

A PROBLEM ORIENTED POLICING APPROACH  
TO  
ILLEGAL MASSAGE BUSINESSES AND SEX TRAFFICKING



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## SUMMARY

A Problem Oriented Policing approach to Illegal Massage Business and sex trafficking.

### Scanning

The illegal activities occurring in Houston's Illicit Massage Businesses make the city an attractive destination for sex tourists and traffickers. These businesses are attractive to criminal types because of the fast returns and high profits garnered by engaging in the sex trafficking industry, and frequently are found to be fronts for prostitution, sex trafficking rings, and money laundering.

### Analysis

Analysis showed that the standard law enforcement approach of making individual prostitution arrests at these problem locations was having no lasting effect, with businesses reopening within hours of the workers being arrested, and continuing to operate year after year. It was clear that the number of illicit massage businesses were not being reduced or controlled but were increasing. The Houston Police Department – Vice Division determined that a Problem-Oriented Policing approach could be more effective.

Recent counts put the number of possible Illicit Massage Businesses (IMBs) operating in the city at over 250. These possible illicit massage businesses are spread out over a 600 square mile area, and the workers and owners will often not be native English speakers. As a result, coordinating the available resources to effectively police these businesses can be extremely difficult.

### Response

This paper will chronicle how the Houston Police Department Vice Division implemented a new paradigm to address Illegal Massage Businesses. This paradigm concentrated on using criminal and regulatory investigations with civil nuisance abatement actions and collaborating with other agencies and groups in order to achieve a lasting reduction in the number of illicit massage businesses contributing to the sex trafficking problem in Houston.

### Assessment

The success of this initiative is detailed in the body of the report, but as a snapshot, 2017 numbers released by Houston's Special Advisor to the Mayor on Human Trafficking, Minal Patel-Davis, indicate a 13% reduction in the number of open illicit massage businesses that advertised sex for sale, and a 38% reduction in the amount of advertisements for purchasable sex at Illicit Massage Businesses. In addition, they also report an 80% increase in the number of calls to the national trafficking hotline originating in the Houston area.

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**SCANNING**

**The Ugly Truth:**

Houston is a hub for human trafficking (Carroll, 2007). While the problem of human trafficking is not a new one, having been addressed by the US government with the Trafficking Victims Protection Act (TVPA) in 2000-2008 and by the UN General Assembly in 2000 with the "Protocol to Suppress and Punish Trafficking in Persons, especially Women and Children", the business of human trafficking proceeds at full pace in Texas, despite these legislations.

A report about the National Trafficking Hotline (Kellison, 2016) tells us that: "In Texas in 2015...433 potential human trafficking cases were reported..." and 77.8% were apparently sex-trafficking related. While alarming, this number of cases may tragically just be the tip of the iceberg, as "...sex trafficking is...organized and violent...women and young girls are sold to traffickers, locked up in rooms or brothels...drugged, terrorized, and raped repeatedly." and "These continual abuses make it easier...to control their victims...captives are so afraid and intimidated that they rarely speak out against their traffickers, even when faced with an opportunity to escape." (Walker-Rodriguez and Hill, 2011).

The sex consumer's view of the situation in Houston is quite different: the website wikisexguide.com [image 1] advises patrons that for prostitution, there are 17 notable cities in the US, one being Houston. The website praises Houston for 200 plus massage parlors and an unstated number of strip clubs, and lists specific sexual services you can get and what you

might expect to pay. The purpose of this website is to promote “sex tourism” – encouraging individuals from elsewhere to make a journey for the purposes of purchasing sex – and Houston is listed as one of their top destinations in the US, being compared to cities such as Amsterdam (See Image 1: Wikisexguide.com).

In late 2014, the City of Houston (COH) and the Houston Police Department (HPD) determined that an anti-human trafficking unit had become both necessary and financially viable. The HPD Vice Division was expanded to accommodate this unit, increasing the size to 50 individuals, including 2 analysts. Despite the expansion, the scope of the problem was massive in terms of responsibilities, geography and demographics. The division is responsible for investigating street prostitution, sexually oriented businesses, illegal gambling establishments, and alcohol and tobacco cases in addition to human trafficking. This, in a region that encompasses over 600 square miles (Image 2) and more than two million people (Image 3) in “America’s most diverse city”.(Tronc – LA Times 5-9-17).

During the normal course of HPD Vice’s operations, businesses were being identified that saw multiple and repeat arrests for sex-trafficking related offenses, many of which were Illicit Massage Businesses (IMBs). In accordance with Dr. Eck’s Iron Law of Troublesome Places (See Graph 1), the theory developed that these locations were possible trafficking hubs that might be eligible for civil nuisance actions in addition to criminal and regulatory charges. A program was proposed to strategically and proactively target nuisance businesses (especially IMBs) including landlords for providing safe harbor for trafficking profiteers, with an end goal of shutting down the illicit businesses and preventing landowners from leasing to similar

businesses in the future. Vice Division anticipated this initiative would make a lasting impact on the sex trafficking-related businesses in the greater Houston area.

