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Judge drops sex case as 'outrageous'

Lehigh court: Police let informant go too far in spa prostitution inquiry.

February 05, 2008 | By Debbie Garlicki Of The Morning Call

A Lehigh County judge has dismissed the case against a woman who was charged with promoting prostitution at a North Whitehall Township spa, ruling that state police engaged in "outrageous" conduct when they paid an informant to have sex four times with employees.

State police investigating the Shiatsu Spa on Route 309 paid the informant \$180 for his "time" and gave him money to pay for sexual acts in the spa in June and July 2006.

"We conclude that the decision to send the citizen into Shiatsu Spa on four occasions for a smorgasbord of sexual activity violates the principles of fundamental fairness," Judge Robert L. Steinberg said in a Jan. 24 written opinion. "Neither the prostitution activity inside the Shiatsu Spa nor the police decision-making is to be condoned."

Maureen Coggins, the lawyer for Sun Cha Chon, 53, of Cross Kill, N.J., applauded the ruling Monday. She said she hopes the decision will discourage police from engaging in similar investigative tactics.

"The facts were just so shocking that it really pushed this case into a whole different realm," Coggins said. "Does the public want their tax dollars to be used to pay some guy money to get sexual intercourse four times? It is disgusting."

District Attorney James B. Martin said he will appeal the decision to the state Superior Court.

"I think it's absurd to say that the conduct that police engaged in in this set of circumstances, with someone who was known to run brothels, is outrageous," Martin said. "With all due respect to Judge Steinberg, I think he used his own moral compass to decide this case and not the law and the facts."

The investigation started after a man told state police he went to the spa and was appalled that someone offered to perform sexual acts. After the man volunteered his services, police attached a body wire to his pants and sent him into the spa.

While the man and Chon and another woman allegedly performed sexual acts, state troopers sat outside in a vehicle and listened to recordings of what was happening. After the encounters, the informant met with troopers, who had been chuckling on the tape, and said, "Laugh it up, boys."

Troopers cautioned the informant to be careful, and he brought condoms.

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