

Media Release

For Immediate Release

Subject: Dodge County Gentlemen's Cubs

Date: Friday, July 06, 2018

I speak as the attorney for gentlemen's clubs in Dodge County that are not currently subject to any criminal prosecutions and have recently had their liquor licenses renewed by local municipal bodies after careful scrutiny. The town boards and city councils in question were well advised by attorneys and found no grounds for nonrenewal. They found no reliable evidence of human trafficking by these clubs. Equally important, they understood that, while human trafficking is criminal, exotic dancing is protected by the First Amendment.

We now see that State Senator Scott Fitzgerald, R-Juneau, has released a media statement promising to try to enlist the Wisconsin Department of Justice and the Wisconsin Department of Revenue in his campaign to put our clients out of business.

These gentlemen's clubs present exotic entertainment by scantily-clad dancers. Most folks in their communities take a "live and let live" attitude toward this sort of entertainment and feel that they can register any moral objections they have by simply not visiting these businesses, but there will always be a few who want to campaign to rid their communities of exotic entertainment, because they object to it on moral or religious grounds.

We think that Senator Fitzgerald's desire to cater to such moral or religious objections to exotic entertainment is behind his publicity campaign, rather than any real concern with human trafficking.

There was one very bad apple named Christopher Childs, currently enjoying the hospitality of Dodge County Sheriff Dale J. Schmidt in the Dodge County Jail, who preyed upon young women, some of whom were

also some-time dancers. He has been thoroughly investigated and is being prosecuted criminally in federal court. Senator Fitzgerald would like everyone to believe that all three gentlemen's clubs in Dodge County were complicit in Childs's crimes, but the very thorough investigation conducted thus far has produced no reliable evidence of this.

It is the lack of any reliable evidence of fault or criminal involvement on the part of the clubs that led the municipalities in which they are located to renew their licenses. Senator Fitzgerald's suggestion that these local officials renewed the licenses because they were afraid of my law firm is insulting to the local officials involved. They certainly have the courage to act against these clubs if they have the evidence. It is not just me, but their own lawyers, who are telling them that if they act against a gentlemen's club *without* evidence, they will get sued and lose – moral and religious objections simply don't support the shutting down of expressive activity protected by the First Amendment. And saying that is not intimidation – it's just life in the real world.

Any government action to curtail free expression is potentially actionable for damages, and this includes actions by the Department of Revenue, the Department of Justice, and Senator Fitzgerald. So we hope that these state-level officials will come to see things the same way the local officials have. Sheriff Schmidt testified that the criminal human-trafficking investigation is ongoing. When it is concluded, wrongdoers who can be prosecuted will be prosecuted. Unless and until that happens, it would be unwise for state officials to attempt to use the human-trafficking media wave as tool to shut down constitutionally protected expression for moral or religious reasons.

The local officials and my firm have warned these clubs to ramp up their vigilance, and to scrupulously cooperate with law enforcement, to make sure that the lawful businesses they operate are not exploited by criminals who seek to prey upon their entertainers. The clubs have responded. Now the criminal cases should be allowed to run their course.

For further information, contact:

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