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Outagamie County staff attorney Kenneth M. Wagner cited in prostitution investigation at Heavenly Touch Massage Parlor

Outagamie staff attorney is second official charged

9:40 PM, May. 5, 2011

Written by Jim Collar

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APPLETON — Police have cited a second public official in connection with a prostitution investigation at an Appleton massage parlor.

Meanwhile, an attorney for one of the women accused of operating a prostitution business is asking for the charge to be dismissed on the basis of discrimination because women were charged with crimes, while male patrons of the business only received tickets for their conduct.

Kenneth M. Wagner, 52, was ticketed March 24 for engaging in sexual contact for compensation, a violation of city ordinances. Wagner resigned April 8 as an assistant Outagamie County staff attorney.

Joe Guidote, Outagamie County's chief attorney, declined to discuss Wagner's resignation, saying it's a personnel issue.

"Ken tendered his resignation, and I accepted it," he said.

The citation stemmed from an investigation into the Heavenly Touch Massage Parlor, 342 W. Wisconsin Ave. In February, police cited state Rep. Gordon Hintz, D-Oshkosh, for engaging in sexual contact at the same business.

Police Sgt. Pat DeWall said 11 men received citations.

John Carroll, attorney for Suenahmie M. Bradford, filed a motion asking a judge to dismiss a felony charge of keeping a place of prostitution. The charges against the women are discriminatory, Carroll argued, because "equally culpable" male patrons weren't charged with crimes.

Carroll's motion noted that some of the men "hold positions of status" and "are generally higher on the socioeconomic

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spectrum" than the women charged.

"Specifically, the defendant and her co-defendants have been singled out by the prosecution, while others similarly situated have escaped criminal liability, based on gender and social status classifications," he wrote.

Wagner agreed to a deal with prosecutors last week that requires him to pay a fine of \$2,032.50 to resolve the case. Hintz paid the same fine.

DeWall declined to elaborate on the circumstances that led to Wagner's ticket.

Wagner was cited under the Appleton ordinance, which prohibits "any person to pay a fee or receive a fee, directly or indirectly, or to offer or ask for anything of value, for touching or offering to touch the sexual parts of another."

Wagner did not respond to phone and email messages left Tuesday and Wednesday.

Assistant Dist. Atty. Mark Schroeder was hired to replace Wagner and will begin May 23, Guidote said.

Charges and citations related to the massage parlor followed a Jan. 28 police search of the business and a nearby residence on suspicions it was a front for prostitution.

Its alleged operators, Amy C. Quimby, 50, and Bradford, 35, face felony trials in June and July, respectively.

Misty N. McQuown, 25, is scheduled to enter a plea and be sentenced May 19. She's charged with misdemeanor prostitution. Natasha N. Farley, 22, pleaded no contest to misdemeanor prostitution. The charge will be expunged if she pays a \$486 fine by June 5.

Judge Mark McGinnis will consider Carroll's dismissal motion in Bradford's case June 2.

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