year were 40 or older.

Is Blue Door the center of a previously undiscovered middle-aged hooker ring? One that involves a 54-year-old man visiting from California, and a gay couple in their late 30s and mid 40s in New York on vacation from Europe? Pinter and others who spoke at the Center January 15 doubt that very much.

"I think it's very disturbing that there has been this pattern of arrests," said Thomas K. Duane, the out gay Chelsea state senator. "This is harassment. No matter how you look at this issue, the enforcement is completely, utterly inappropriate and out of control.

The Blue Door arrests are among 50 questionable prostitution charges identified by Gay City News in seven Manhattan

porn shops over the past four years. Arrests have also taken place at Chelsea and Midtown West video venues, including BH Connections, Gotham City, the Rainbow Store, Video, Video, Video, and Blue Store, all on Eighth Avenue, and the DVD & Video Center on West 35th Street. Establishments where the arrests took place have been fined, and some have been closed, either temporarily or permanently.

Pinter told the crowd of roughly 300 at the Center that a number of the men he met at the court-mandated health classes he attended had been arrested under the same circumstances in which he was ensnared. One man, he said, rebuffed the overtures of a young, Asian-American undercover cop at a Chelsea video store and left the establishment, only to be chased down the street by him and promptly arrested by officers who joined the first policeman.

For Andrea J. Ritchie, director of the Sex Workers Project at the Urban Justice Center, the arrests and the legal actions against the adult establishments are aimed at punishing "deviant sexuality."

"The decision in Lawrence v. Texas in 2003 did not end the policing of gay sex," she said at the town hall, referring to the Supreme Court ruling that struck down sodomy laws nationwide. "The policing of sexuality casts a much wider net. It captures heterosexuals as well as queers."

Last year, the police department initiated 899 nuisance abatement cases in which the city sought to close businesses where illegal conduct was allegedly taking place. The targets include bars, nightclubs, restaurants, and stores, and the conduct being investigated range from underage alcohol sales to drug-selling to gambling to counterfeit goods vending.

A thorough review of case files would be necessary to determine how many of these police lawsuits involved alleged prostitution or other sexual conduct, but in the small number of files in which final disposition is posted online, 13 involved prostitution. Comparing that to the total number of dispositions disclosed suggests that sexual conduct, prostitution, and unlicensed massage businesses are a significant focus of the police department's enforcement efforts.

In a letter read at the town hall, Rose Mendez, an out lesbian member of the City Council who represents the Lower East Side of Manhattan, including the East Village, called for "a full investigation into the actions of the police department."

City Council Speaker Christine Quinn of Chelsea, also an out lesbian, through a spokesman, expressed her concern about the arrests and said she was seeking further information from the NYPD.

The Coalition to Stop the Arrests (stopthearrests@aol.com), a group founded by Pinter, will meet at the Center on January 29 at 6 p.m. to plan next steps, and the New York City Gay and Lesbian Anti-Violence Project, who co-hosted the town hall with the Center, will hold a meeting at its offices on January 28. Go to avp.org for details.

An AVP staff member also noted that the City Council will hold hearings on the Civilian Complaint Review Board, established to investigate police abuses, on January 29 at 10 a.m. He urged people concerned about the prostitution arrests to attend that hearing.

Other panelists at the town hall included Sienna Baskin, a legal fellow at the Sex Workers Project at the Urban Justice Center, Joey Nelson from the Queer Justice League, Jennifer Ramirez, an AVP organizer, and Gay City News' Osborne.