

Despite mixed results, Chief Michael Chitwood says police efforts to clean up Portland are working. He shows every sign of continuing . . .

A moral crusade

By ALAN CLENDENNING
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Portland Police Chief Michael Chitwood seems to be on a moral mission to cleanse Maine's largest city.

Over the last few years, Chitwood has used undercover officers to find and fine businesses that rent pornographic videotapes, sell raunchy magazines or put strippers on stage.

He has had police ticket men who cruise certain neighborhoods. And he has sent letters to their homes because police suspect they are seeking anonymous male sex partners and prostitutes.

He has warned convicted child molesters that when they move to Portland, he may well send his officers door-to-door in their new neighborhoods, handing fliers to

residents complete with the molester's photo and new address.

Chitwood and his officers have been at it since 1990, when police arrested men who cruised the Deering Oaks section of Portland, looking for anonymous sex.

Seven years and dozens of news clips later, the big question is whether Chitwood's high-profile crusade has worked. The answer, based on interviews with Portland residents, business owners, city leaders and the chief himself: only somewhat.

For his part, Chitwood says he doesn't want to be known as Maine's "morals cop." But he will take action, when he feels it's necessary, to crack down on what many residents feel is objectionable behavior in the city.

"When you have this type of activity — whether it is obscenity,

cruising or prostitution — it can overtake a neighborhood and you will never get the neighborhood back," Chitwood said. "Quality of life is the major theme when we are looking at these issues."

Here is a brief look at Chitwood's reclamation efforts, and how they have — and haven't — worked:

- In Portland's Western Promenade neighborhood, lone male motorists no longer circle blocks of gracious turn-of-the-century homes for hours, seeking sex partners.

Police worked for years with residents to oust the men, eventually fashioning an "anti-cruising" city ordinance that allowed police to ticket men who passed the same spot too frequently.

Now, however, the men drive around other parts of the city where

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they don't draw as much attention — namely, the city's Eastern Promenade and Outer Congress Street districts.

● Police have cited three businesses since 1993 with violations of the city's obscenity ordinance, after Chitwood sent officers to watch female strippers.

One of the bars, Moose Alley, which is no longer in business, pleaded guilty and paid a fine in 1993. But the city lost the two other cases in court. Dancers at Mark's Showplace, the only Portland bar that still has strippers, perform the same routines they did before police filed charges.

● Some stores that sell pornographic magazines or rent pornographic videotapes paid civil fines in 1996 after officers posed as patrons, rented the videos and saw images of women in bondage situations and having sex with groups of men.

But city officials acknowledge that today they don't know if the stores have removed all questionable material from their shelves. At least one store owner said being raided has had no impact on what he sells.

● A Congress Street theater where police say men openly masturbate and engage in other sexual activity will remain open until at least April, following undercover investigations that began two years ago.

City officials are trying to strip the Fine Arts Theatre of its license, saying nine incidents involving sexual activity by patrons constituted a "breach of the peace," under city law. Meanwhile, police say sexual activity at the nearby Video Expo, where customers can watch or buy X-rated videos, stopped after police scrutinized its operations.

● At a street corner near Deering Oaks, prostitutes still seek customers despite officers' efforts to get prostitution out of Portland dating back to the late 1970s — a decade before Chitwood became chief.

Said Chitwood: "When you look at prostitution, it's been going on here on the streets for at least 20 years, and in 20 years we have managed to move it six blocks."

Despite the mixed results, Chitwood said the efforts are worthwhile and will continue. He says the police involvement helps prevent the behavior from expanding.

ENFORCING PUBLIC MORALS

Here's how Portland police say they have enforced the city's obscenity law and tried to eliminate problems ranging from cruising for anonymous sex partners to prostitution:

Pornographic video tapes and magazines

Undercover officers go to stores that sell magazines or sell or rent videotapes. They review the products and decide with city lawyers whether to charge businesses with obscenity ordinance violations. In February 1996, eight businesses were charged. Four people selling pornographic videotapes or magazines at a Morrill's Corner flea market were charged with violating the ordinance in January.

Nude dancing

Undercover officers go to bars that have strippers, watch the shows and look for violations of the city's obscenity or nude activities ordinances. They have been to six bars since 1993 and have issued citations to four of them.

Prostitutes and customers seeking prostitutes

Since the early 1990s, officers have posed as both prostitutes and prostitution customers to make arrests. In 1996, police did this 18 times, arresting 24 alleged customers and making eight prostitution

Also, Chitwood said, he usually decides to have officers enforce city obscenity laws only after citizens complain about problems with objectionable material or behavior. "If a neighborhood or people are up in arms, I know I've got support there," Chitwood said. "And if they support what I am doing, I will do what I feel is best."

Popular with residents

Indeed, Chitwood's moves appear to be very popular among city dwellers, particularly residents of neighborhoods where officers have tried to reduce public sex and prostitution.

A small number of people question whether the periodic crack-downs are worth taxpayers' money, and claim the chief routinely takes actions that violate civil rights.

Some also say Chitwood takes too simplistic an approach — cracking down, street by street and issue by issue — when he really faces complex social problems that will not go away following a police raid.

For example, promiscuous men will not stop having sex in public because police drive them away a few times, said Alan Stearns, a Munjoy Hill resident who has worked with Chitwood on issues

ranging from community-based policing to prosecution of hate crimes.

"If you shut down the Fine Arts Theatre, I guarantee you those men aren't going to go home and watch TV," Stearns said. "Is the solution to forbid sexual promiscuity in Portland and drive people to rest stops in Windham?"

