



Welcome to  
**PHOENIX**  
DRY SINCE 1915

LIPS THAT  
TOUCH LIQUOR  
SHALL NOT  
TOUCH MINE



# Dry Heat



In Prohibition-era Phoenix, cops drank the contraband, Barry Goldwater brewed basement beer, and the original gangsters were a group of uppity women who temporarily turned off the tap in the West's most stubborn saloon city.

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Steve Rosenstein squeezes the last of three big organic orange halves between the jaws of a hefty cast aluminum juicer while his wife, Andi, pours a bubbly ginger beer into a 16-ounce Mason jar. "Makin' a screwdriver for my friend," he says with a wink to the first-time visitor at the end of the circa-1920s bar, mixing the juice with some fresh blueberries and maraschino cherries and splashing seven counts from an upturned bottle of vodka before passing it on to his wife. Frank Sinatra croons "My Kind of Town" on the overhead speakers.

A VISIT TO THE DUCE in Downtown Phoenix, a virtual vintage urban neighborhood sprawled inside a lovingly restored 1928 warehouse on Central Avenue and Lincoln Street, is like stepping onto a movie set for Phoenix's own version of *Boardwalk Empire*, HBO's new period drama set at the dawn of Prohibition on the Eastern Seaboard. Except The Duce doesn't pay homage only to the 1920s – the music wafting throughout veers from Rat Pack swing to '60s Motown to '70s pop – and Phoenix, even at its grittiest during those gangster days, was not exactly Atlantic City.

The Rosensteins hail from Chicago, and Steve, a compact scrapper with some old-school Kirk Douglas appeal, developed a clear passion for the style and moxie of the Prohibition-era racketeers.

"That stuff never goes out of style," he says, noting the hoopla over *Boardwalk Empire*. Contributing to the current buzz is a best-selling book by Pulitzer Prize-winning author Daniel Okrent, *Last Call: The Rise and Fall of Prohibition*, and an upcoming Ken Burns documentary based on Okrent's book slated to air on PBS next fall.

"I think *The Sopranos* kinda piqued everyone's interest in the gangster thing again, but there's always been such a fascination for it," Rosenstein says. "It's just bad boy stuff. But there was nothing badder and cooler than Prohibition."

The couple brought some of that gritty Chicago history with them to The Duce after relocating to north Scottsdale and selling off their successful Fitigues clothing line. Authenticating the retro feel of the speakeasy corner is an old phone booth from Union Station and a beautiful red mahogany bar salvaged from the original Black Orchid Jazz Club, once the center of Chicago's nightlife.

"This is the Prohibition bar," Steve says, rapping on the single-piece 29-foot-long countertop he had shipped to Phoenix in a semi-trailer. "This came from a club where all the jazz greats played, and there's a lot of good gangster stories that went down around it. If this thing could talk, it could tell you the whole story from Chicago."

"It doesn't have any Phoenix history yet," Rosenstein adds, admitting to only a scant knowledge of Phoenix's activity during those years – a sketchiness he shares with even many of the city's longtime residents. "But this building certainly does."

Indeed. The Duce was named for its location at the center of what was both once the city's produce district and a crime-ridden skid row that came to be nicknamed "the Deuce," according to local folklore. It's the area where a loading dock worker named Ernesto Miranda was collared by cops and coerced to confess to a series of rapes and armed robberies before being advised of his "right to remain silent," ever

after enacting the warning bearing his name that all cops must now recite. Miranda was eventually stabbed to death in a bar near the produce warehouse where he'd worked.

"You look at some of the imperfections in this concrete floor, you have to wonder what huge thing was dropped there to create that," Rosenstein muses. "I mean, it was a rough crowd using this warehouse back in the day. When we were excavating, I told the crew, 'If you hit something, better keep it to yourself.' You never know what's buried under there!"

IF THAT OLD CHICAGO BAR could listen to the floor it's sitting on, it might indeed get an earful, suspects Michael Levine, the Brooklyn-born artist and developer who's made

his mark in Downtown Phoenix by renovating some of its oldest and most neglected warehouses – including the Rosensteins' building, which at one point housed the Hensley & Company beer distributorship, owned by brothers Eugene and James Hensley. The latter would eventually father a daughter named Cindy and become father-in-law to future Arizona senator and Republican presidential candidate John McCain.

"The Hensley brothers were henchmen for Kemper Marley," says the characteristically candid Levine, referring to the millionaire Arizona liquor distributor who escaped two indictments in the '40s on federal liquor-law violations and was later implicated in the 1976 car-bomb murder of *Arizona Republic* reporter Don Bolles, who had been investigating Marley's reputed Mob ties.

"The Hensley boys took the fall for him back in the '40s, did a short time in jail, and then after they got out, as a reward for keeping their mouths shut, they were given a Budweiser distributorship," Levine recounts. While the Hensleys went on to grow their business into what is now the third-largest Anheuser-Busch distributorship in the U.S., their convictions on federal conspiracy charges indicated they'd been involved in a robust bootlegging trade under Marley's charge, falsifying some 1,284 liquor invoices to supply black-market scotch shipments to exclusive Phoenix nightclubs like the Green Gables and the Cowman's Club.