## **ANALYSIS**

### **Background, Participants, Consequences:**

#### *Background*

Research was performed that consulted a wide range of sources, including news reports, scholarly articles, documentaries and interviews. Many sources of research material were available, because human trafficking (slavery by another name) has long been a problem. Slavery and prostitution (aka sex-trafficking) was mentioned in Biblical texts, making this a problem that's existed since the dawn of recorded time. 1865's ratification of the 13th amendment made slavery - and thus trafficking - illegal. The TVPA (2000) and the UN Protocol (2000) discussed this issue and officially defined human trafficking for the first time. Houston's troubles with human trafficking were aired in that 2007 Chronicle article. Depending on how you look at it, trafficking has been an issue for a decade, nearly two decades, centuries, or millennia.

Research indicates the primary reason prostitution is so popular is the profit margin. A fact sheet published on [humanrightsfirst.org](http://humanrightsfirst.org) purported that, according to the International Labor Organization (ILO): "Human trafficking earns profits of...\$150 billion a year..." (humanrightsfirst.org, 2016). Furthermore, \$99 billion of that profit comes from sex trafficking. According to Forbes (Gessler, 2016), the top 25 oil companies worldwide only made a combined \$81 billion in profit in 2016.

Earlier projections of earnings found on the ILO website entitled “Forced Labour and Human Trafficking – Estimating the Profits” (Belser, 2005) were more conservative, estimating that a mere \$31.6 billion in profits were earned by US human trafficking, with \$27.8 billion of that being generated by sex trafficking.

A secondary reason for the popularity of this type of crime is that compared to drug offenses, historically, punishments for prostitution-related crimes have been much less severe. Cramer’s 2008 Boston Globe article “Targeted, some drug dealers switch to prostitution” underlines this trend with the final quote: “More and more individuals are seeing the criminal side of this and the big money that they can make. You’re going to see more and more of this demand.” Further incentive for switching is that the product being sold is a “renewable resource” which can be sold multiple times as often as it is demanded, restricted only by the time taken to perform purchased sex acts.

A late 2015 analysis of HPD internal records highlighted a number of businesses where prostitution arrests had been made in 2014 and 2015. This analysis showed that 48 of the locations where arrests were made were strip clubs, while 36 of the locations were massage businesses. These results also indicated that while multiple operations were being mounted at the same strip club locations, IMBs would rarely receive repeat visits. The number of strip clubs that the department was tracking at the time (56) was much less than the number of IMBs being tracked (240). Interestingly, while strip clubs operations sometimes resulted in no arrests, almost all IMB operations ended with an arrest for prostitution. The conclusion was drawn that IMBs were being under-investigated and required additional attention.

In Houston, it is common for IMBs to pop up overnight. IMBs are often cheap to set up, and can be operating quickly. A strip center space with the windows covered, flimsy walls and some “massage beds” cobbled together out of two by fours and bed rolls, and the money can start rolling in (see Images 4, 5 and 6). Image 7 in the appendix, (entitled “Illicit Massage Establishments in Houston, July 2016”), shows the geographic distribution of 250+ known alleged IMBs. This map indicates that while possible IMBs can be found throughout the city, they appear to be especially concentrated along major thoroughfares and on the west side. The areas of highest concentration include predominantly affluent areas, and especially in the vicinity of an Asian-dominated part of the city. It is believed that this placement of facilities represents two things: 1) a desire on the business owner’s part to attempt to increase convenience and availability to target customers, and 2) a possible indifference in the Asian community’s attitude toward such locations (Rollet, 2006).

Advertising indicates that many of these locations are open twenty-four hours a day, seven days a week, in violation of state law. The majority of the Vice Division’s prostitution arrests actually took place in the mid or late evening. Internal data indicates that while prostitutes arrested by HPD Vice at IMBs are primarily females of Asian and Hispanic origin, Caucasians, African-Americans and transsexuals are also arrested. These prostitutes are often compelled to work, and are rarely allowed to leave, often locked in rooms between customers.

Historically, vice operations at IMBs were treated as discrete events and were almost always the result of a citizen complaint. Proactive operations were not common and duplicated effort occurred frequently. Operations were known to occur at a particular location, shutting it down, only for that location to be open and operating days, or in some cases, just hours later.

