



MANIFESTO OF THE MILE HIGH NEON

The first LEGAL brothel outside of Nevada.

ABSTRACT

It takes only a few good men to change the perception of an industry. I am seeking to apply for a brothel business license in the state of Utah. If I am denied, I will challenge the Utah brothel ban statutes and hope to have the same effect Roe v. Wade did – striking down each states' brothel statutes nationwide.

Redmond Ross

MANIFESTO OF THE MILE HIGH NEON

INTRODUCTION

Gandhi, the great man who led an example of peace and humility, once said, “The difference between what we do and what we are capable of doing would suffice to solve most of the world’s problems.” The best way we learn is from our past. Sometimes, though, we refuse to recognize our past achievements and continue in our present mistakes. Suffice it to say, the Greeks got it right with prostitution which literally makes it the world’s oldest profession.

I share my story with your news outlet and several other outlets around the country to call attention to a problem that is plaguing our nation and must be fixed: prostitution. More specifically, the arrest of consenting adults that is happening daily that leads to shattered lives, ruined reputations, and is plagued with disease and murder, and most importantly a clear violation of the 14th amendment and other constitutional provisions and recent case law. Contained in this manifesto or announcement of my plans, however you want to call it, are my plans to challenge the brothel ban statutes in my state of Utah, in the city and county of Salt Lake, and specifically challenging parts of UT 76-10-(1301-1308) which defines all forms of prostitution (loitering; houses of prostitution) as crimes and UT 47-1 which defines brothels as a nuisance.

WHO I AM:

I would like to first give background information about me to break the misconception that all patrons (crudely termed “johns”) are cheaters and abusers. I am writing under a pseudonym to protect my identity until I feel I am ready to come out as I am getting ready to challenge the laws very soon: I am a disabled, young man who has been single his entire dating age years. I was born in 1991 in Mission Viejo, CA alongside a twin sister. She was born healthy; I was not. I was born with a facial paralysis and it has made my life very difficult. I can’t close my mouth and I am often mistaken for being an idiot even though I have my college degree and have worked in law firms and have interned at my state’s attorney general’s office. My disability is a factor in why I solicit prostitutes in that regular girls don’t give me the time of day. The only time I’ve ever had a special experience with a non-prostitute was when I was a junior in high school. I had been rejected to the prom a numbered 18 times. I asked the Class President to prom and she reluctantly said, “Yes”. She ended up being voted the Prom Queen. It was one of the happiest moments of my life, but the happiness didn’t last long as the “Queen” avoided me after that night and was reluctant to be with me while at the dance.

People all the time would tell me -- even my clergy leader -- that because of my disability I wouldn’t meet my spouse until the “next life”, but I was encouraged that I should remain “Faithful to the Gospel in order to have such an opportunity”. This was a defining moment that still sticks out in my mind. No young man at the age of 18 needs to hear from his Bishop (in the Mormon faith) that he is practically damned because of the way he was born. I found this statement offensive and it caused me quite a bit of depression. I ended up tying a belt around my neck and tried strangling myself, wanting to be free from this deformed body that I was trapped in, but stopped just as I was losing air because I was too scared to continue. This wasn’t my first

time trying to commit suicide, though, it was my most aggravated attempt. I decided that instead of killing myself, I would pay prostitutes to fill the void in my life. I did not know where any prostitutes were nearby so I Googled: “How much do prostitutes cost?” and found a forum talking about the “Bunny Ranch”, a brothel outside of Reno, Nevada. Since then, I have been to the Bunny Ranch more times than I can count and I LOVE IT!

PALACES OF REFUGE

To give one a visual experience of what the Bunny Ranch looks like: it looks like a mansion from the outside. Inside, the Bunny Ranch has pristine, marble floors with couches in the parlor for the girls to sit on and talk to customers. Towards the end of the brothel is a large bar that a bartender serves drinks at with corridors that lead to the many different rooms of the girls. In essence, it looks kind of like a really fancy strip club where adults can pay for consensual legal sex. The owner of the brothel, Dennis Hof, is just awesome. I have nothing but good things to say about him and his brothels. He’s invited me inside his personal house before and has treated me very good.

I have found that inspiring affirmations can only do so much. A touch of intimacy, though, can save a life. My first kiss was in a brothel and let me tell you: sparks do fly on the first kiss! The feeling of being sensual with another adult was surreal. For the first time in my life, I felt accepted. I felt loved. I had somebody who looked past my disability and I felt like I had never been so alive. I was treated like a real human being. It was so good that I kept going back and seeing different partners and creating experiences with other adults in exchange for money. Each time that I went, I treated my partners as if they were my girlfriends: I bought them flowers, bought them lunch, dressed to impress (in a suit); made them feel appreciated. One could argue that my experiences have not been a “real” relationship experience. While they are correct, they forget that when you have nothing, just having something means everything – even if you have to pay for it.

I won’t lie: 8 hours is a long drive just to have sex with another adult. I have a terrible fear of flying which makes doing so unbearable so I rent a car or take the Amtrak. Since the prices can be high and the travel can be long, I have paid prostitutes in Salt Lake City, Utah to have sex with. I say this with the chances of incriminating myself and facing prosecution to show that (1) prostitution is happening in this city; (2) the travel to Nevada creates “an undue burden” – the same legal argument that proponents of abortion clinics have made to strike down abortion laws. *Planned Parenthood v. Casey* (1992) (Pennsylvania’s abortion regulations challenged by a group of physicians, and argued it caused an undue burden on women seeking abortions); (3) I have faced harm by soliciting prostitutes here: I have been robbed by force; I have been tricked by fake ads or services they wouldn’t offer; I have trusted women who clearly are making ends meet of whether they are disease free when they don’t have licenses or credentials to prove that they are clean; I have been harmed by not having a safe place or regulated place to have sex in; I have risked being arrested for simply having sex with other adults by giving them money; and (4) I have witnessed girls tell me firsthand the harm they have gone through at the hands of clients by being raped, robbed, defrauded, beaten, harassed, being intimidated to not call the police; not afforded the same legal protections two partners in a non-commercial relationship have. Let me make it clear: I have never ever harmed any of my partners. I have always respected them and even empowered them by encouraging them to pursue other dreams and cautioned them about being in the industry.