It's a great Prohibition crime saga that ends with the tainted Hensley fortune going on to verifiably fund much of McCain's senate campaigns and 2008 presidential race. Only problem is, it took place *after* Prohibition's repeal in 1933.

What actually happened in Phoenix during the 18 years alcohol was banned (in Arizona, a statewide prohibition amendment was enacted in 1915, five years before the national amendment) appears to have *stayed* in Phoenix – and with the few still living members of what was then a population of less than 20,000.

"You gotta remember, it was a small town back then," says Levine. "Phoenix doesn't really get rolling until the '40s."

We do know Barry Goldwater's dad, Baron, bought the bar and brass railing from his favorite saloon after Prohibition's passing and installed it in his basement. In the 1991 documentary *Barry Goldwater: An American Life*, Goldwater recalled how, at only 10 years old, he helped the family survive the Valley's long dry spell by learning how to brew basement beer. "The country went dry, but that bar was always wet," writes Goldwater in his 1979 biography, *With No Apologies*.





Husband and wife Steve and Andi Rosenstein own The Duce in Downtown Phoenix, a renovated 1928 warehouse-turned club, café and gym that features a Prohibition-era bar from Chicago as its centerpiece.



We also know from Maricopa County Superior Court records that 241 cases were sent to trial relating to “illegal consumption or possession of intoxicating liquors” between 1920 and 1921, the first year of the nation’s “Noble Experiment.” Most, at least in Phoenix, were treated as misdemeanors.

According to Arizona State University School of History graduate Aaron Monson, who wrote his master’s thesis on the Temperance Movement in Phoenix, three Mexican immigrants were found guilty of manufacturing liquor using homemade stills made from lead and copper coils and meat grinders. Each was slapped with a \$300 fine but served no prison time. The same year, two Phoenix brothers were arrested for trying to quickly dispose of their illegal hooch – the most common crime of the day – and were each sentenced to one year in prison in addition to the apparently customary \$300 fine.

By the mid-’20s, however, arrests for alcohol-related crime had leveled off, and more and more cases were simply being dismissed in court. Monson recounts that one Phoenix man nabbed by the cops for trying to transport a bootleg moonshine known as White Mule was plainly ordered to dispose of the three kegs in his car and move along. The second time he was caught, they threw the book at him: a \$100 fine and 90 days in jail – still a much lighter penalty than what was being doled out only five years prior.

Destroying the confiscated liquor became law enforcement’s primary assignment, and even that task sometimes went comically awry. Arizona historian Marshall Trimble recalls hearing tales of federal agents who had taken to pouring confiscated moonshine down the sinks of a large Downtown hotel – until hotel employees got wise to the operation and started selling their own recycled liquor by tapping into the plumbing.

Trimble says Arizona lawmen began looking the other way at moonshiners and often suppressed – or simply drank – the evidence. “Scottsdale town marshal Al Frederick was supposed to have a still buried in the sand in Indian Bend Wash,” he says. Many operations took place out in the desert and were largely left alone. “The Rim Country was full of stills.”

For whatever reason, police records reflect little evidence of a significant bootlegging and speakeasy scene in 1920s Phoenix. Retired Phoenix police Lieutenant Mike Nikolin, a 32-year veteran of the city’s force and curator of the Phoenix Police Museum, admits the Prohibition era is one period that’s gone largely ignored. “We have not done any specific research on this subject,” he says.

Danette Turner, a graduate student at ASU’s School of History, wrote her thesis on Phoenix’s Deuce district – or Duce, as she discovered it was originally named. “One gentleman I interviewed recalled as a child collecting bottles and jars from empty lots in the Duce to sell to bootleggers,” she says. “He claims that kids in the area, unlike the local police, knew where the illegal operations were located much of the time.”

Turner says the area’s nickname was coined as shorthand for

the produce district but took on the more dicey-sounding “Deuce” spelling after the term became code for the seedier sections of other cities. “Other major U.S. cities also had a ‘Deuce’ skid row district at one time or another,” she says. “As I understand it, these neighborhoods were also located near Second streets, like Phoenix’s.”

Michael Levine believes the romanticized image of the city’s gritty past stems from a shared assumption that the city, whose liquor supply was eventually controlled by such disreputable characters, must have been wild during Prohibition.

“A lot of it’s revisionist history,” he says. “True, Steve’s got a Prohibition bar and is serving in a former beer warehouse. But in 1928, that building was used for manufacturing bus bodies and iron forging,” he adds with a laugh.

**S**URPRISINGLY, THE BADDEST GANGSTERS in Phoenix throughout Prohibition may have actually been a group of teetotaling women running a small reading room on Central Avenue and Monroe Street.

It was the Phoenix chapter of the Woman’s Christian Temperance Union, a national organization that had been battling the saloons since 1871, that dared take on the hard-drinking men in what was considered the city with the West’s most stubbornly ingrained saloon culture.