In most cases, this was because of a lack of follow-up against a specific location, which occurred in part because of a lack of resources and in part because of a lack of institutional tracking and internal communication. In one case, a particular strip mall had been ordered by the court to evict all massage businesses and to not rent to that type of business again in 2010. In 2016, it was found that the same location was leasing two spaces to IMBs.

The general public seems to be relatively unconcerned with the crime of prostitution. The comments on a 2017 Chronicle article by Fernando Ramirez (Headline 2) about prostitution arrests serves to illustrate this, when commenters suggested that “Harris county...must not have any real crime going on...” and that the arrests were “...a waste of time.”

Other commenters asked why the police were hassling “...some poor addict single mom...” and told law enforcement to “...go after the crimes in which there are actual victims.” These types of comments seem to be an attitude born of a lack of information about the realities of human sex trafficking and how much prostitution is tied to this resurrected version of slavery and do not reflect the attitudes of the community as a whole.

### *Participants*

HPD’s research indicates that trafficking victims can be male or female, and of any age, race, creed, or background. The research also showed that while anyone can be a victim of trafficking, there are certain demographics that are more at risk than others: “While human trafficking spans all demographics...some...vulnerabilities...lead to a higher susceptibility to...human trafficking,” ([polarisproject.org](http://polarisproject.org), 2017). The young, the homeless, the abused and the desperate are the preferred victims of the modern trafficker, but they’ll take anyone they can

make a buck on. It is important to realize that a trafficked person *is someone* and they are not the person who is profiting from whatever enterprise in which they are being coerced to engage. In the sex industry especially, most often it is the pimp who retains control of the balance – if not all – of the earnings.

Polaris Project goes on to say of the traffickers themselves: “Often the traffickers and their victims share the same...background, allowing the trafficker to better...exploit the vulnerabilities of their victims. Traffickers can be...individuals...or...criminal networks... Their common thread is a willingness to exploit other human beings for profit.” Pimps fit this description perfectly.

### *Consequences*

Despite a disturbing trend of apathy and ignorance when it comes to prostitution-related crimes, and in defiance of the characterization of these kind of crimes as “victimless”, there are a great many harms that come either as a direct consequence to this kind of activity.

Chief among the obvious harms that surround sex trafficking are the health issues faced by those that are involved. According to one study “...Foremost among the health risks of prostitution is premature death...the most common causes of death were homicide, suicide, drug- and alcohol-related problems, HIV infection and accidents – in that order” (Potterat et al., 2004).

A natural consequence of promiscuous sex with multiple partners is increased exposure to different types of STDs, which can sometimes long-lasting severe and debilitating symptoms. Often, a prostitute infected with an STD may not become aware of the problem immediately, or may continue working even after learning of their condition. In such cases, all subsequent

customers are exposed to the same STDs the prostitute carries, and can also pass them on to others. When used perfectly, condoms can mitigate some of these risks, but research has shown that these devices are commonly only 88% effective at best. There is no known method of preventing transmission of STDs or pregnancy that is 100% effective while continuing to have sex.

Mental harm is also possible. In one article the author talks about how being a prostitute is equivalent to becoming “a rented organ”, how that process is “...internally damaging...” and how women who have suffered in these situations describe the experience as “paid rape.” The same author goes on to point out that “...sexual violence and physical assault are the norm...”, and that “...60%...were physically assaulted, 70% were threatened with physical assault, 40% experienced sexual violence and 40% had been coerced...” (Farley 2010). Reportedly, 68% of the men, women and transgendered individuals involved in prostitution experience post-traumatic stress disorder because of the trauma they go through.

As a result, these damaged and disadvantaged individuals, often in need of expensive healthcare and unable to pay for it, flood treatment facilities that are publically funded, with limited resources and capabilities. Clifton’s article in the Chronicle (Clifton, 2001) estimated that “the median operating loss...for the five public trauma centers...was \$18,664,000...”, a staggering figure considering that these facilities were, at last report, 48.8% funded by property taxes.

There is also an argument to be made that, as a primarily cash-only business, IMBs lend themselves to being targeted for robberies. Such robberies often lead to violence, injuries and death – sometimes for those involved in crime, and sometimes for innocent bystanders –

especially as IMBs are often located in busy shopping centers and strip malls, or close to high-traffic areas.

## **RESPONSE**

### **The End Goal:**

The goal of this project is to help reduce human sex trafficking by increasing the effectiveness of the HPD Vice Division's enforcement of the existing laws in Illicit Massage Establishments (IMBs). This project was created to assist in the proper allocation of resources in order to more efficiently reach this goal. Ideally, the achievement of this goal would be demonstrated by the successful closure of all IMBs in the COH. This would require identifying possible IMBs and tracking their status as cases against them are pursued. Therefore, measures of success should include the number of possible IMBs identified; regulatory and criminal investigations conducted, arrests made and possible nuisance businesses submitted to attorneys for consideration for civil actions, as well as those nuisance businesses that are shut down through police action.