Don't get me wrong: I've tried getting "regular" girls as girlfriends and partners by using dating sites and in person; have tried to better myself by working out at the gym, use tanning beds and buying teeth whitening kits, but in the materialistic world that we live in, it's not easy to date when you have such a unique disability. People make dating sound so easy: it's not. I think everybody has the right to feel affection: whether it be through meeting that person you click with or paying for it with another adult.

THE MILE HIGH NEON

I look at the history of prostitution in the United States and see things that didn't work and have observed the brothels in Nevada and have read the statutes that legalize them and have seen that they could be improved. I love Utah and I love the people of Utah and I don't want to move. This is my home, where my ancestors before me settled after a long trek from Illinois, but I also love feeling affection and as I said: if I must pay others I will. I am sick of the long travel and sick of having to do things here in fear of arrest and prosecution. I believe I can establish a brothel with a model that nobody has ever seen before. My brothel would be named, The Mile High Neon, which is derived from the Greek word "brothel" (porneon) and the "mile-high club". In a more metaphoric sense, I want the brothel to metaphorically mean a place that is a "mile high" for all to see and come to for safety and protection. I don't invite or procure the customer or the girl to come to the brothel, I would just have the brothel in its designated place with "open doors" and it would be up to the girl and the customer to come on their own accord. To most elegantly describe the brothel, the poem, *The New Colossus*, on the Statue of Liberty comes to mind:

 "...cries she with silent lips,
 'Give me your tired, your poor,
Your huddled masses yearning to breathe free,
 The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
 I lift my lamp beside the golden door!'"

The New Colossus, Emma Lazarus. (1883)

It would be a very classy and clean environment with a Greek feel to it. It would have a bar in it and have a café as well. It would encourage respect for everybody, urge the workers to speak up if they feel abused or are assaulted and have an atmosphere of trust and acceptance, and urge good hygiene and respect for the clients. My brothel would value the worth of souls more than the worth of the almighty dollar.

My model consists of four principles:

1. Giving consenting adults privacy: With laws that would mandate condom use, STD checks, health inspections, background check vetting, and security, the women and men who became prostitutes would be independent contractors free to choose whom they wanted to see within the premises of the brothel and free to choose what "services" they would perform. I would advocate for the legislature to pass a law that makes it a specific crime to assault a sex worker. I would also ask that they create a law that lets the sheriff's office do background checks on the prostitutes who work here to ensure they are free of STDs and no major criminal backgrounds.

2. Goal setting and license restriction: Realizing that we live in a sensitive society and realizing that not everybody knows their true worth, I would require that all prostitutes fill out a goal sheet of what they want to achieve by becoming a prostitute (as a lot of people become prostitutes as a way to make better money) whether it be hoping to have enough money to attend college or to give their child a better future, I would then advocate for the legislature to make it law that a prostitute can have a license for up to a year and a half. In that time, the girl could work to meet her financial goals.
3. Empower these women and men: I love people. I like people being happy. I don't want this to be a "disorderly house" or a "house of ill fame" so I want to do things that will make it not so. There will be no smoking or drugs at all regardless if they're legal. If my workers are smokers, I want to help them quit smoking by doing a 12 step program with them. I want workers to fill out bi-weekly reports of how they are feeling and to be honest so I know if there are any red flags or things I can do to change the brothel. I would like for them to do a certain number of training courses that would help them understand people and understand why men solicit and help them deal with men. I would also like to do a few self-defense classes for these girls and empower them to politely turn down men they don't feel comfortable in seeing. I would also like to offer dating advice to clients that want it.
4. A life after the Neon: If these girls exhibit any red flags that I would look for (depression, abuse, etc), I would like for them to have easy access to counselors. Also if they don't like working at the brothel or want to quit, I would like to connect them with talent agents and job placement programs that could ensure they would have regular work.

I would use my paralegal skills to ensure the brothel ran according to the laws that were created and would use my research skills to do background checks on girls after the sheriff's office did background checks on them. I would petition for Dennis Hof or George Soros, both advocates of prostitution, to help fund my brothel and to help me have managers that would work with me in running the brothel.

I don't want to run the brothel per se, but I don't see anybody else around me who is willing to step to the plate and challenge these horrible laws. I certainly have my own moral conflicts with prostitution, but I know that recent legal events have paved the way for it and I know I am one of the few who could successfully challenge the law due to the circumstances I was born with and I know I will be paying prostitutes for a long time because I identify best with doing so.

MY CHARACTER

What we need is not particularly a businessman to run the brothel, though, I would petition Dennis or George to be the funders of it and they would have the ultimate financial control over the brothel, but a man of integrity and character who can be the face of the brothel – somebody familiar with the industry, but somebody who has never worked in the industry -- somebody the public could grow to trust: myself.

While I may have my flaws and have done things that I am not proud of, I consider myself to be a good person. My background speaks for it. Not only do I have empathy for others because of my disability, I am an Eagle Scout with the Boy Scouts of America. To obtain that, I had to do years of service and "merit badges" that had me camp out in the wild and learn about our country and to serve God and others. I served a 21-month mission for the LDS Church in

Arizona. I preformed selfless service for others with no monetary compensation. I came in contact with strangers daily and learned about them and let them know that they had a larger purpose in life than what they were living. Even the people who I came in contact with who didn't share my beliefs I would still let them know they were appreciated and loved. I also taught classes in American Sign Language and helped many overcome substance abuse and addiction. I saw people not for what they were, but for who they could be. I have also never smoked, never done drugs, am disease free, and have never consumed alcohol.

I also believe my college education gives me the skills to help run the brothel as I have a paralegal degree and know how to read laws and apply those laws into real situations as I have done with my multiple internships and law firm. I was an intern once where I worked with domestic violence victims. I would see women in terrible situations come in seeking protection orders, fearing for their lives. I helped them fill out paper work and I empowered them: I told them that they were important and to keep smiling. I would like to apply educational and vocational skills into making my brothel a safe haven for consenting adults. My background would also disprove the misconception that all people who engage in prostitution are "not of high character and of good reputation." *Sandquist v. United States* (1940). Anybody who says otherwise is liable for defamation.

