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Exploitation conviction against sexpresso stand operator upheld



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Bill Wheeler Jr. receives his sentence from Judge David Kurtz at the Snohomish County Courthouse in Everett.

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EVERETT — A pioneer in transforming roadside coffee huts into venues for Snohomish County strip shows has failed to convince state appeals court judges that he was wrongly [convicted of sexually exploiting a minor](#).

The decision was [announced Monday](#) in the case of Bill Dwayne Wheeler, Jr., who turns 33 later this month.

Free on bond while pursuing his appeal, Wheeler now must turn to the state Supreme Court for relief or prepare by month's end to begin serving [a three-year prison sentence](#).

Wheeler operated the Grab N Go coffee stands in Everett. His 2014 prosecution marked an escalation by police and prosecutors to hold sexpresso stand owners responsible for lewd conduct associated with their operations. Since then, [an espresso madam](#) who ran a string of raunchy stands abandoned her multimillion-dollar business after pleading guilty to felony promoting prostitution and money laundering. Meanwhile, a former Snohomish County sheriff's sergeant is [serving a year in jail](#) after admitting on-duty misconduct in support of her illegal operation.

Wheeler was undone when police discovered that one of his baristas who flashed customers for tips was only 16.

Wheeler knew the girl's age, but insisted he had no idea she was selling sex shows at his stands.

A Snohomish County Superior Court jury listened to nearly two weeks of testimony before convicting him of sexually exploiting the teen.

Wheeler insisted his case was plagued by numerous flaws, including mishandled video evidence. His attorney tried to get the case thrown out, alleging it relied on "outrageous conduct" by detectives, who had paid tips to baristas for roadside strip shows as part of their undercover investigation.

State Court of Appeals judges were not persuaded by the arguments made on Wheeler's behalf.

"Wheeler contends that the evidence was insufficient to sustain his conviction. He argues that, at most, the evidence showed that he tried to run a successful business. We disagree," Judge Michael J. Trickey wrote. He was joined in the ruling by Judges Ann Schindler and James Verellen.

The Grab N Go stands were opened by Wheeler's father and almost immediately became the focus of complaints about scantily clad baristas trading sexually explicit conduct for cash. In 2009, five Grab N Go baristas were arrested for prostitution, a raid that made national headlines.

The defendant began running the stands after his father disappeared under suspicious circumstances during a 2010 business trip to Nevada.

The younger Wheeler kept his father's business model for the stands. Baristas dressed in bikinis and lingerie and were allowed to keep tips, but only after they added \$300 to the cash register during weekday shifts and \$150 during weekends. Those who didn't meet the quota had to make up the difference. Those who earned the most tips were assigned to work during the most lucrative hours.

That compensation scheme is almost a mirror image of the way nude dancers are paid at strip clubs. Some owners of bikini barista stands recruited heavily among women with experience working in strip clubs.

At trial there never was any question whether Wheeler knew the barista was 16. Indeed, he had helped

her prepare paperwork to be emancipated, court records show.

The case revolved around whether he played a role in encouraging her sexually explicit conduct.

Wheeler's attorney presented evidence his client had discouraged baristas from giving shows. He also attacked an undercover detective for asking the 16-year-old to bare her breasts, an episode caught on tape.

The judges said evidence was clear that Wheeler knew about his baristas' misbehavior. He regularly reviewed surveillance recordings at his stands. He also gave the baristas financial incentive to engage in improper conduct, the judges found.

The court rejected the argument that police investigating the case engaged in egregious conduct.

The detective videotaped the teen after he saw her flashing a customer. Unlike Wheeler, the detective didn't know the girl was 16 until after she was arrested, the judges noted.

The detective's "motive was to prevent further crime," and was in response to citizen complaints, they added.

Diana Hefley contributed to this report.

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