### **Problems, Partnerships, and Planning:**

#### *Problems*

One of the biggest difficulties faced by the division is manpower shortages. Of the 50 people assigned to the division, 18 are unavailable for field assignment, and officers are obliged to work in 4 man squads. In addition, some of these squads are assigned to day shift, and some are assigned to night shift.

Investigating 260 potential IMBs (2016) across 600 square miles over the course of a single year is theoretically possible, but only at the exclusion of any other tasks. 218 other

businesses were identified as locations that Vice was responsible for looking into, as shown in Table 1: Tracking sheet overview (2016), and that does not take into account street operations or other tasks.

The second largest issue facing the division is that of communication and coordination: a central database of information is necessary to avoid duplication of effort and missed opportunities. Top-down strategic direction is vital, especially when working with partners.

In order to combat these two challenges of coordination and communication, a tracking database was designed and created by HPD (October 2015). The spreadsheet's purpose was tracking all possible nuisance businesses, including IMBs. The spreadsheet was initially created from internal case files and those provided by our attorneys. This process resulted in a list of 230 locations of interest, including 73 IMBs. During 2016, additional locations were added to the spreadsheet, bringing the total locations tracked to 478, and the number of possible IMBs to 260 by the end of the year as a result of further investigations and internet and advertising research.

The largest remaining issues seemed tied very much together, in that public awareness and sentiment surrounding the nature of these crimes can very much affect policy and procedures as political changes occur. Working with various non-police organization is essential to the success of the project.

### *Partnerships*

Through concerted effort by senior HPD leadership, other organizations were encouraged to buy in and cooperate with the big picture anti-human trafficking effort, including anti-IMB operations.

Law enforcement agencies such as the Harris County Sheriff's Office, local constables, DPS, HSI, ICE and the FBI were contributing at various levels. The Mayor's Office (CHAHT), COH Municipal Court system, City Legal, and the County Attorney's office were also involved.

Other governmental groups such as management districts (Greater Southeast, Spring Branch, Brays Oaks, etc.) contributed.

In addition, various Non-Governmental Organizations (NGOs) victims assistance groups came forward to assist, including the YMCA, Rescue Houston, Free The Captives, The Landing, Elijah Rising, Redeemed Ministries, Freedom Church Alliance, Lonestar Legal Aid, Catholic Charities, and the Tahirih Justice Center.

HPD also worked together with various media outlets to spread a positive message of the actions being taken by the department and community partners.

### *Planning*

Analysis performed by HPD leads one to believe that those forced into prostitution as part of a trafficking scheme lack the ability to decide to stop. Trafficked prostitutes are often seen as property by the pimp and the buyer, and may get no say when it comes to their participation, and few rewards. In some cases, the prostitutes are being physically coerced by their pimp. In other cases, it may be economic pressures or a perceived lack of options that keep them involved. In a lot of ways, while prostitutes are considered part of the problem, they are also victims of the acts taking place. Given that high profit and low risk appear to be the

prime motivators of traffickers, an emphasis on catching and punishing those making the profits or reducing said profits may have better results than just arresting the prostitutes themselves.

Regulatory actions and citations are used heavily in the case of massage investigations. The State of Texas is notified of IMBs operating without proper licensing who are then sent Cease and Desist letters by the State Board of Health. Failed inspections and cease and desist letters, when combined with criminal charges are used to demonstrate that the business and property meets the legal specifications of a civil nuisance abatement law suit. City or County Attorney partners, at HPD's request, utilize the investigation results to file suits against the locations in Civil District Court.

Civil nuisance abatement filings against businesses have significantly increased, and filed against both the business as well as landlords. Finally, HPD worked with the Mayor's office on a number of initiatives to try and help increase public awareness surrounding the various issues, including, but not limited to, advertising in public spaces, distribution of hotline numbers, and a taxi driver trafficking identification program.

### **ASSESSMENT**

#### **Measurement and Results, Paths to Improvement:**

##### *Measurements and Results*

HPD Vice Division needed to identify all possible IMBs, conduct regulatory and criminal investigations, build civil cases against the businesses and property owners, and assist their attorney partners in pursuing cases to a successful conclusion.

The tracking spreadsheet mentioned in the response section was the primary means of measurement and results recording. Initially listing just 73 IMBs, by the end of 2016, 260 were

being tracked. Such an increase in the number of IMBs being tracked represents an increase of 280% during the course of the first year of the program (2016). The number of possibly problematic massage locations we were actively tracking at the end of the year was 3.5 times that of what we were tracking of at the beginning of the year, which represents a significant increase.

