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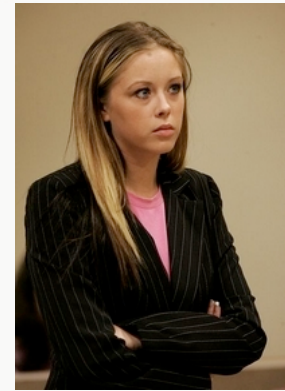
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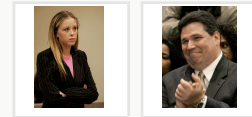
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Martin



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[Video: Police video of traffic stop of Thomas Athans](#)

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Athans stop

Here's an excerpt from the police video when Thomas Athans was stopped in February in connection with a prostitution investigation. The video, slightly more than 30 minutes long, is not audible in some parts, but other sections, such as the tail end is very clear.

Near the end of the tape

Officer: "So you met her online, contacted her by phone. She told you to pay \$150 on the counter for sex. She performed an oral act. Done. Left."

Athans: "That was it. I'm telling ya the whole thing didn't last 17 minutes."

Officer: "Yeah, that was it. We were timing it." (laughing)

Athans: "Yeah." (laughing)

Officer: "OK, you got any other questions?"

Athans: "Oh, the number (phone number for the prostitute) is here."

Officer: "Write down the number. What it is, is the more information we come at the girls with, the happier they are to take the ticket and run."

Officer: "Tom, thank you for your cooperation."

Athans: "Listen man, thank you." (inaudible)

Officer: "This will probably be kept at a minimum. You'll probably never hear from us again."

Athans: "It's not about me -- it's about my family. So you know. I appreciate it." (Exits car with police and returns to Cadillac and drives off)

Wednesday, September 24, 2008

Troy cops deny Athans got break

Client in high-profile prostitution cases often gets off lightly, but not the woman, critics say.

Jennifer Chambers / The Detroit News

TROY -- Jokes about the brevity of a sex act with a prostitute, reassurances he would likely never testify in court and a free pass on a suspended license were part of a plan -- not special treatment -- by Troy police to ease the husband of U.S. Sen. Debbie Stabenow into cooperating with an investigation into an Internet-based prostitution ring, police officials said.

A video from the Feb. 26 traffic stop of Thomas Athans -- recently obtained by The Detroit News -- shows a Troy police officer informing Athans of his suspended driver's license while the 46-year-old sat in the back of a police car and wrote a police statement about his encounter with a call girl at the Residence Inn.

"Make sure you take care of that, OK?" the officer tells Athans of the violation.

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Later in the tape, officers who are reviewing Athans witness statement, joke with him about the sex act.

The officer says: "So you met her online, contacted her by phone. She told you to put \$150 on the counter. She performed an oral act. Done. Left."

Athans says, laughing: "That was it. I'm telling ya the whole thing didn't last 17 minutes."

Officer: "Yeah, that was it. We were timing it." (laughing)

The methods used by the Troy Police Department in this case have stirred public debate on the best approach to collar prostitutes and their customers and eliminate these Web-based crime rings. Investigators say their easy treatment of "johns" allows them to get to the next level to arrest the prostitutes and then eventually eradicate the organization.

"Some of the conduct doesn't look professional but when you are trying to gain this person's trust and build a relationship, it makes more sense. The dragnet approach doesn't work," Lt. Gerry Scherlinck of Troy police said.

The woman at the center of the investigation -- Alycia Martin, who was arrested at the hotel and charged with prostitution -- disagrees. She said police gave special treatment to Athans, who confessed to paying \$150 for oral sex but was never charged criminally in the case, while they made her sit in her bra and undergo an interrogation in a hotel room.

"It really upset me a lot," Martin said of what she saw on the video. "The cops, I think they think they can do whatever they want," said Martin, who pleaded guilty to trespassing after the charge of prostitution was dropped as part of a plea bargain.

Larry Dubin, a law professor at University of Detroit Mercy, said it's easy to see why such police techniques don't sit well with some members of the public who have the perception that Athans emerged unscathed from the case when Martin was arrested, jailed and prosecuted.

"Since both the man and woman involved in an act of prostitution are violating criminal law, it seems discriminatory to only prosecute the woman and not the man," Dubin said.

Scherlinck defended the department's techniques and treatment of Athans, a radio executive who married Stabenow in 2003.

He said Athans was not ticketed or arrested during the stop because the officer believed his supervisor -- who was part of the surveillance team investigating the ring -- was working out a deal with Athans to become a cooperative witness.

Asked about a conversation on the video in which an officer jokes with Athans about the sex act taking less than 17 minutes, Scherlinck said officers were trying to build a relationship with Athans and make him feel at ease.

"If you are trying to establish a rapport with someone who has done a despicable act, there is going to be levity. You have to establish some trust. The approach may not look good on film, but you have to come across as this person's friend. That you aren't going to screw them over," he said.

Scherlinck said officers have the discretion not to arrest a person if police want him to become a witness in the case. A typical driving while license suspended case, known as a DWLS, would have resulted in a ticket at the stop or an arrest, he said.

"You are not going to make an arrest for the sake of the DWLS when you are trying to make a deal," Scherlinck said.

The gamble didn't pay off for police. Martin never gave police information on who she worked for and Athans was never called as a witness because Martin's case did not go to trial.

Scherlinck disputes that Athans was given preferential treatment. He said a ticket was mailed to Athans' Lansing home once

the supervisor returned to the station, ran Athans' record himself and learned of the suspension. A Troy judge reduced Athans' ticket to no operator's license and a \$115 fine.

Troy police had told The Detroit News in March that officers were unable to run Athans' record during the traffic stop because officers lacked the proper computer in their vehicle. Scherlinck said the discrepancy was later discovered, but it was not clarified by the department in subsequent statements to the media.

Frank Cusumano Jr., Martin's lawyer, said he was so outraged by the police behavior on tape that he got involved in Martin's case and represented her for free.

"It was special treatment. They let him go. She accepted responsibility. But he didn't," Cusumano said.

Athans was unavailable for comment.

"Mr. Athans fully cooperated during the investigation and at no time did he ask for any special consideration," his attorney Todd Flood said.

Martin remains on probation in the case through Feb. 12.

You can reach Jennifer Chambers at (248) 647-7402 or jchambers@detnews.com.

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