THE GROUNDWORK OF A LEGAL CHALLENGE

I am faced with making continuous travel to Reno (and I go to Reno because Hof's brothels are the only brothels that allow for intimate communication with the girls before you meet them i.e. texting, emailing, skyping; others don't allow that: it's just walk in, have sex, and then leave) for something that falls under so many constitutional rights or to take the risk of soliciting illegally (as unduly travel can deter people) and being convicted of a Class B Misdemeanor and pay a fine. I acknowledge that laws are passed to help protect the welfare of society, but I question if all laws are passed justly and if laws should be reviewed to be repealed as the change of times changes laws i.e. society norms change, tolerance changes, etc.

I try being a law abiding person, but I am a human being with needs and therefore will "break the law" by paying another adult which if you think about is not even illegal or wrong at all if we are both respectful. For one to think that I am going to either stay abstinent my entire life or travel hours to where it's legal is sadly mistaken. We have reached a social climate where individual rights are being advocated for more than ever before of which we saw recently with *Obergefell v. Hodges* – the Supreme Court case which legalized Same-Sex Marriage nationwide. The case's wordings can be applied to all people. Citing the 14th amendment, the Court in *Obergefell* ruled: "The Constitution promises liberty to *all* within its reach, a liberty that includes certain specific rights that allow persons, within a lawful realm, to define and express their identity." The Court also cited *Lawrence v. Texas*, another case that deals with the right of sexuality and non-commercial privacy. When the Court says "all people", I interpret it as meaning ALL people with their rights that "identify" them. Being able to pay others for companionship and relationship is how I identify myself. If a woman or a man choose to identify as a prostitute for a brief while to make money then he or she should be able to. With that said, I seek to challenge the prostitution laws in Utah and hope that it has the same sweeping effect that *Roe v. Wade* or *Obergefell v. Hodges* had and strike down all fifty states' brothel bans.

On a side note, I think regulation is the best route, though, I am not opposed to other prostitution laws being struck down, but I think that in our current social climate we need the bare minimum to be allowed so people can see that it's not a bad or horrible thing before we allow everything to be legal. We also need people involved in it to speak out thus why I write this manifesto.

Therefore, I am not seeking a facial challenge (to strike down the whole law against prostitution), but an As Applied Challenge (striking down only a few laws against prostitution) so that I can have consortium in the same places I do as in Nevada. I've seen them personally work there and don't see why they can't work here. The laws I seek to strike down are the laws against houses of prostitution namely 76-10-1302(1b); 1303(1b); 1304(1iii)(b); 1305(1a)(e); (1307); (1308); 78B-6-1101(2g); an As Applied challenge to 47-(1-8) which argues that places that provide prostitution *without* licenses are a public nuisance. Brothels do not count as a nuisance as defined in 76-10-801 if they follow public nuisance standards e.g. away from public so as to not disturb the neighborhood or "injurious" to the morals of the public. *Corpus Juris Secundum, Disorderly Houses*. Brothels are like abortion clinics (UT 26-21-6.5) in that they protect women and give them privacy. Abortion clinics have licenses as do shops that sell intoxicating liquors (32B-1-102). Both are considered taboo by many, but are able to function without intrusion of their practice.

VIOLATING MY CONSTITUTIONAL RIGHTS

I've done all I can do to follow the law of the land, but now I put my foot down and contend that the above statutes of the Utah Code violate my right to Freedom of Association in the 1st Amendment; violates the right to privacy inferred in the 5th amendment and ruled in such cases as *Roe v. Wade*, *Lawrence v. Texas*, *Griswold v. Connecticut*, etc; violates my 8th amendment rights as I feel it would be "a cruel and unusual punishment" to fine and jail me for paying a consenting adult for consensual services since there was no safe place nearby; violates my 9th amendment rights as states have misconstrued the constitution to deny me and others the right to a safe place to engage in such conduct; violates my 14th amendment rights of equal protection and my rights of personal liberty. I also contend that the 10th Amendment which grants states the power to make their own laws has been used wrongly by the state of Utah (and others) as they implement other solutions that punishes those involved in conduct and don't look for a way to allow conduct using the belief it violates "city morale" and "increases trafficking". I plan on challenging this in federal court and not in state court.

A rational basis test does not suffice to ban brothels nor does the strict scrutiny test since the state of Utah allows the access to pornographic materials either online or in adult stores; allows the business of boutiques to exist catering to sexual fetishes; allows for strip clubs to be in business -- with very strict dress codes. Even the simple sale of bikinis or women's lingerie could show the law unconstitutional. As proven in many studies, pornography twists the mind and can cause women to become "objects" in a viewer's mind and can invite men to pay women for sex. *Bikinis Make Men See Women As Objects, Scans Confirm*. (<http://news.nationalgeographic.com/news/2009/02/090216-bikinis-women-men-objects.html>). In the City of South Salt Lake's ordinance on Sexual Orientated Businesses, it even acknowledges that one of the secondary effects stemming from such businesses is prostitution.

An Ordinance Of The City Of South Salt Lake City Council Amending Chapter 5.56 Of The South Salt Lake City Municipal Code, Concerning Licensing Requirements And Regulations For Sexually Oriented Businesses. (2012.09.21_South_Salt_Lake_SOB-Ord-final-mr.pdf).

It is unconstitutional to allow a man to pay to view such material and let him be aroused by it with a hidden albeit tempting *invitation* to want the urge for the real thing -- and the state to be alright with it -- but when he pursues the *invitation* to act upon the urge and pay a woman to fulfill the arousal he is arrested. Are we so naive to not know that thoughts lead to action? Do we not know that something of that magnitude could arouse the natural desires of a man and cause him to pay for it if he isn't getting it at home? I'm not saying that men are savage dogs, but rather truthfully stating that if they have that *invitation* in front of them they are inclined to want to act upon it -- especially those who may struggle with how they consume pornography or those men who may be lonely. That is why the banning of brothels nor denying a license to operate one does not hold up under the rational basis test as we do not adhere to a strict moral line like we have seen with the legalization of Gay marriage and cannabis; even with the legalization of abortions and intoxicating liquors (which was called a "moral evil" in the early 20th Century and was one of the reasons prohibition started its brief period).