During 2016, (Table 2: Possible IMB Tracking) 60 unique locations were visited in an undercover capacity, or 12.55% of those locations we have identified. Compared to just 39 locations visited in 2015, or an estimated 11 locations in 2014, this shows a marked increase in undercover operations at suspected IMBs. Table 3 shows how an additional 111 locations underwent regulatory inspections performed by uniformed officers by the end of November, 2016. Combined, of a possible 260 locations, 171 (65.79%) were visited by police in a single year.

27 possible IMB locations were submitted in 2016 to our attorney partners for consideration as a nuisance business action, of which 16 IMBs were filed against and of the 16 , 13 were later reported as shut down. In December, 11 cases were still pending to be filed later (Table 4). It is worth noting that records provided to us by our attorney partners showed only 5 IMBs had been filed against from 2009-2015.

Providing access to numbers like these has made the tracking spreadsheet the default for reporting and assessment of actions. It has become a clearinghouse and repository for all enforcement actions, to include proactive investigations.

External tracking and mapping of IMBs performed by the Mayor's office indicates the effectiveness of the combined approach employed in the last year, with many known locations showing as shut down over a widespread geographic area (see Image 8).

While some business owners reopen elsewhere, some will move on, and some will spend time in jail. In a recent Chronicle article (Axford, 2016, Headline 3) one of our biggest cases is discussed. The article tells the story of a group running multiple IMBs (7), with 2-3 prostitutes at each location. The masterminds behind this operation face felony charges, and subsequent to civil action, the land owners of each location have also been court-ordered to never lease to massage businesses ever again. At the end of this operation, it was discovered that the same landowner owned 3 of the 6 strip centers involved. This investigation is another proof of the Iron Law of Troublesome Owners.

Regulatory officers, reported that their own tracking system indicated of the 485 massage businesses known to them, the number of shut down locations increased from 147 to 200 (an increase of 53) during 2016. During the same period, known open business increased from 240 to 289, before settling at 260 by the end of the year (see Graph 2). While there is likely some displacement happening, real closures are occurring.

Of the 69 first-time prostitution offenders scheduled to appear in diversion court through April of 2017 (likely arrested in 2016), 36 (52%) attended, and 31 (88%) ended up seeking out services from HPD's victims assistance group partners. While there is no guarantee these individuals will never return to prostitution, the possibility does exist (See Table 5).

### *Paths to Improvement*

As discussed, the number of locations and communicating effectively were the biggest hurdles to overcome, followed quickly by lack of cooperation from the prostitutes themselves. Prostitutes are often very reticent to testify against their abusers, making cases hard to prove. The long time frame of civil actions was also challenging: delays were experienced at every level of the legal process.

Improved results could come via assigning additional manpower and resources – current levels only allowed 25% of the known locations to be visited in a year. Revising local ordinances and laws to provide for harsher sentences for trafficking profiteers could also yield benefits.

Long-term monitoring, record-keeping and coordination will be needed in order to see lasting benefits. Enforcement of all injunctions and agreements will be of paramount importance moving forward. Lack of follow-up will render the project meaningless.

An unexpected benefit of the project's multiple filings in 2016 was that as the year went on, landlords would immediately evict problem tenants rather than risk a poor outcome at trial. Cease and desist letters sent by the State started enjoying an increased effect as well.

**Agency and Officer Information:**

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  - Minal Patel-Davis
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  - Elijah Rising
  - Rescue Houston
  - Free the Captives
  - The Landing
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## Appendix

### News Headlines:

Headline 1: Houston 'A major Hub for human trafficking'

## **Houston called major hub for human trafficking**

Houston major hub for human trafficking  
Large ring kept up to 120 women in virtual slavery

By [Susan Carroll](#) Published 5:30 am, Sunday, October 28, 2007

Headline 2: Houston police 'bust dozens for prostitution'

## **Houston-area police bust dozens for prostitution during week of Super Bowl 51**

By [Fernando Ramirez](#), Chron.com / Houston Chronicle Updated 10:21 pm, Wednesday, February 8, 2017

Headline 3: Harris county Spas 'involved in prostitution shut down'

## **Several Harris County spas accused of being involved in prostitution shut down**

By [William Axford](#), Chron.com / Houston Chronicle Updated 8:52 pm, Wednesday, August 24, 2016

Images:

