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U.S. Supreme Court won't stop Nevada from banning brothel ads

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On the same day U.S. Sen. Harry Reid urged state legislators to outlaw prostitution, the legal brothel industry was dealt another blow, this one by the U.S. Supreme Court.

The high court refused Tuesday to hear an appeal from brothel owners, thereby allowing to stand a Nevada law that bans them from advertising in newspapers.

For plaintiff and brothel owner Bobbi Davis, the decision is baffling.

"I find it odd they don't want to hear it," the owner of Nye County's Shady Lady brothel said Tuesday, moments after hearing the news.

Davis thinks the ban is patently unconstitutional, and she thinks it will allow illegal prostitution in Las Vegas to continue to flourish unabated.

The First Amendment decision probably marks the end of the road for the appellants: Davis, the ACLU and two newspapers, West Wendover's High Desert Advocate and Las Vegas City Life, an alternative weekly owned by Stephens Media, which is the parent company of the Las Vegas Review-Journal.

The law as written permits the sex industry to advertise in counties where brothels are legal but not in counties where it is officially illegal.

And therein lies the rub for Davis, who pointed to the hypocrisy of allowing "thousands of escorts" to advertise in Las Vegas yellow pages, handbills and billboards.

"The whole illegal prostitution is rampant," she said, "but don't let anyone know they have a legal alternative. Let the illegals drag their disease-ridden (bodies) everywhere."

Brothels are banned by city ordinance in West Wendover, a casino town on Interstate 80 that straddles the Nevada-Utah border in Elko County, where prostitution is legal. And legal prostitution is banned in Clark County, where City Life is published and circulated.

Ten of Nevada's 17 counties authorize and regulate prostitution, which is illegal in the state's two population hubs of Las Vegas and Reno and the state capital, Carson City.

The appellants won an initial victory more than three years ago when U.S. District Judge James Mahan in July 2007 struck down the anti-advertising laws that have been in effect since 1979, calling them overly broad and therefore unconstitutional.

The state appealed Mahan's decision to the U.S. 9th Circuit Court of Appeals, which ruled that the state ban was constitutional because the state has a right to minimize public exposure to brothels and sex for sale.

Even in counties where prostitution is legal, brothels are prohibited from advertising on state highways, streets and in theaters.

Last July, Nevada Attorney General Catherine Cortez Masto praised the San Francisco-based court's decision. She acknowledged that free speech is "perhaps our most cherished right, but prostitution is a difficult issue in every state."

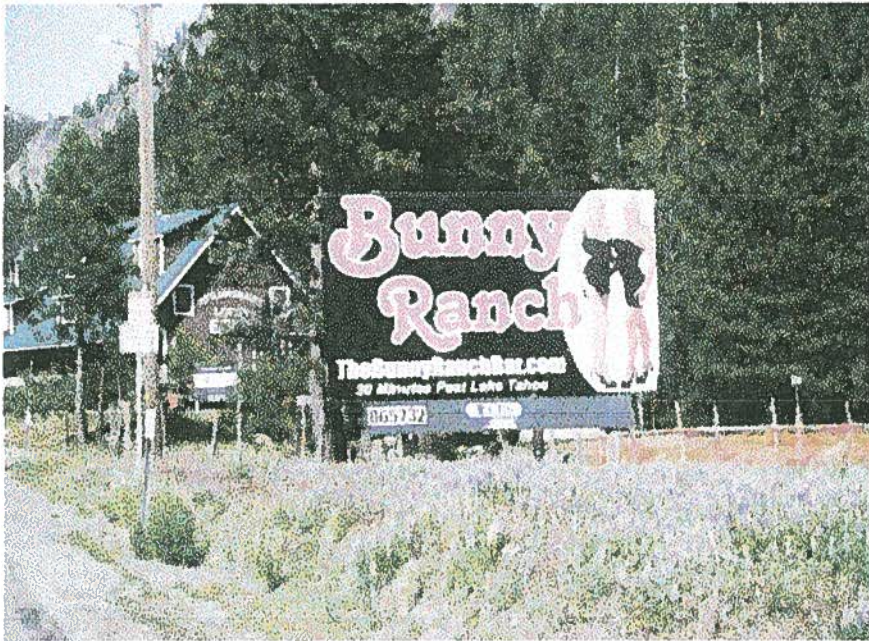
Also in July, ACLU General Counsel Allen Lichtenstein said the Supreme Court ruled that it is legal to advertise a legal product or service. He said the law was wrongly based on someone's moral judgment. "The social harm of alcohol, cigarettes and gambling is well-documented; no documented social harm of legal brothels exists," he said.

For Davis, the higher courts turned a blind eye to the realities of illegal prostitution.

"Escorts get to put up billboards," she said, "but I can't even advertise for a housekeeper in (the Las Vegas Review-Journal). That's how stupid the law is.

"The courts want to punish a legal business in favor of (pimps) trafficking in 13- and 14-year-old girls, beating their women and getting them hooked on drugs and then they'll give people HIV. The Supreme Court has said we shall let this happen."