If there was a complete ban as strict as the bans on prostitution, then the invitation for a man to act upon such would be less and it would be constitutional. I see this uneven ban (a ban on prostitution and it labeled wrong yet legal access to strip clubs and adult material, and they're labeled as tolerable in some cities to being perfectly OK in others) as "flirting with disaster." It creates a hypocritical law. For example, in the United States' war on terror since 2001, to stop further terrorist attacks, the U.S. has not only fought back and bombed terrorist strong holds, but has also prevented terrorists from forming by yanking their funding from countries and persons who support and fuel their ideals. If the state considers prostitution to be just as evil and wishes to eradicate it then it would be strategically effective to not only arrest those who engage in it, but to also yank the pornography businesses and dismantle strip clubs to help stop the demand of prostitution. Iceland recently eradicated all forms of adult entertainment, reasoning that women shouldn't be commoditized and thus help stop prostitution. *Legislation Bans Stripping In Iceland*. (<http://icelandreview.com/news/2010/03/24/legislation-bans-stripping-iceland>). But realistically speaking, even before the advent of the Internet or *Playboy*, adults have been engaging in prostitution for thousands of years. If a human is lonely and does not get what he wants at home or doesn't have a partner then he is naturally going to pay somebody to ease his loneliness and urge. This natural urge, of course, does not give men an excuse to beat the women they pay or degrade them. To prevent such conduct, prostitution must be monitored in a brothel with respectable, honest managers who have been fingerprinted and background checked. That is why honest managers are vital.

The natural urge was freely legalized officially in *Lawrence v. Texas* as the courts or the country could not "determine" homosexuals' (or anybody else in sexual relations) "destinies". Though the ruling extended only to those in non-commercial activity, it must be realized and reexamined that there are many who can only get sex through commercial activity. It's demeaning law to say you can only have sex if you happen to find somebody who thinks you're attractive. So are those people damned because they go twenty years and never find a person who wants to have sex with them? Also, the ruling was vague in it saying "commercial activity"

as there is recorded 25 different types of commercial activity aka prostitution – half of them are indirect forms of prostitution, though, still considered prostitution yet hardly prosecuted such as lap dancing and “sugar daddies” which are often referred to as “mutual beneficial relationships”. *What are the different types of prostitution?*

(<http://prostitution.procon.org/view.answers.php?questionID=96>). It is a person’s fundamental right to have privacy without fear of arrest and retaliation. Marriage, procreation, and sexual right to privacy have been ruled as fundamental rights. While the courts have said that commercial activity does not fit in within this “right”, it, again, MUST be reexamined.

CULTURE AND SOCIETY

The world is a much different place now than it was in 2003 when *Lawrence v. Texas* was decided. Before *Lawrence* was decided, Courts honored the Supreme Court case of *Bowers*, another case determining sodomy laws. Justice Stevens, in his dissent of *Bowers*, wrote: "*First, the fact that the governing majority in a State has traditionally viewed a particular practice as immoral is not a sufficient reason for upholding a law prohibiting the practice; Second, individual decisions by married persons, concerning the intimacies of their physical relationship, are a form of 'liberty' protected by the Fourteenth Amendment. Moreover, this protection extends to intimate choices by unmarried as well as married persons.*" *Bowers v. Hardwick* (1986). The Court in *Lawrence* chose to follow this dissent and overturned *Bowers*. The Court in *Lawrence* was careful to note that their decision did not extend to: "...public conduct or prostitution. It does not involve whether the government must give formal recognition [same-sex marriage] to any relationship that homosexual persons seek to enter." In his dissent, though, Justice Scalia said: "*State laws against bigamy, same-sex marriage, adult incest, prostitution, masturbation, adultery, fornication, bestiality, and obscenity are likewise sustainable only in light of Bowers' validation of laws based on moral choices. Every single one of these laws is called into question by today's decision.*"

Now, as it's the end of 2015 and 12 years have gone by since the *Lawrence* ruling, same-sex marriage is legal; many polygamists are coming out around the country and challenging their bigamy and polygamy laws with Justice Roberts in his dissent of *Obergefell* saying there was no basis to exclude polygamists from marrying; adultery and fornication bans are rarely enforced if not considered invalid by *Lawrence*; no person in their private homes have been arrested for masturbating as far as I can find; obscenity laws are growing more lax with billboards, magazines, songs, film, and models portraying and glamorizing sex. The current generation dresses like they're hookers yet prostitution continues to be one of the most upheld and enforced laws that Justice Scalia "called into question".

FALLACIES

Since Christianity and major religions have held a foothold on the world, prostitution has been condemned as being “immoral” and a “sin”. The Bible particularly slams “whoredoms” and prostitution and therefore Christian rulers and legislators have banned it. In the early 20th century, several hundred clergy members, fueled by half-truths of the horrors of prostitution, urged legislators to pass laws banning it which led to the “*Mann Act*” and other laws and it being determined to be a state by state issue (*Hoke v. United States* (1913)). The states – as prude as

they are old fashioned – have updated their prostitution laws nearly every year to ensure that it remains illegal while they hypocritically allow other sexual oriented business to flourish. No recent major U.S. case comes to mind or upon research where a plaintiff challenged his or her brothel laws, though, it is rumored that a prostitute in California challenged the laws in that state and it failed, but no documents can be located to find her arguments or what the case entailed. A case did reach the Supreme Court in 2010 dealing with the Shady Lady brothel in Nevada (now shuttered) wanting to strike down the Nevada laws restricting the advertising of brothels after the two lower courts ruled differently: the district court ruled it was unconstitutional to restrict their advertising; the 9th Circuit Court of Appeals was clearly bias in their ruling from citing the preface to, “*Mrs. Warren’s Profession*” which reads: “*As long as poverty makes virtue hideous and the spare pocket-money of rich bachelordom makes vice dazzling, [the] daily hand-to-hand fight against prostitution with prayer and persuasion, shelters and scanty alms, will be a losing one*” while leaving out quotes from the book itself like: “*All censorships exist to prevent anyone from challenging current conceptions and existing institutions. All progress is initiated by challenging current conceptions, and executed by supplanting existing institutions. Consequently, the first condition of progress is the removal of censorship*” (1902), to using straw man arguments and citing bias data from known anti-prostitution sources. That what is I fear will happen with me, but I ask the federal judge who hears my case to remember the judges in *Lawrence v. Texas* who had to keep an open mind and not rely on Christian propaganda.