At the time, the WCTU considered Phoenix its toughest nut to crack. The first pioneers to settle in the Southwest territory were roughshod miners, cattlemen and railroad laborers rugged enough to handle the heat, which most abated with thrice-daily stops at the saloon.

It was also unquestionably a city of men. In the 1882 census of Maricopa County, Phoenix put its population at 2,584 men but only 180 women.

In accordance with the openly discriminatory tone of the times, it should be noted that the 1882 census counted only women over the age of 21 and those with non-Spanish surnames.

These odds are what fascinated 26-year-old Aaron Monson. “I’ve always been interested in social change in general, and the Temperance Movement is social change at its core,” he says. “I was fascinated in how a small group of people could become such a powerful force. And nowhere was that better manifested than in Phoenix at that time. You had these small groups of women who still had no right to vote. Yet they played such a major role in actually changing that society.”

Where other WCTU chapters typically relied on shaming tactics – standing outside saloons to pray for the wicked and haranguing the customers for contributing to society’s ills – the Phoenix chapter found more success through strategic political actions. Teamed with the national Anti-Saloon League and the Prohibition Party, which had their fair share of male supporters, the WCTU targeted Phoenix by first circumventing it, calling for “local option” elections in all Arizona counties that aimed to turn the state “dry” one county at a time. Rural areas with large concentrations of non-drinking





Arizona was officially "dry" in 1915, when a state law went into effect thanks in part to pietistic denominations that thought alcohol was the cause of society's ills and fought for prohibition.



Mormons and Presbyterians, like Pinal and Apache counties, voted to go dry as early as 1902. But the Phoenix districts voted "wet" four times – once even after women were granted the right to vote in Arizona in 1912, the coup that Temperance fighters thought would turn the tide. Though new voter registrations swelled, as many Phoenix women voted wet as voted dry in their first time at the polls.

That's not to say the saloon owners were popping champagne bottles in victory. The Temperance groups had already been chipping away at their livelihoods for decades by pushing through laws raising their taxes and license fees, shortening their hours of operation and requiring the consent of more than 60 percent of neighboring businesses for any new saloon to open. Most unique to Phoenix was the enforcement of the "six-mile law," which prohibited the sale of alcohol within six miles of a public works project, including road-paving and public-building construction. In such a growing city, this peculiar law shuttered saloons almost monthly.

The Phoenix Canal project alone forced closure of 18 Phoenix bars and two liquor wholesalers. By the time a statewide election finally put Phoenix in the minority and passed the amendment on November 3, 1914, many saloon owners had already converted their buildings into cigar shops and soda stands.

Frontier girl power notwithstanding, it helped that some of the Temperance Movement's leading ladies were married to influential men. Dixie Dees Gammage enlisted the help of her husband, Grady Gammage, to serve as campaign manager for her local prohibition initiative – although it's possible the man who would go on to become ASU's first president was never 100 percent down with the cause, according to his son, attorney Grady Gammage Jr.

"Fresh out of the UofA, my father was hired on as a speaker for the WCTU on behalf of Prohibition," Gammage says. "I don't really know if he believed in the Temperance cause, or if this was just a job that let him use his skills as a public speaker. My recollections of my father is that he enjoyed a cocktail in the evening."

Inevitably, it was the willingness of leading Temperance groups like the Anti-Saloon League to let in anyone who shared their distaste

for alcohol that eventually turned public opinion against them.

By the middle of the Prohibition years, when ASL leader Harry Hughes' son died in Phoenix from drinking crude homemade alcohol (a resulting epidemic of the ban), he recruited vigilantes in the Ku Klux Klan, who protested alcohol mainly in the hands of the black man. Hughes urged card-carrying KKK members – who had already been secretly working for then Maricopa County Sheriff John Montgomery as a "sponge squad" snooping out bootleggers in 10 Phoenix hotels – to "take shotguns in hand and seek out and shoot the bootleggers, as one would a mad dog," according to *The Ku Klux Klan in Phoenix, 1921-1924* by Teresa Baker.

By the time Prohibition was finally repealed in 1933, the nation's Noble Experiment had not only turned bartending into organized crime, it had also turned some of its original moralists into monsters.

**I**T'S LATER IN THE EVENING at The Duce and Steve Rosenstein is mixing one of his trademark "Schlamms" – a Schlitz and a Hamms ceremoniously poured together into a Mason jar – for some young patrons. Both brands were tops before Prohibition; Hamms got through the lean '20s by producing soft drinks. But many of the hip types who frequent The Duce are too young. Andi says, to appreciate the classic labels, or the giant antique Hamms Beer Bear sitting on the patio. "They just think it's cheap beer," she says. "They don't realize they're classics!"

It's for these young suburbanites that the Rosensteins toil to bring Downtown Phoenix's gritty past back to life – even if that means borrowing a few choice Chicago artifacts to do it.

"People say, 'We've seen Downtown Phoenix start and stop a million times; it's never gonna happen,'" Steve says. "I say Phoenix *already happened*. In its day Central Avenue was lined with four department stores, car dealers, great hotels. Phoenix had it, and did it as good as any city."

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