

# 92 Lap Dances, No Convictions

Vice Unit Thorough in Checking Out Club

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TAMPA - East Hillsborough Avenue is hardly innocent.

Drug deals are made next to rundown buildings, prostitutes barter for cash, and several adult businesses offer erotic massages, pornography and scantily clad dancers.

The Hillsborough County Sheriff's Office says there even is a place where men have paid women to straddle their laps and show them more of a good time than allowed by law.

They know this because some of those men were undercover deputies.

From February 2004 to May 2006, vice unit detectives saw exotic dancers expose genitals and breasts during 92 lap dances in the VIP room of Lil Tootsie's nightclub, at 5634 E. Hillsborough Ave., according to county documents.

Sheriff David Gee said the investigation was a response to numerous calls for service, including violence, drug and DUI arrests where the driver had been drinking at the club. The investigation comes at a price for taxpayers. In addition to the detectives' time, they spent \$6,400 on drinks, entry fees and tips, Lt. Gary Ganey said. Records show that in a single day, detectives visited the club three times and spent \$260.

## Constantly On Their Radar

"Generally, when things get our attention it's because they've worked hard to get our attention," Gee said. "This place had really just stayed on the radar constantly. The management didn't get it under control after numerous, numerous attempts."

Staff members at the club twice declined to comment for this story.

On Sept. 12, sheriff's officials asked county commissioners to revoke the alcoholic beverage special use permit held by the owner of the building. They presented a report detailing how dancers exposed themselves.

In nearly every instance, the description is identical: a dancer solicits a detective to pay an entry fee to a VIP area of the club where she provides full body contact and exposes herself.

Such acts violate the county's land-use ordinance and are grounds to seek permit revocation, Ganey said. Ganey supervises the vice unit.

"We're doing our best to close this place out," Ganey said. "This is the first bikini bar we've done this [to]. We've been successful with the bottle clubs."

In recent years, sheriff's investigations have led to the closing of a handful of bottle clubs that sold alcohol without a permit. About seven bikini bars and four after-hours bottle clubs still operate in unincorporated Hillsborough.

Bikini bars can sell alcohol if they don't showcase complete nudity.

"If they go and start acting like a nude place, then they're not playing by the rules," Ganey said.

When asked last week by The Tampa Tribune for documents detailing the two-year operation, investigators did not readily have reports that showed the costs, criminal charges and number of times deputies entered the club. Officials agreed to compile the information for the Tribune for a fee, which was paid, and they released a 184-page report Friday.

### **Not Just About Naked Women**

This investigation has never been strictly about naked women, Chief Deputy Jose Docobo said.

"Nudity is only the surface problem," he said. "Historically, this place has become a breeding ground for other much more serious crimes."

On April 1, the deputies raided the Sugar Shack, a bottle club that shares an entrance with Lil Tootsie's under the same roof. Deputies charged managers, bartenders and dancers with selling alcohol without a permit, permitting nudity in an establishment where alcohol is being consumed and drug possession.

The sheriff said he has not been pressured by other elected officials to close Lil Tootsie's.

"The only influence on me is to enforce the law in this particular establishment and other establishments," Gee said. "I don't make the laws, we just enforce them. I think it is appropriate to look at those businesses and go after them in every possible legal angle that you can. ... Sometimes the best you can do is to make a case for liquor law violations."

An expert in police procedure agrees with these tactics to a point.

### **'Excessive' Lap Dances?**

"Sometimes it is valid, ... but there are other ways to approach crime," said Professor Michael Lyman, who teaches police management at Columbia College in Columbia, Mo.

Lyman works as a consultant and has 33 years' experience as both a police trainer and investigator.

He said going after a liquor permit is fine when the goal is to stop more serious crimes, but that if the investigation had been solely about nudity violations, then buying so many lap dances was excessive.

"Hypothetically, let's say you have three officers visiting the same girl three times each - that's nine violations that you've got her on," he said. "That's unnecessarily excessive. I don't believe more than three are necessary [for prosecutors to file a charge]. There are other ways to ID her."

Gee said he understands why some might question the frequency of visits but that deputies did the right thing.

"Sometimes that's what it takes to get rid of the problems: a lot of attention," he said. "In terms of liquor violations, there's a lot more than that going on, and anybody who says otherwise is not being honest."

Detectives said that during the two years they witnessed 849 crimes in Lil Tootsies, ranging from liquor violations to drug possession.

### **Detectives Spent \$6,400 At Club**

Lyman said spending by detectives on lap dances and drink purchases is not unreasonable.

"You've got cover charges, buying drinks, making purchases, and buying drinks for other people," he said. "There are investigative expenses that are commonly and regularly associated with undercover investigations."

Undercover officers may consume alcohol so that they blend with customers, but they must limit themselves. For instance, an officer might sip on the same beer for the entire visit, Ganey said.

"They can't go in there, drink five or six drinks and then drive back to the office to file a report," he said. "That doesn't happen. At most they might have two drinks, and that's it. They want to get in and get out."

An undercover detective must play the part of an eager customer, but he may not expose his sexual organs or touch a dancer, Ganey said.

Most clubs enforce a no-hands rule, he said.

"From what I understand, before the lap dance starts, the customer is told by the dancer that it's not OK to touch," he said.

### **Luscious, Asia and Heaven**

Sheriff's office records show detectives sought 41 misdemeanor nudity charges against 15 dancers by filing requests with the state attorney's office.

This typically was done within a couple of weeks of the incident.

The sheriff's office said it couldn't request more nudity charges because detectives could not identify 34 dancers, including women who called themselves Luscious, Asia and Heaven.

Detectives bought seven lap dances from a woman who called herself Cherry but never learned her real name.

Dancers may not legally ask customers for drinks, but sheriff's officials said dancers in Lil Tootsie's asked detectives 173 times in two years.

None of the women was arrested on the spot because detectives must maintain anonymity, Ganey said.

Because dancers take customers into private rooms, it is necessary for detectives to act as customers to make the case, he said.

Lyman said it could be dangerous and expensive for undercover officers to make an arrest in the club.

"They have very specialized training," he said. "You don't want them to reveal themselves prematurely and then have them exposed and have to train someone new to replace them. This places them in danger. There are bouncers and tough people in these places."

### **Commissioners Postpone Vote**

The county commission postponed voting on the property's alcohol permit until Nov. 14 because the owner of the property, Jem-N-I Inc., filed a lawsuit this month against the sheriff's office and county asking a court to halt revocation efforts.

The property owner argues in court documents that it was not given proper notice of the revocation hearing and that it should not be punished for what its tenants are doing.

"My client is being punished for something he doesn't have anything to do with," said Jem-N-I attorney Tom Smith. "My client is twice-removed from what's going on."

Jem-N-I leased the property to another company, which sublet it to Lil Tootsie's operators, who are named in state documents as 5634 E. Hillsborough Ave. Liquors Inc.

The sheriff's office has since sent a notice to the property owner about the new hearing.

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