NORDIC MODEL

In light of a growing movement for Gender Equality and to eradicate sex trafficking, Sweden’s legislators created the Nordic Model in 1999 which its two goals are: “to curb the demand for commercial sex that fuels sex trafficking, and promote equality between men and women”. *What Is The Nordic Model?* (www.equalitynow.org). In hindsight, it makes all men aka johns criminals for purchasing sex. Soon after, Norway and Iceland adopted the same model while the United Kingdom and France in recent years created similar models that are aimed at penalizing the buyer and cutting off “the demand”. In February 2014, the European Parliament voted to support the “Nordic Model” with its reason being: “...we cannot continue to tolerate the exploitation of women. Rather than blanket legalization, parliament has backed the more nuanced approach already practiced in Sweden as a means of tackling prostitution. This punishes men who treat women's bodies as a commodity, without criminalizing women who are driven into sex work. The idea that prostitution is the 'oldest profession' leads some to think we should accept it as a fact of life – that all we can do is regulate it a little better. This course of action leads to an increase in prostitution levels, normalising the purchase of sex and ingraining the inequalities which sustain the sex industry.” Mary Moneyball, Member of the European Parliament (MEP). *Nordic Model of Prostitution Approved By European Parliament* (<http://www.ibtimes.co.uk/nordic-model-prostitution-approved-by-european-parliament-1438009>).

Just like criminalization, the method of apprehending the criminal sounds appealing with scholars and politicians reporting the model works and eradicates the profession, but when one looks more in-depth into it, he or she will find numerous problems such as ignoring the fact that those *wanting* to engage in prostitution will continue to do so. With the advent of the internet, it has made prostitutes and clients go deeper underground to engage in sex while the Nordic supporters blindly say that prostitution has dwindled. *Prostitution In the Nordic Countries*. Conference report, Stockholm, October 16-17, 2008. PDF.

(<http://www.norden.org/en/publications/publikationer/2009-756>). *Sweden's Prostitutes Ply Their Trade On The Net*. 2003. (<http://www.theage.com.au/articles/2003/01/16/1042520720227.html>). The Nordic model has done nothing, but shift the guilt onto the buyer.

Another problem with criminalizing the buyer is the usage of the word “commodity”. By critics of prostitution describing prostitutes as commodities, they imply that all prostitutes are helpless and without feeling and are in the trade against their own will. According to the definition found in *Black's Law*, comparing these women to commodities is like labeling them as agriculture. By critics using this term, they create another fallacy of composition and poison the well for the respectful clients; those clients – like me – who use prostitutes not as objects of sexual desire, but to help them with emotional problems, coping with physical handicaps, or to help them fill a void in their lives; to make up for their “loss of consortium”. The Nordic Model labels decent men who try feeling something that every human deserves to feel as despicable humans who “exploit women”. One could argue that women posing for Adult magazines and other erotic material Could portray women as commodities and be exploitive; a woman appearing sexily in an Non-X rated movie would be exploitive and show her as a commodity; a stripper in a strip club could be seen as a commodity and be considered exploited to the club owner's benefit; a woman being a model for companies like *Victoria's Secret* or an Adult calendar could be considered exploitive and show the women as the sole reason for buying their products; a fashion outlet's display window could be seen that way as well. Some even reason that women wearing “immodest” clothing makes them appear as objects and they are exploiting themselves to men.

With all of those examples given, the two terms can encompass many things, but most of the critics and Women's Rights groups only seem to go after prostitution because it is the most “degrading” and “serious” of all those forms. If these groups wanted to try an effective curb of prostitution, they would be better off banning the “less severe” elements of “exploitation” that lead to prostitution to send a message to both women thinking about entering the industry and men wanting to pay for the service that there is a strict moral line we live by as a society. Instead, they ban what they absolutely cannot stand and allow what they can hardly tolerate which is not true justice or liberty. Either there is a strict moral line we adhere to or there is not; kind of like Justice O'Connor's concurring opinion in *Lawrence v. Texas* when she reasoned that if the states had had a ban on all sodomy then the ban would have met a constitutional stance. I admit that if there was a strict ban on all of the above mentioned then my want of paying a woman for a “loss of consortium” would be taboo and I would accept my lot in life as being a disabled, single man.

JOHN SCHOOLS

The United States is beginning to follow suit with the Nordic Model by creating “John Schools”. Created in San Francisco in 1996, FOPP (First Offender Prostitution Program) was designed to educate the male consumer of the “harm” he is committing by paying a woman for sex and that if he knew the “harm” he was committing he would cease his actions. *First Offender Prostitution Program. Introduction*. (<http://sagesf.org/first-offender-prostitution-program-fopp>). The offender is put in a one-day class (after paying a fee of \$350 to \$2000 to help fund the program) and is taught by the staff and guest presenters that include “the District Attorney's Office, the SFPD, volunteer nurses, members of anonymous groups for sex addicts, a resident

from an affected neighborhood, and two to four survivors of sexual exploitation and/or the sex industry.” If a person enrolled in the program is successful at not being arrested for a second offense, his charge will be dismissed. *First Offender Prostitution Program. Design and Objective*. (<http://sagesf.org/first-offender-prostitution-program-fopp>).

