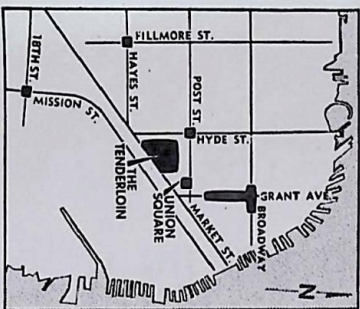


Russosnielo says another of Freitas' departure from the past is his failure to use red light abatement laws to threaten the closing of buildings where prostitutes bed their clients. Between 1971 and 1975, 600 premises were denied to hookers by this process.

Freitas admits that only a handful of red light abatement cases have been filed this year — vice squad members say they can't recall any — but says there are some now in the works.

Dower recalled one time when he and his partner watched a whore on drugs working the street for more than an hour without success. Finally, the two of them approached her, were solicited and accompanied the woman to her room "in some fleabag hotel."

"When we arrested her, she said, 'Oh, wait a minute.' She walked to a bureau, pulled out a drawer, and there was an eight-week-old baby asleep. Nobody can tell me it's a victimless crime," he said.



These are areas where police say prostitution is rampant

Sam Francisco Chronicle

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The Largest Daily Circulation in Northern California

TUESDAY, JANUARY 4, 1977

'Tough' Cop To Lead S.F. Vice War

By Jerry Carroll

Police Chief Charles Gain shook up the vice crimes division yesterday, naming tough, hard-bitten Captain Gerald J. Shaughnessy to take charge of the battle against San Francisco's proliferating prostitution problem.

In restoring Shaughnessy to the command of the unit that he had headed for six years until his transfer in July, Chief Gain finally wrung praise from Supervisor Al Neider, a former chief who has been sharply critical of Gain's leadership of the police department.

"This means the death knell for prostitution in San Francisco," the jubilant Neider told a meeting of the Board of Supervisors. He praised Shaughnessy as "honest, tough and hard-hitting."

He was echoed by Supervisor Dianne Feinstein, who called Shaughnessy's restoration as head vice cop "a bellwether appointment, a very firm and forceful step."

Captain James B. Shannon and Lieutenant Sol Weiner, who formerly headed the vice crimes division, were transferred to the department's patrol division.

Weiner declined comment on the move, but Shannon appeared to take the transfer philosophically.

"I've been a cop for 25 years and one squad is the same as the next," he said. There were unfirmed reports the two had asked for transfer because of incompatibility with Gain.

Gain said he put Shaughnessy back in charge of the vice crimes division "because I felt he has demonstrated the ability and the skills needed for us to immediately address all these serious problems."

He said that at this point a basic problem is prostitution. "We have had that for 11 months, you know," the chief said.

Gain denied that Shannon and Weiner had asked to be transferred. He said he had been thinking about making the transfer "for several weeks" and putting Shaughnessy back in charge of the vice crimes unit.

Gain said his plans had been "totally unknown" to either Shaughnessy or Weiner. "I don't know if they were surprised or not," he said.

Shaughnessy was in charge of the Bureau of Special Services for a little more than a week after Gain took office, and then spent the next several months on disability leave.

At that time Gain put acting Captain Paul Lawler in charge of the bureau, then in a recent transfer sent Lawler to take charge of the San Francisco International Airport police and brought Shannon into the vice crimes division.

Margo St. James, the head of Coyote, the organization of prostitutes and other "loose women," was dismayed by the return of Shaughnessy, who has headed the department's night patrol division since his demotion.

"I'm shocked that a person of Shaughnessy's record of abuse and unconstitutional enforcement of the laws would be put back in charge," St. James remarked.

"I don't want to be too harsh on the man—my microscope said I shouldn't malign anyone—but I'm horrified," she added.

The surprise move by Gain came less than a week after reports that the police department and the district attorney's office had decided to reverse an 11-month policy of easy-going tolerance toward street prostitution.

Both Gain and District Attorney Joseph Freitas Jr. denied any such thing was in the wind, and the upshot of it was that four vice squad officers who told The Chronicle the shift was in the planning stages were summarily transferred to other duties.

Gain called the newspaper report about the impending crackdown on prostitution "without foundation" and the product of "one Chronicle reporter's imagination."

Among other things, the vice officers had complained that there has had been a 1000 per cent increase in the number of visible prostitutes in the 11 months since the city announced it would lessen pressures against streetwalkers in the interests of attacking violent crime.

They charged that Freitas' office had a policy of not prosecuting hookers on prostitution charges until they had been arrested four times, allowing them to plead guilty to such lesser offenses as disturbing the peace. This meant little or no

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Among other things, the vice officers had complained that there has had been a 1000 per cent increase in the number of visible prostitutes in the 11 months since the city announced it would lessen pressures against streetwalkers in the interests of attacking violent crime.

They charged that Freitas' office had a policy of not prosecuting hookers on prostitution charges until they had been arrested four times, allowing them to plead guilty to such lesser offenses as disturbing the peace. This meant little or no jail time served, the officers complained.

Gain said Shaughnessy, 48, will also be in charge of narcotics investigations and will report directly to the chief.