Image 1: Wikisexguide.com – Sex Tourism and Houston



Image 2: Population of Major Cities

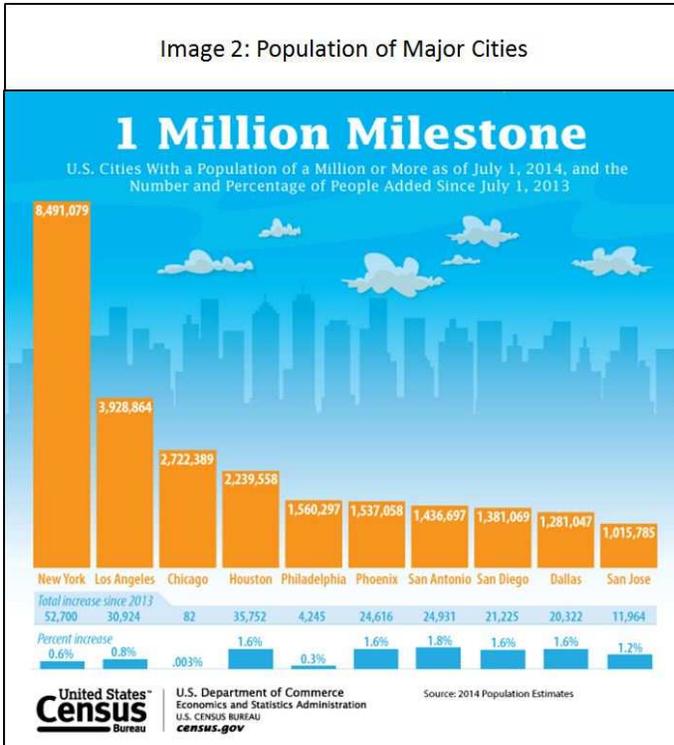


Image 3: Geography of Houston as compared to other metropolitan areas.