The program touts itself as an improvement to the San Francisco Bay Area and as an “alternative” to the courtroom. In a Final Evaluation Report compiled in 2008 it found that FOPP:

- Is based upon a logically sound model.
- Has been implemented as intended.
- Has been successful in reducing rearrests among men.
- Is transferrable, has been successful in replicating the program in 12 other U.S. “sites”.

Ironically, in FOPP’s Final Evaluation Report, it in a way admits that its sharp drop in numbers in 2006 was due to:

- o A portion of the commercial sex market shifting away from the streets and toward the Internet while the SFPD continues to rely upon street operations to populate the FOPP.

- o Consumers of commercial sex becoming more skilled at avoiding arrest. *Final Report on the Evaluation of the First Offender Prostitution Program: Report Summary, Trends in FOPP Participation. Page 6. (2008)*.

To make up for its loss in numbers, it quips that in 2007 the numbers rose again due to an increase in “reverse stings and aggressive recruitment of eligible arrestees”.

Critically lambasting the *Final Report*, Rachel Lovell and Ann Jordan (Rachel is a Senior Research Methodologist at Social Science Research Center at DePaul University in Chicago; Ann is Director at the Program on Human Trafficking and Forced Labor at American University Washington College of Law in Washington DC) wrote a research paper/study entitled, *Do John Schools Really Decrease Recidivism?* The two women found inconsistencies and flaws in FOPP’s findings. In the paper’s introduction, the authors say that no study “to date has documented a casual connection between a john school program and a decline in recidivism (re-arrest) rates among male purchasers of commercial sex or a reduction in the incidence of prostitution or human trafficking.” *Do John Schools Really Decrease Recidivism? Introduction*. Lovell and Jordan. (2012).

Amongst the flaws *John Schools* writes about *Final Report* is that their report only studies on one component – participation in John Schools – and ignores the impact of arrest or cleared record which impacts the validity of the research found in *Final Report*. It also finds that the number of arrests to the rest of California is about the same which is significant because San Francisco was claiming a sharp drop in numbers. It also finds that in 2001, San Francisco’s arrest numbers rose while California’s dropped. In essence, the researchers for FOPP shook their numbers up a bit to make their program look satisfactory and worthwhile. While John School rehabilitation programs have their perks such as educating about the dangers of soliciting off of the streets and the Nordic Model has some good points such as trying to get those out of

prostitution who do not want to be in it, it is unconstitutional to deny consenting adults the right to participate in consensual commercial adult conduct in a safe regulated place.

BROTHELS

Brothels won't completely stop human trafficking or illegal prostitution as seen in Nevada and elsewhere, bad things will continue to happen once things are legal like any other thing (drunk driving still happens; spousal abuse and rape still happens; infanticide still happens even though abortion clinics are available; anything happens), but it definitely gives protection to those *wanting to be in it* and wanting to do it safely and follow the law. Brothels are the alternative to criminalization and humiliating rehabilitation programs. The three can coexist as seen in Nevada where brothels are the only legal form of prostitution while those engaged in illegal prostitution are arrested. There is no reason proponents and opponents can't agree to disagree that brothels – if licensed like any other profession – are an alternative to arrest. A few subgroups of the UN support the legalization of brothels to curb AIDS and protect adults. Some of these groups are UNAIDS and United Nations Development Program. *U.N. Commission Calls For Legalizing Prostitution Worldwide* (<http://cnsnews.com/news/article/un-commission-calls-legalizing-prostitution-worldwide>). Brothels aren't some crazy Nevada idea.

I acknowledge that legalization could be an easy draw for traffickers. That's why fingerprinting, background checks, and monitoring are vital just like they do with the owners of strip clubs. Brothel owners in Nevada are fingerprinted and regulated. Even professionals in other trades must go through regulation such as doctors (*Hippocratic Oath*); lawyers (*ABA Model Rules of Professional Conduct*); nuclear scientists; soldiers in the army. These professions could be used for evil just as trafficking is so there is no reason to not make potential brothel owners go through a background check and live by a code. It takes a few good men to change the perspective of an industry filled with misconceptions. I would also like for my brothel to work closely with the Utah Health Department and the Utah Federal Bureau of Investigation and local police departments to keep the brothel safe and to prevent crime.

Just like the four points mentioned that FOPP uses to support its model, the same could be said of the Nevada brothels. There is so much good they do. There are 19 legal brothels in Nevada as of September 2014. *A bad economy and Independent prostitutes running Nevada brothels out of business*. (<http://www.nydailynews.com/news/national/bad-economy-shutting-nevada-brothels-article-1.1340972>). They all adhere to state laws and are in different parts of rural Nevada – from Mound House, Nevada (Northern Nevada) to Ely, Nevada (Southern) – which proves that the model is transferrable. Most significantly, Nevada brothels have been able to keep their workers and clients safe from HIV and protect their workers from client abuse. When there is abuse, the girls are able to file reports which has led to arrests of clients including the lead singer of Montley Crue.

My case shows that I can use the same brothel model and implement it in Utah and help provide a safe place for consenting adults. My case disproves the Nordic Model as I will not be promoting prostitution nor creating a sense of inequality. I will be protecting those engaged in it. Therefore, I will not be procuring, but have “open doors” for those wanting to work as independent contractors just like the Nevada brothels. The only thing I would help manage or

“control” is the function of the house and the clients and always give more liberty to the woman than the client which will make the woman more than equal to her client.

It could be tempting for any man in a position over a bunch of women to take power over them. That’s why I want checked balances of management like the brothels in Nevada have. I want the management to be as follows:

- A Madame to be in charge over the women and the men (preferably a woman in her 40s or 50s who has been a former prostitute) so she can relate to them and deal directly with them and their problems.
- I would like to be in charge over the security and how the brothel is run. My paralegal education would help aid the security of The Neon.
- A person in the health field who would be in charge of the STD lamps and teach the female and male prostitutes on how to practice safe sex and how to look for STDs. Aside from weekly and monthly STD and drug tests, I would like for the escorts to take written tests and training to keep up on their STD awareness.
- A proprietor and financier over the brothel who officially owns the brothel.

