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JOINT PRESS RELEASE : MOON SPA PROSTITUTION INVESTIGATION

2/13/06

This press release is issued by both Sheriff Howard Smith and C.A. William Neely concerning certain misinformation circulating regarding recent prostitution and pandering prostitution arrests made in Spotsylvania County.

Recently it came to the Sheriff's attention that another "massage parlor" had opened in Spotsylvania County, which business was offering more than massages - but rather engaged in prostitution. Like was done in shutting down the Genex massage parlors in 2003, the Sheriff coordinated an investigation with the CA's office not simply seeking to arrest prostitutes - a misdemeanor in Virginia - but rather seeking to build a case against the business operators for pandering prostitution and money laundering, which are felonies.

To do so the Sheriff sent in undercover detectives to see if illegal sex acts were being offered in addition to simple massages. Since the workers in the spa spoke little English (illegal aliens), it was necessary to proceed farther than a simple verbal exchange of an agreement of sex for money. Further, Virginia's somewhat weak prostitution statute, Code section 18.2-346, requires that more than mere touching by hand take place to constitute prostitution. Thus, to build a clear case that the owner/operator of the Moon Spa knew of and profited by the illegal sexual acts for money of their workers, the detectives were advised to allow the acts of prostitution to proceed farther than would normally be done in a simple street prostitution arrest.

The Sheriff has been criticized for allowing his officers to expend public funds for such an illegal act, but that is what happens every day to build cases against drug dealers, for example. Undercover police officers routinely buy & possess illegal narcotics to build such cases, even though it is a felony to even possess such drugs in Virginia per Code section 18.2-250. Thus, the same lawful investigative technique was used to investigate and charge the operators of this alleged house of prostitution with pandering prostitution, a felony. Money laundering and further felony charges remain under investigation & are likely.

It is the combined purpose of this Sheriff & CA to do their best to keep organized prostitution out of Spotsylvania County. They were successful in shutting down the Genex massage parlors in 2003 and in securing felony convictions & significant illegal asset forfeitures from its operators. The same strategy is being applied in the Moon Spa case.

It is ironic that today's *Washington Post* on page B1 criticizes Sheriff Smith for his tactics, but then runs ads for 20 "massage parlors" in Maryland, DC, and northern Virginia on B4 of its Sports Pages. It is further ironic that the same critical northern Virginia law enforcement authorities quoted in the *Post* article today all come from the same jurisdictions where such massage parlors are advertised and from where Genex & Moon Spa originated. Genex massage parlor used to advertise in the *Post* as well. Perhaps those who live in glass houses should be more careful...

Signed: Howard D. Smith - Sheriff

William F. Neely - C.A.

February 13, 2006