Civil rights activists cringe at Chitwood's tactics, saying he uses majority opinions as an excuse to trample on people's rights.

People should be allowed to cruise city streets or buy pornographic material without worrying about being arrested, said Sally Sutton, executive director of the Maine Civil Liberties Union.

Sutton also believes officers' time could be more wisely spent investigating crimes that continually happen in Portland, such as thefts from cars and residences.

"Should Portland be spending officers' time for going into video stores and watching the tapes?" asked Sutton. "I question that, and say those resources might be better spent elsewhere."

But no one has mounted a serious challenge to the way Chitwood sets priorities for his department. And he has plenty of support from neighborhood residents.

arrests. After a cruising ordinance was adopted last year — preventing motorists from circling areas three times in two hours — police have cited 12 motorists suspected of looking for prostitutes.

Sexual activity in businesses

Following publication of a Casco Bay Weekly article in 1995, officers went to three businesses to see if men were exposing themselves, masturbating or engaging in sex acts with other patrons. Arrests were made at Video Expo and Fine Arts Theatre. Since then, police believe the activity has ceased at Video Expo. Police returned to the Fine Arts Theatre in 1996 and made more arrests. City officials are trying to strip the Fine Arts Theatre's business license.

Cruising by men seeking male sex partners

In the early 1990s, police arrested men for indecent conduct in Deering Oaks and on the Western Promenade. After the men started driving around the Western Promenade, police and residents fashioned a "cruising ordinance" to prevent most motorists from circling the area three times in two hours. The activity has migrated to the Eastern Promenade and Outer Congress Street.

Western Prom cleanup

Around the Western Promenade, where discarded condoms once littered sidewalks and front yards, Chitwood gets much of the credit for returning peace to the neighborhood last year.

After police drove men seeking male sex partners from Deering Oaks in 1990, the activity migrated to the Western Promenade. At first, men sought encounters in a wooded area next to the Prom.

When police made mass arrests on public indecency charges, the men started driving around the neighborhood in cars. Wide streets and ample parking made it a perfect spot for cruising.

Police had little success arresting men who cruised the area from 1993 through 1995. Residents complained about motorists driving past their houses throughout the night, tailing male residents going home alone in their cars and yelling at citizens who tried to tell the drivers to leave.

"It got totally out of proportion," said Patrick Murphy, a Bowdoin Street resident. "We went to the police and said, 'It's your job to give us peace and quiet.'"

Combining forces with residents in the Parkside neighborhood, who also were upset with men cruising

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Michael Chitwood

the streets to find prostitutes, police sent letters to the registered owners of cars seen circling the neighborhoods.

Last March, Chitwood and residents successfully lobbied the City Council to pass an ordinance banning most motorists from driving around those neighborhoods three times in a two-hour period.

Murphy said the cruising virtually stopped overnight.

"It's a majestic difference to have back a nice peaceful neighborhood where you can walk your dog in the evening without being prowled by cars racing up the street or finding condoms on the street in the morning," he said.

Murphy, who says he does not agree with everything Chitwood does, gives the chief much of the credit for solving the problem: "I can thank Mike Chitwood for many nights of good sleep since last March."

Cruising activity shifts

Soon after the anti-cruising ordinance took effect, the activity shifted to a more isolated part of the Eastern Promenade and to a commercial area off Outer Congress Street. But Chitwood said there have been few complaints from residents, most likely because no one lives close to the cruising areas.

Residents also do not seem upset by a Pine Street store in Portland's West End where patrons walk out with packages in brown paper bags.

Police repeatedly went inside the Treasure Chest, from October 1995 through January 1996. They bought pornographic magazines, rented videotapes and charged the business with violating the city's obscenity ordinance.

Vincenzo DePaolo, the owner of the store, is fighting five citations, issued in February 1996. During the same undercover operation, officers also rented pornographic videotapes or bought magazines from seven other city stores that were charged with obscenity ordinance violations.

DePaolo said getting raided by police has not prompted him to tone down the type of pornography he rents or sells to customers.

Chitwood "would like to drive me out of business, but you can't drive the sex drive out of the human being. It's there," DePaolo said.

A block away, on Congress Street, business owners neighboring the Fine Arts Theatre have differing opinions on the attempt by police and city officials to close down the adult cinema.

They say the presence of the cinema neither helps nor hurts their businesses. The only time it attracts attention is when Chitwood's publicizes police activity in the theater, and TV news crews show up to film the business.

Roger Mayo, co-owner of Drop Me a Line, a Congress Street gift shop, said police should spend their time trying to arrest violent criminals instead of attempting to charge men with having sex in the cinema.

"They are consenting adults and have gone inside where they don't bother anyone," Mayo said. "It's too bad more people aren't saying, 'It's our money and we want it used for something else.'"

Across the street, the owner of Colpitt's Travel Center said he supports what Chitwood is doing, but said it will be difficult for police to have a long-term impact because the cinema provides a service some people want.

Jerry Carp said he is more concerned that if the theater closes, there will be another vacant building on Congress Street. But would he want a business similar to the Fine Arts Theatre to open in the neighborhood where he lives?

"Not in Deering Center, I wouldn't want it," Carp said. "You have schools and a lot of children there."

For better or worse, Chitwood pledges to remain vigilant.

"It is not the murderer, the rapist or the arsonist who destroys a neighborhood or a city," Chitwood said. "It's the people who violate laws they feel there will be no consequences for. And then it snowballs out of control."