Besides *The Neon* having four members of management who would do different tasks, I want them all to be united in one purpose: empowering the prostitutes and protecting them to the best of their abilities. I also want the girls to voice their opinions on how they like the brothel and make suggestions on how the brothel could be improved. I also would like The Neon to provide transportation as The Neon would be away from the city, but still in the city to avoid being a nuisance and avoid being too far because if the brothel is too far than people are going to continue to do illegal prostitution, but it would be harder to get out there for those who don’t have a car. Alongside a centralized team of management, *The Mile High Neon* would be honored to pay taxes to show its compliance as a law abiding association to fit the definition of an association. Not only would it pay taxes, but it would give annual charitable donations as a “Thank you” and give back to the communities it was near. One organization I would like to donate to is *The Primary Children’s Hospital* as I spent time there as a boy trying to fix my disability.

I will not treat women as commodities, but as goddesses who deserve to have protection to show their affection and their personal bodies to those wanting to pay for it. If needed, I will have warning signs outside of brothel to warn that harassment and mistreatment of women will not be tolerated. I can show that prostitution can go on without violence or disease in a state other than Nevada. I don’t have dollar signs in my eyes – I only have love in my heart for people and want to help them.

DIRECT CASES THAT HAVE PRECEDENT

Not only do I have a sound “business model” that empowers the women and protects them as well as me showing that I have suffered clear constitutional violations, I have case law precedent that is both mandatory and persuasive authority in legalizing my brothel:

Agency For International Development v. Alliance For Open Society International (2013) was a Supreme Court decided case that first began in 2003 when Congress created The Leadership Act (“The Act”) which was designed to appropriate billions of dollars to NGOs (Nongovernmental Organizations) to help combat HIV/AIDS worldwide. The appropriation of

money had two conditions: 1.) No funds “may be used to promote or advocate the legalization or practice of prostitution,” §7631(e); and 2.) no funds may be used by an organization “that does not have a policy explicitly opposing prostitution,” §7631(f). To enforce these conditions, known as the Policy Requirement, the recipient organizations had to agree in their awarding documents that they oppose prostitution. *Agency For International Development v. Alliance For Open Society International* (2013).

The Alliance for Open Society International, Inc., Pathfinder International, Global Health Council, and InterAction were NGOs who refused to take a stance on prostitution as they worked with many prostitutes and found that with the stance Congress required of them, it would alienate prostitutes who sought treatment and therefore wanted to remain neutral and challenged “The Act”. While the Court said that advocating for the legalization of prostitution – the first restriction stated by “The Act” -- would be a completely different matter, telling a group (of persons) that they must believe a certain way to receive funds is a violation of the 1st amendment. *Agency For International Development v. Alliance For Open Society International* (2013).

Agency created a precedent for my case. It allowed for another option to be opened up aside from the Government’s beliefs and laws. If a person can freely choose to give money to condone and help those in prostitution (or take a neutral stance) then why can’t a person believe that regulated prostitution can help protect those wanting to be in it and implement a U.S. based model that helps contain prostitution and that has demonstrated an incredibly great safety record? Ignoring a problem does not make it go away nor does arresting persons involved in it or imposing laws that try to deter those who want to pay or sell. Brothels can help curb many of the ills facing prostitution whether the “morally upright” wish to acknowledge such a fact. Believing in or talking about the legalization of brothels is not the problem facing me as I am allowed to go down the street and engage in conversation with others or start a club that voices their opinions on the legalization of brothels. *Rumsfeld v. Forum for Academic and Institutional Rights, Inc.* (2006). The problem facing me is the conflicting views that arise for me to legally establish a house of prostitution in Utah because I believe that it helps protect those in it based on my first hand observations and experiences, but the state believes it is a criminal offense and no good comes from “a house of ill fame” (*UT Code 10-76-[1302-1308];47-1*).

The freedom of association has been declared in the United States Bill of Rights (1st Amendment) with rulings such as *National Association for the Advancement of Colored People v. Alabama* (1958) (The NAACP was allowed to operate in the state), *Roberts v. United States Jaycees* (1984) (could not exclude somebody because of gender). The freedom of association has also been deemed a right by the United Nations. The brothel business model in Nevada, that has run successfully for decades, has shown that such a model can be successful. Controversy and misconception is part of the problem that stops such an entity from being expanded into other states.

Two particular associations for the longest time were refused. The first involves the LGBT community involving intimate associations. For the longest time, the LGBT petitioned to have the same marriage rights as straight couples, but controversy and prude laws stopped such marriages from happening. One man, Jack Baker and his partner, in 1971, challenged the Gay Marriage laws in Minnesota. Amongst the arguments he used was freedom of association. *Baker v. Nelson* reached the United States Supreme Court where it was dismissed for lack of a Federal question. (*Baker v. Nelson* 1971). It wasn’t until *Lawrence v. Texas* (2003) (Texas and other states’ sodomy laws struck down) that the idea began to rise up that homosexuals could have the

same marriage association as straight couples. In 2013, *Windsor v. United States* struck down the prohibitions that denied Gay couples from receiving benefits while leaving marriage legality up to the individual states. Soon after, judges across the country began striking down their states' Gay Marriage bans. Many judges stated that the bans were "discriminatory" and that it denied LGBT couples the same joy as straight couples. Banning Gay marriage was infringing upon that intimate association all humans should be allowed to have.

The second association is with abortion clinics. *Roe v. Wade* allowed for abortion clinics to be opened up nationwide to be an association for those who sought to have abortions and those who sought to do the abortion procedure such as co-plaintiff, a Mr. Hallford, claimed as he faced criminal prosecution for engaging in such a procedure. Before *Roe*, pregnant women were going to unprofessional, often dangerous places and people to perform the abortions. The women would also try to perform the abortions themselves by causing a self-miscarriage. So abortion clinics -- although built as a business model -- are a type of intimate association. They allow for the privacy and protection as ruled in *Griswold*, *Roe*, *Planned Parenthood*.