The shakeup came on a day when Mayor George Moscone revealed plans for a \$2.3 million crime prevention program for the high-crime neighborhoods of Hayes Valley, Western Addition, the Tenderloin and Hunters Point.

He said \$966,000 will go for hiring 40 additional policemen and \$466,000 to add seven attorneys and five investigators to the DA's office. These latter will work on what Moscone called "a concentrated prosecution effort against perpetrators of violence and fear-producing crime."

In addition, \$500,000 will go toward job training programs, \$324,000 for an escort service for senior citizens, and \$100,000 to improve street lighting, Moscone said.

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WEDNESDAY, JANUARY 5, 1977

Eight Arrests

Big Police Vice Sweep Of Union Square Area

By Jerry Carroll and Blrney Jarvis

Eight arrests for soliciting for prostitution were made yesterday evening during a show of force by police that swept streetwalkers out of the Union Square area.

The action came just one day after Police Chief Charles Gain named hard-liner Captain Gerald Shaughnessy to head the vice crimes division.

Witnesses said police moved into the area shortly after 9 p.m., when the ladies of the evening began making their nightly appearances.

At least seven marked and unmarked police cars converged on the Union Square area and slowly cruised past the knots of prostitutes, the officers and girls exchanging glacial stares.

Moments later pairs of foot patrolmen began strolling the pavement, and speaking to known prostitutes.

Shaughnessy himself was in one of the patrolling police cars, and would tell reporters only that, "I am just looking the situation over."

As word spread among the women that undercover police officers were in the area making arrests, the women began to leave.

One, who swung her bag over one shoulder and prepared to move off said, "I'm glad of the crackdown. It'll keep those cheaper girls off the street."

A nearby officer explained that the "cheapers" charge their clients \$10 to \$20 while the high-class hookers can command \$50 or more.

Seven women were arrested in the sweep — one of them inside the St. Francis Hotel — and one man, also charged with soliciting who was arrested by an undercover woman police officer.

Earlier yesterday, Gain called for six-month jail sentences for people convicted for the first time on prostitution charges and a year behind bars for the second conviction.

"That would be a realistic sentence," Gain told a crowded Hall of Justice press conference called to introduce Shaughnessy as the new head of the vice crimes division.

Yesterday was the first day on his new job for the 49-year-old Shaughnessy, known as a scourge of prostitution during the six years he headed the department's anti-vice unit before he was ousted by Gain last July.

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Gain has been under fire over what some vice officers estimated as a thousand per cent increase in the numbers of streetwalkers since he was named chief nearly a year ago.

In the last week, he has purged the vice crimes division of many of the officers critical of the alleged let-up of pressure on prostitution in San Francisco and has swept out its top command.

All the while, Gain has steadfastly denied there has ever been any easing of police pressure. Yesterday he said the appointment of Shaughnessy marked "an intensification of our continuous 11-month crackdown on prostitution."

In addition to putting the heat on the great numbers of streetwalkers in San Francisco, the two said they will press an attack on brothels, whorehouses that masquerade as massage parlors, escort services and call girls.

When he was sworn in, District Attorney Joseph Freitas Jr. declared, "If it's a non-violent, non-coercive activity between consenting adults, my office will not bother with it."

Freitas declined yesterday to endorse Gain's call for stiffer sentences for persons convicted of prostitution, saying, "I think Chief Gain is reflecting his sympathy with the frustration of the police in seeing convictions obtained, and then sentences given that resulted in people going back out on the streets."

Gays Lose Ruling on Job Bias

By Harry Jupiter

There is no special protection for gays against job discrimination, the state Court of Appeal ruled yesterday.

The court said California's Legislature has expressly refused to make discrimination against homosexuals an unlawful employment practice.

In a precisely worded opinion written by Judge Folger Emerson, the appellate court upheld the decision of a San Francisco Superior Court in a case involving four gay men who claimed they had been discriminated against by Pacific Telephone and Telegraph Co.

Emerson is a retired Alameda county Superior Court judge who has been sitting in Division Three of the First Appellate District.

The case was brought by the Gay Law Students Assn., the Society for Individual Rights, and others, against Pacific Telephone and the state's Fair Employment Practices Commission.

"The Legislature has not determined that employment discrimination on the basis of sexual orientation is contrary to the public policy of the State of California," Judge Emerson wrote. "We see no reason to establish such a rule by judicial decision."

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The plaintiffs also contended that the FEPC was denying them both due process and equal protection of the law "by refusing to address the question of homosexual discrimination."

The appellate court rejected this argument too.

"There is simply no constitutional right to work for an unwilling employer," Emerson said. "The state is in no way arbitrarily interfering with private employment of homosexuals. It has simply remained neutral."

Emerson noted that the Legislature has "not only failed, but expressly refused" to amend the state's Fair Employment Practices Act to include sexual orientation among prohibited forms of discrimination.

At the same time, he wrote, during recent years, the act has been amended to include age, sex, physical handicap and mental condition among those things which cannot be the basis of discrimination.

The gays who brought the suit maintained that the act outlaws all forms of arbitrary discrimination, not merely those spelled out in the act. They said the examples used by the Legislature were "illustrative rather than restrictive."