

# A Presentation Regarding Enforcement of Illicit Sexual Activities in Businesses

CSPD – Metro VNI Division

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# Overview

- Scope of problem
- Current law enforcement options
- Past and current enforcement
  - Prostitution stings / Pimping arrests
  - Masseur licensing audits
  - Felony Pimping / Money Laundering
  - Public Nuisance Order process
- Looking forward

# Definitions\*

- Prostitution: sex act for money or something of value (misdemeanor unless involves juvenile)
  - Pandering: arranging a situation where someone else can prostitute (misdemeanor)
  - Pimping: living off of, in whole or in part, someone else prostituting (class 3 felony)
  - Sex trafficking: coercing someone into prostitution (class 3 felony)
  - Labor trafficking: coercing someone into labor / services
  - Unlicensed practice: working as masseuse without State license
- \*Lay definitions, not the actual C.R.S. language

# Definition: Coercion

- Force / threat of force
- Use or threaten use of law for which it was not designed
- Threaten to notify law enforcement of illegal immigration status
- Destroys/takes property or ID documents
- Control access to controlled substance victim is dependent on
- Debt bondage / indentured servitude: undefined debt
- Exploit physical/mental impairment

# Scope of the Problem

- Illicit sexual activities (IMPs) in Colorado Springs: approx. 35 known Asian places of illicit sexual activities, plus some home / small-business illicit massage practices as well (not necessarily Asian)
- A small number of Asian massage parlors are legitimate, and offer no sex acts
- 1-2 workers in each, typically 40–60-year-old Chinese or Korean females; based on CSPD investigations
- Some masseuses have licenses, most do not
- Massage parlors register trade names with CO Secretary of State business records, but no license specific for the massage parlor
- Suspected but not confirmed Human Trafficking (both sex and labor trafficking). Victims don't disclose it. Must prove coercion by C.R.S.

# Current CSPD options

- Criminal charges: Prostitution/pandering/pimping
  - Targets the worker and/or the manager, who is likely not the owner
  - Sting op: 25 staffing hours
  - Full felony case: 300+ staffing hours
- Unlicensed practice: masseuse license
  - Targets the unlicensed masseuse / worker
  - License audit: 1-3 staffing hours
- Public Nuisance Order (PNO) seizure
  - Targets the property, usually to get landlord to voluntarily comply and evict
  - Requires (2) separate times, evidence of prostitution; then, initiation of PNO, then 3<sup>rd</sup> sting operation
  - PNO: ~100 staffing hours

# 2020 HT-related, non-IMP cases

- 116 non-IMP cases: sex trafficking, pimping, soliciting/patronizing prostituted child
- 16 felony arrests: soliciting for child prostitution, sex assault on a child, other child-sex crimes
- 16 felony arrests for sex trafficking, pimping, sex trafficking of a minor
- 3 other felony arrests
- Unit had total of 44 felony arrests in 2020.

# Past enforcement efforts

- 2014: CSPD Vice & Human Trafficking Unit started.
- 2014-2018: prostitution sting operations. Charges of Prostitution (misdemeanor) and Unauthorized Practice (no masseuse license, misdemeanor)
- 2018: started writing warning letters to registered agent of business; potential Keeping Place of Prostitution charge if the prostitution continues
- 2019: focused mostly on license checks. More IMPs contacted, more Unauthorized Practice summonses given (no masseuse license).
- All had no effect on businesses, and no workers disclosed being victims of human trafficking



# 2018-2021 IMP-related charges

- 2018: (3) prostitution charges, (2) unauthorized practice charges
- 2019: (1) prostitution charge, (9) unauthorized practice charges
- 2020: (1) prostitution, (1) pimping
- 2021: (3) prostitution

# Current IMP enforcement efforts

- Complete unit turnover, late 2019 – early 2020; train 3 new detectives in 1<sup>st</sup> quarter 2020
- Study: long-term effectiveness, vs. efficiency
  - Begun 2<sup>nd</sup> quarter 2020
  - Some COVID delays
  - Process 1: Full felony investigation: 1 IMP, Rose Spa
  - Process 2: PNO process: 2 IMPs

# Process 1: Full felony investigation. Rose Spa

- 2013 and 2015, multiple sting ops, prostitution charges; no prior effect on business
- 2020: investigation into potential Sex Trafficking, Labor Trafficking, Pimping, and Money Laundering charges
- Investigative actions:
  - Surveillance
  - Sting operation
  - Search Warrants for business, residence, bank records
  - Crime lab serology analysis (confirm presence of semen in stains)
  - Search and review multiple cell phones and tablets with Mandarin translator
  - Interview two victims, with victim advocate and Mandarin interpreter
  - Suspect interview
  - Interviewed owner of legitimate massage business for comparison of business norms

# Full felony investigation

- Suspicion of sex and labor trafficking, insufficient proof to charge. No disclosure or evidence of coercion.
- Owner Xia (SheeAh) arrested on Pimping, Money Laundering
- DA filed on Pimping charge
- 300+ CSPD staffing hours
- Strip mall owner voluntarily terminated lease, closed IMP; legally could have allowed business to remain open
- Have not yet seen business re-open elsewhere, however, 2<sup>nd</sup> IMP, Energy Day Spa, by same owner Xia is still open
- Our info indicates Energy Day spa is likely legitimate massages only.

# Public Nuisance Order

- Late summer 2020, sting operation at (2) IMPs
- Early January 2021, sting operation at same IMPs
- Investigated for potential HT
- When no HT victimization disclosures, (3) citations for prostitution
- Cases approved by City Attorney, proceeding with PNO process
- Will then need 3<sup>rd</sup> instance of prostitution
- Each operation, at each IMP, takes ~25 staffing hours
- Unknown long-term effectiveness

# Looking forward

- Metro Vice Unit is expanding staffing mid-year, 2021 (two CSPD and one EPSO detective)
- Still measuring long-term effectiveness of full felony investigation vs. PNO seizure
- Will either have true long-term results?