Canada's Supreme Court, in 2013, came to the same conclusion as myself: the women engaged in prostitution need protection. The fatal flaw to *Bedford's* case was that she only had prostitutes seeking protection and did not have a male co-plaintiff to show the bilateral relationship like *Roe* did with having Dr. Halford as a co-plaintiff to "Jane Roe" to show an equal doctor-patient relationship. With no showing of a male relationship, this gave the legislators more leeway to enforce the Nordic model and thus made it legal for prostitutes to be prostitutes, but a crime for customers to solicit which creates a sting type of law and causes the work to be the same as criminalized work and does not really improve anything for the people wanting to engage in it.

Since the United States and Canada are both common law countries and their court systems are comparable in many ways, there is no reason that I cannot use *Attorney General of Canada* to persuade the judge (just like I can use Nevada law and rulings) and use much of the same data the plaintiffs' used for their case. As I am typing, I have been unsuccessful at finding a female co-plaintiff to show a bilateral agreement. While I have found many local escorts who support my case, they are afraid of the repercussions of putting themselves out there or they are afraid of the stigma that will come to their name if the case fails. I hope then that as the case progresses, those prostitutes will come out of the woodworks and align themselves with my case.

DENOUNCEMENT

There are many people and organizations on the subject of prostitution who are absolutely wrong and I now use this space to publically denounce each and every one of them:

Utah Governor Gary Herbert: YOU ARE WRONG. You approved Utah Legislature House Bill 254 which lists a person guilty of a crime by being in a house of prostitution. A Governor's duty is to oversee the legislature and veto any bills that would infringe upon a person's right to liberty and life. Every year in Utah, hundreds of prostitutes and johns who consent to payment; who are of a sound mind; who seek privacy and enjoyment are robbed of their freedom to participate in

such conduct and are arrested and as a result of their arrests they are disowned by their families, ridiculed by friends, fired from jobs and have reputations ruined. If a brothel was installed in Utah, there would be a different story being told here with different statistics being shown. Governor Herbert, you must surely be aware of the good brothels do as Nevada is our next door neighbor, but like the legislators that you are over, you too bat a blind eye and have deaf ears to the pleas of regulating this age old problem, and instead allows for the punishment of consenting adults.

Utah Attorney General Sean Reyes: **YOU ARE WRONG.** While I respect the undercover work you have done in Colombia by rescuing human trafficking victims, you take the horrible experiences that you have witnessed and presume based on biased evidence and studies that all women are abused. You are over the district attorneys over Utah who bring criminal charges against women trying to earn some extra money and against men who a void in their life where they can't experience joy and affection. That is so wrong.

Senator Harry Reid (D-Nev): **YOU ARE WRONG:** In 2011, you proposed outlawing a century old profession in your state of Nevada: brothel prostitution. You were more concerned about the economy and business aspect of your state than the welfare of the people you were elected to represent. If you would have succeeded in outlawing it, you would have made your entire state as bad as Vegas where disease and crime are rampant. Why destroy a good thing? Surely you know – as being a member of the LDS church – that misconception is not a valid reason to outlaw something. I would be happy to invite you to visit the Bunny Ranch with me the next time I am in Nevada.

Presidential Candidate Hilary Clinton: **YOU ARE WRONG.** You stated in 2007 in the Reno-Gazette Journal that you are against prostitution and find it “demeaning”. I find it ironic that you advocate for the equality of other groups of people, but don't advocate for a group of people that are in desperate need of protection and rights. You advocate for a woman's right to an abortion. Why can't you support a woman choosing to go into the business in a brothel that will work to keep her safe and empower her?

Melissa Farley: **YOU ARE WRONG.** In your decades of research on prostitution, you cherry pick and choose your findings that fit your thesis. You incorrectly state that all men who “buy” women endanger them. You crudely call us “johns” and say that we deny the health dangers and violence against women in prostitution. I invite you to read my manifesto. I have seen the dangers myself and know that I am a man of integrity who can curb those dangers with my legal experience. I would treat the prostitutes who came to work in the brothel the same way I treated those clients who needed protective orders: with respect and love. If you say I can't do such a thing then I will gladly see you in court for a defamation lawsuit.

Salt Lake City Police Department: **YOU ARE WRONG.** You once told me that legalization was out of the question as you had only observed violence in it. Unfortunately, you have never seen me interact with the girls I have come into contact with. Does a violent person give their partners flowers? No. Once I get this legalized, I would be grateful for any protection given my brothel.

St. George, Utah Police Department: YOU ARE WRONG. About a month ago, you arrested five prostitutes and many clients in a sting. I was so upset and infuriated. Their reputations are ruined now and their arrests prompted me to gear up for a lawsuit to try to save their reputations. You say you don't want this in your city yet you can't quite grasp that it's going to happen no matter what. I understand clearly the concept and as a real man would do: I'm going to give them the opportunity of having open doors in a legally regulated brothel. If they refuse to follow the law, that's on them, but at least I would give them a legal option besides being arrested.

Los Angeles Police Department and the City of Los Angeles: YOU ARE WRONG. Your city hall recently declared that it would send out "John Letters" to people seen in neighborhoods known for prostitution. Not only is that a terrible idea that could shatter innocent reputations, but how is shaming people going to stop prostitution? You are also wrong to treat all people of prostitution as horrible people and it as a horrible thing.

Breaking Free, Inc. (non-profit), Vednita Carter, and all other anti-prostitution organizations: YOU ARE WRONG. Your organizations' missions are to blindly and biasedly slander and defame all those in prostitution and to fictionalize what happens inside prostitution. I agree: there are many bad things that I have experienced and witnessed from others, but if you are going to go after something: go after the roots. Pull the weed out by its roots, if you treat it as a weed, and advocate for the shuttering of boutiques and strip clubs and porn venues – those businesses that fuel prostitution. Only then will I take your organization seriously. But I still wouldn't take it seriously as I have seen firsthand that prostitution can work legally and safely.

Therein above is contained the Manifesto of The Mile High Neon. With the current laws struck down and proper laws enacted, my business will be able to give protection and refuge to consenting adults and be an example to the world that prostitution can be done safely.

For media and all other inquiries, please email themilehighneonbrothel@gmail.com

Sincerely,
/rross/
Redmond Ross