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Pragmatic approach could curb prostitution

By Frank Kaiser

Imagine for a moment that while you're cruising down Biscayne Boulevard, you see a seductive, provocatively dressed young woman. She's obviously a prostitute, and you, you're a guy. Perhaps even a local school board official, professional sports figure, priest, judge, or Miami Police major.

You stop, make small talk. Then, quick as a wiggle, you're in handcuffs, under arrest. Your car is impounded, your reputation savaged, your employment threatened—it'll cost you \$1,000 to get your car back—and your marriage about to be tested as never before.

Is this justice?

Perhaps.

I live just a block off Biscayne. Because Miami Police have cracked down on prostitution along the boulevard, my neighborhood is safer and my property's value increased.

So why should I fault whatever methods police use to get sex workers off the streets? Because I don't want public dollars spent enticing my fellow citizens into committing misdemeanors, especially those that ruin lives. Our government's role should be preventing, not creating crime.

Furthermore, such police actions against johns and prostitutes simply push the illicit business elsewhere. As Biscayne Boulevard heats up, the trade moves to Eighth Street, Coral Way, maybe from my neighborhood to yours.

There is good reason prostitution is considered the world's oldest profession. Outlawing lust doesn't work. Never has.

By criminalizing prostitution, our government puts both prostitute and john in jeopardy. Justice forces the sordid business into shadows, where exploitation and abuse

are common, where pimps and organized crime often control prostitutes' lives, and where life-threatening disease is a constant peril. Here in Miami, even the government exploits. The city recently netted a whopping \$1.5 million in just four months from car impoundments, in some cases, according to The Herald, even when the driver was acquitted.

If there were no law against it—indeed if our government controlled prostitution as it now controls barbers and chiropractors—the whole business would be far safer and more sensible, not to mention taxable. Pimps would disappear. Prostitutes, male and female, would have to be tested for sexually transmitted diseases on a regular basis. Confined to non-residential areas and the protection of non-exploitive brothels, ladies and gentlemen of the evening would cease to be an issue for most of us.

Dreaming on, if drug addiction—the primary reason for prostituting—were considered the health problem it is instead of a crime, money could be moved from jails to drug-treatment-on demand, shrinking prostitution and its evils.

In less hypocritical areas of the world, pragmatic city burgers conditionally tolerate prostitution. The Dutch, for example, set up so-called “Red Zones” to contain the trade, both indoors and out. Strict policing and judicial action confine it to geographic borders of toleration. Everyone is safer. Drug use and disease are minimized. Residential neighborhoods aren't threatened.

But how do we get there from here, where we arrest and humiliate our citizens including judges and priests and continually subject both sex workers and johns to peril?

I don't know.

Prostitution is legal and safe in certain areas of Nevada. Why? Because tourists want it that way. Just as we have a nude beach here in Miami-Dade County—contrary to the wishes of many—because our foreign tourists demand it.

Perhaps instead of debating this issue on legal grounds (Roe v. Wade constitutionally protects a woman's physical autonomy) or grounds of humanity, we should discuss the significant benefits to our tourist trade.

Since legalization of prostitution is far too sensible for our politicians to consider, let's talk about decriminalization with controls. Prostitution wouldn't be legal, but it wouldn't be a crime that could lead to an arrest, criminal record, forfeitures, or court proceedings. Sex-for-hire activity would be limited to certain areas of town far outside

residential neighborhoods. A private not-for-profit service providers could do the regulating and licensing.

Here we might have something that our politicians could swallow, that gets prostitutes out of our neighborhoods into a safer, healthier environment, that abandons a long-failed policy and that benefits our tourist trade. All this at a far lower level of hypocrisy, one that we can live with.

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