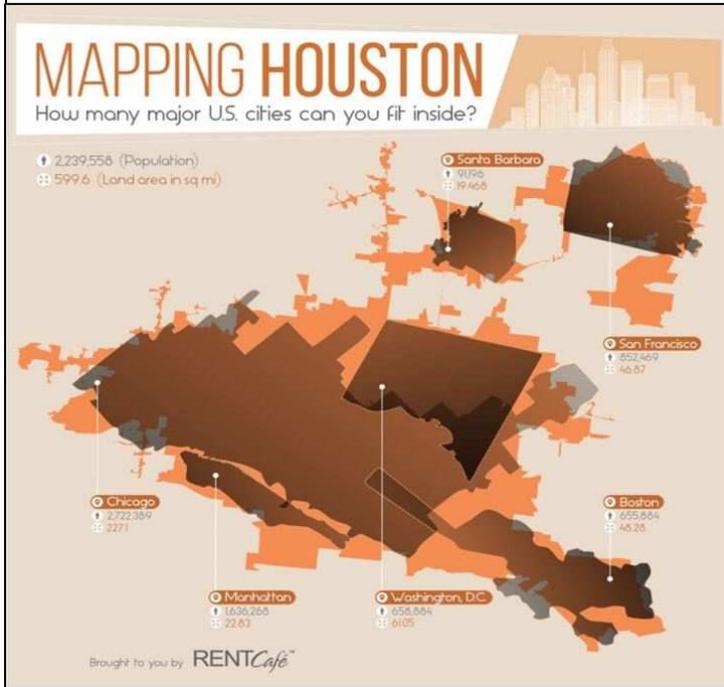


Image 4: IMB Store Front

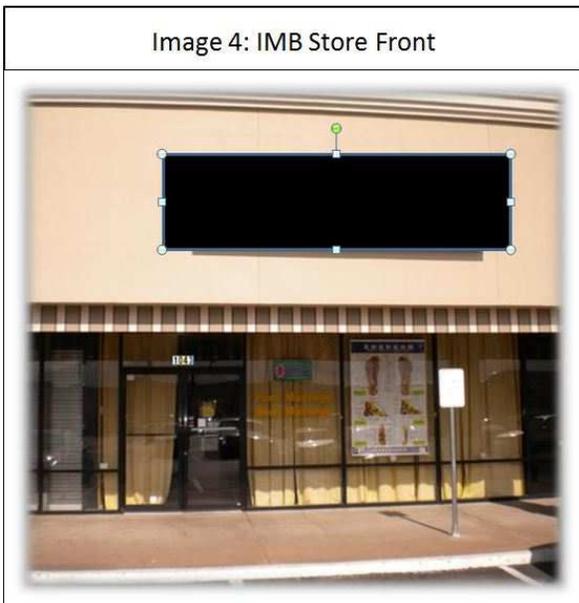


Image 5: IMB Interior A



Image 6: IMB Interior B



Image 7: Illicit Massage Establishments in Houston, July 2016

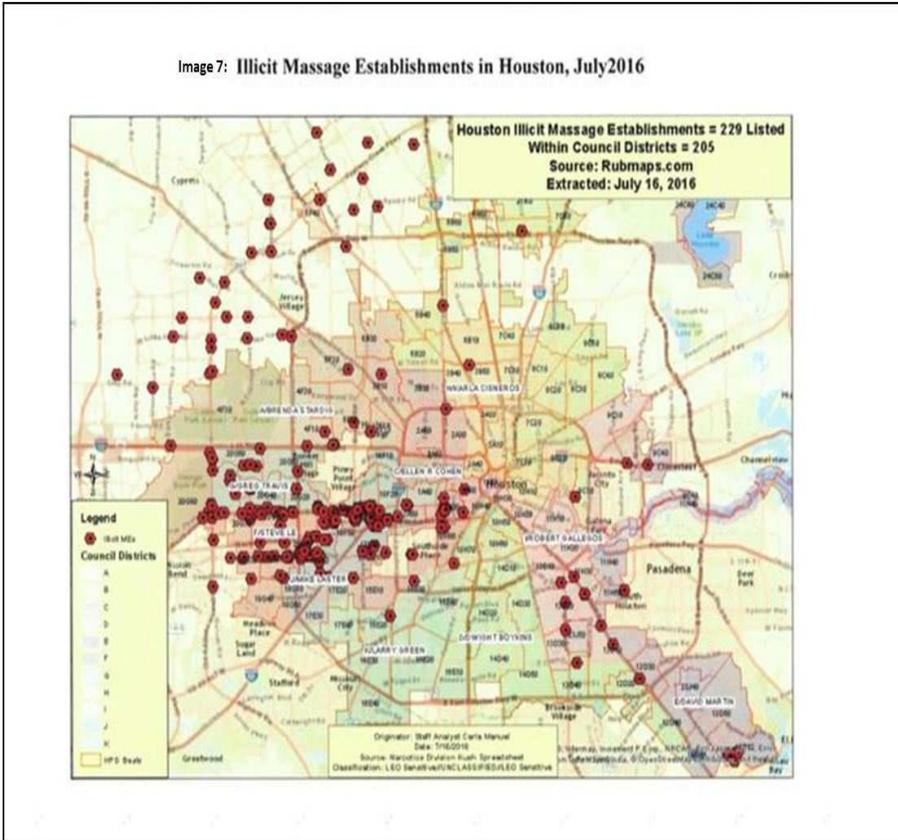
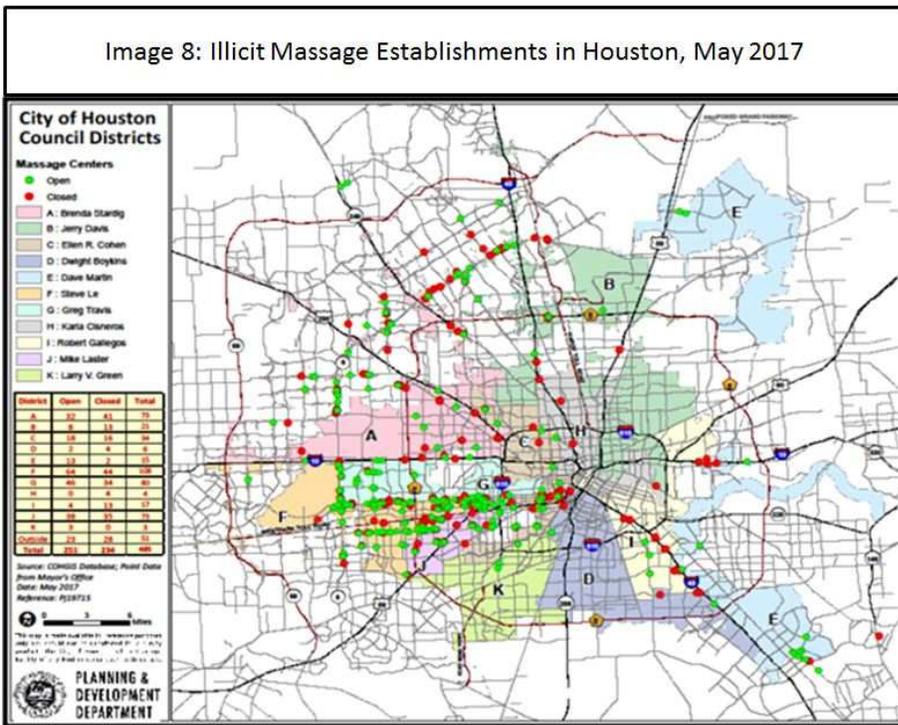