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Child prostitution: Raids rescue 105 young people

By [PETE YOST](#)

— Jul. 29 9:49 PM EDT

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WASHINGTON (AP) — Declaring child prostitution a "persistent threat" in America, the FBI said Monday that authorities had rescued 105 young people and arrested 150 alleged pimps in a three-day sweep in 76 cities.

The agency said it had been monitoring Backpage.com and other websites as a prominent online marketplace for sex for sale. Backpage.com said that it was "very, very pleased" by the raids and that if the website were shut down to the advertisements, the ads would be pushed to sites that wouldn't cooperate with law enforcement.

The young people in the roundup, almost all of them girls, ranged in age from 13 to 17.

The largest numbers of children rescued in the weekend initiative, Operation Cross Country, were in the San Francisco Bay and Detroit areas, along with Milwaukee, Denver and New Orleans. The operation was conducted under the FBI's decade-long Innocence Lost National Initiative. The latest rescues and arrests were the largest such enforcement action to date.

"Child prostitution remains a persistent threat to children across the country," Ron Hosko, assistant director of the bureau's criminal investigative division, told a news conference. "We're trying to put this spotlight on pimps and those who would exploit."

In Operation Cross Country, federal, state and local authorities cooperated in an intelligence effort aimed at identifying pimps and their young victims.

The FBI said the campaign has resulted in rescuing 2,700 children since 2003. The investigations and convictions of 1,350 individuals have led to life imprisonment for 10 pimps and the seizure of more than \$3.1 million in assets.

In their efforts to identify child victims, investigators seek help wherever they can find it — in some cases from adult prostitutes, Hosko said. He said almost all the victims in sweeps like the one over the weekend are girls and that the profiles of the victims cut across racial lines and boundaries of wealth.

Social media are a common denominator in many of the rescues.

"We are seeing it more and more, kids being put out on the street and being trafficked because of the Internet," said Detective Angela Irizarry of the Hayward Police Department not far from San Francisco.

"Many of these kids come from runaway or group homes and they feel like this is the only way for them to survive on the street."

She said her department identified three girls, ages 15, 16 and 17 and a woman seen dropping off two of the girls was arrested as a pimp. One of the girls was a runaway, another had been missing from a group home for several months and a third ran away off and on from her family's home, Irizarry said. The detective said she had not had a chance to speak with the girls and does not know how long they had been involved in prostitution, but that one of them "is denying any involvement of the individuals we had arrested for pimping. That is typical. Usually these girls don't immediately give up their pimps."

Irizarry said a multi-agency, cross-country effort was necessary because local police departments do not always have the resources to investigate tips about child sex trafficking.

Last year, five members of the Underground Gangster Crips contacted teens at school or through Facebook, DateHookUp.com or other online social networking sites, enticing the girls to use their looks to earn money through prostitution.

As for websites, Liz McDougall, the general counsel for Backpage.com, said that if that site were shut down to the advertisements in question, the information that can lead to the rescues would be lost to law enforcement because the ads would be pushed to "offshore uncooperative websites."

"We feel very strongly that we're doing the right thing, and we're going to continue to do the right thing and we congratulate the FBI and everybody with the task forces involved in the program," said McDougall.

In earlier sweeps, child prostitution victims have been recovered at major sporting events — including the NCAA Final Four and Super Bowl, Hosko said.

In the 1990s, gangs took control of street prostitution across America; that forced pimps to move girls into sporting events where security existed, said Dr. Lois Lee, founder and president of Children of the Night, a nonprofit group that has rescued 10,000 children from prostitution since 1979.

Hosko said the plight of the young people often goes unreported to authorities because the children in many instances are alienated from their families and are no longer in touch.

In Oakland, Calif., police Lt. Kevin Wiley said authorities "always afraid" for the girls.

"They usually get into this because they are running away from something else," said Wiley. "You're trying to find out what brought them into this lifestyle in the first place. It goes way beyond law enforcement to solve this epidemic."

Pimps operate wherever vulnerable potential victims can be found. Some are being recruited right out of foster care facilities, Hosko said.

For the past decade, the FBI has been attacking the problem in partnership with a private group, the National Center for Missing and Exploited Children.

John Ryan, the head of the center, called the problem "an escalating threat against America's children."

The Justice Department has estimated that nearly 450,000 children run away from home each year and that one-third of teens living on the street will be lured toward prostitution within 48 hours of leaving home.

Congress has introduced legislation that would require state law enforcement, foster care and child welfare programs to identify children lured into sex trafficking as victims of abuse and neglect eligible for protections and services.

"In much of the country today, if a girl is found in the custody of a so-called pimp she is not considered to be a victim of abuse, and that's just wrong and defies common sense," Sen. Ron Wyden, D-Ore., said during a Senate Finance Committee hearing last month. Wyden co-sponsored the legislation with Sen. Rob Portman, R-Ohio.