Image 8: Illicit Massage Establishments in Houston, May 2017



**Tables**

	# of locations	% of Total locations tracked	% of Spa locations tracked
Total # of Locations being tracked (for purposes of 125s)	478		
# of locations identified as spa/possible IMB	260	54.39%	
# of locations submitted for filing (both CAO and COH)	27	5.65%	10.38%

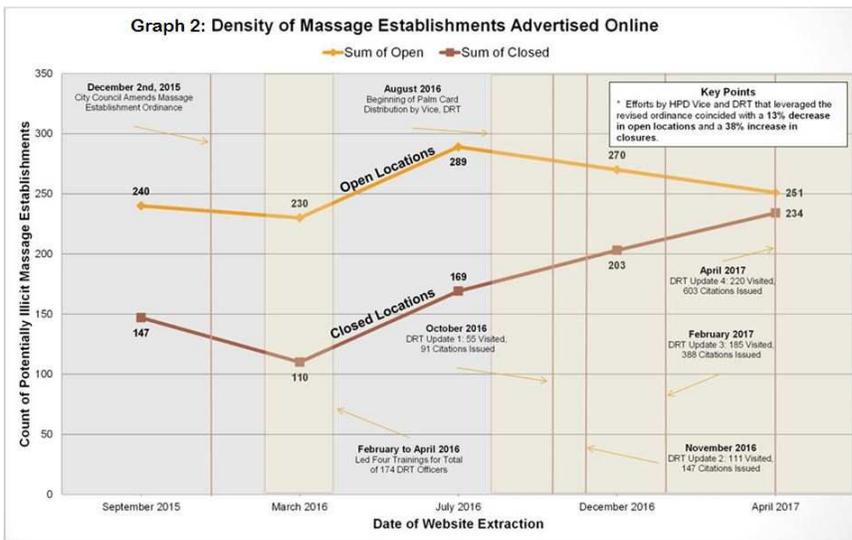
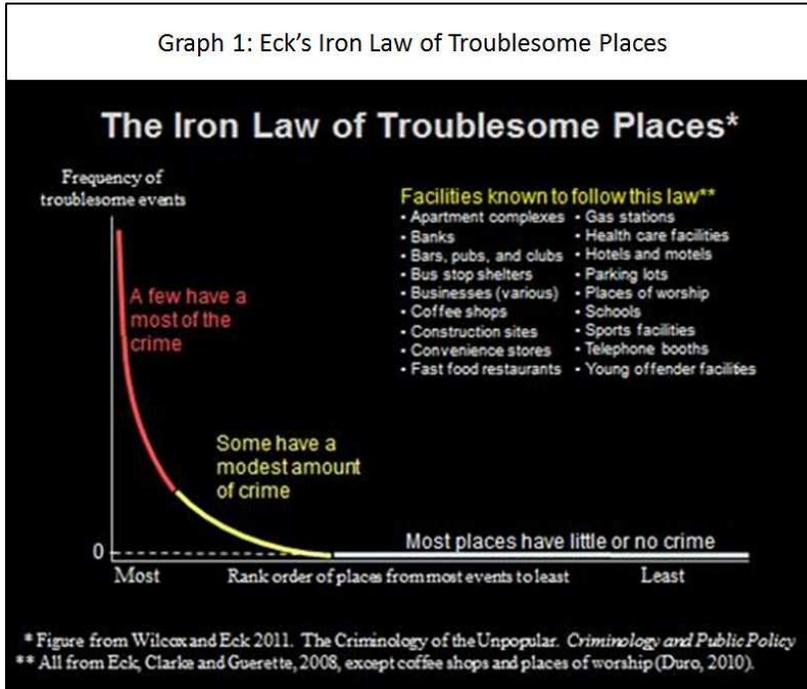
	Total # of undercover operations at unique locations	Expressed as a % of Total locations tracked	Expressed as a % of possible IMB locations tracked
2016	60	12.55%	23.08%
2015	39	8.16%	15.00%
2014 (Est.)	11	2.30%	4.23%

<b>Agency: Houston Police Department, Differential Response Team</b>		
<b>Note: Numbers are Cumulative</b>		
	<b>October 10<sup>th</sup>, 2016</b>	<b>November 8<sup>th</sup>, 2016</b>
<b>Locations Visited</b>	55	111
<b>Citations Issued</b>	91	147

	# of locations	Closures
Submitted (by vice)	27	16
Filed	16	13
<b>Resulting In:</b>		
Temporary Restraining Orders	2	1
Temporary Injunctions	9	8
Permanent Injunctions	2	2

	Number Served	Number Declined Services	Number Appeared	Number Scheduled to Appear	% Served by Total Possible (Served / Scheduled)	% Seeking Services (Served / Appeared)
Grand Total	31	5	36	69	45%	86%

Graphs:



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