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Red Canary Song, Elected Officials, Directly Impacted Workers, and Advocates Introduce Massage License Decriminalization Act

Act Seeks to End Violent Policing of Massage Workers in NYC

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(FLUSHING, NY) - Today, Red Canary Song, Assembly Member Jessica Gonzalez-Rojas, Senator Jessica Ramos, legal aid organizations, researchers, civil rights groups, and directly impacted workers launched a campaign urging the state legislature to passage the Massage License Decriminalization Act at the Flushing Worker’s Center in Flushing, Queens. Massage work is one of the only licensed professions in New York where the criminal law – including felony charges – is routinely used to police unlicensed practitioners. This bill will remove criminal penalties for those who practice unlicensed massage and prevent law enforcement from seizing the property of massage workers, including cash. **This bill responds to the disproportionate arrests of Asian American Pacific Islander women for unlicensed massage, and pushes back against the racialized policing of poverty.**

[Watch a recording of the press conference here.](#)

Today, a broad coalition of organizers, academics, and directly impacted workers **launched a report entitled “[Un-Licensed: Asian Migrant Massage Licensure and the Racialized Policing of Poverty.](https://tinyurl.com/2022Unlicensed)”** (<https://tinyurl.com/2022Unlicensed>) co-authored by Red Canary Song, Butterfly, Massage Parlor Outreach Project, and Brown University’s Center for the Study of Slavery and Justice. Drawing on several years of outreach and research, the report details how Asian massage work has been conflated with criminal activity and human trafficking across four cities: New York, Seattle, Toronto, and Providence. Massage workers face discriminatory targeting from law enforcement, under the guise of combatting trafficking. In reality, these efforts entrench Asian massage workers in the criminal legal system. Such targeted policing has had deadly and detrimental consequences for migrant massage

workers, and does nothing to protect migrant workers nor trafficking survivors. Obtaining a massage license is impossible for many Asian massage workers due to financial, educational, and linguistic barriers.

Law enforcement officials weaponize current unlicensed massage statutes to raid massage businesses and arrest almost exclusively Asian women, resulting in violent and sometimes fatal consequences (honor Yang Song's memory here). The Massage License Decriminalization Act dismantles the criminalization of unlicensed massage, and will end the practice of law enforcement abusing their authority to exploit workers.

"I heard last year that Manhattan DA stopped prosecuting prostitution charges. But the police keep taking away workers. Even if we won't be prosecuted, it is the arrest itself that terrifies me. We are afraid of raids, first and foremost. It's so excruciating and frightening there. I was so cold and hungry when I was arrested in the winter. I suffer from horrible panic attacks when I think they (police) are coming," said **Charlotte, Korean massage worker who has worked for 20 years in Flushing.**

"Drawing on research and organizing work across four cities in North America, our report shows how licensing regimes terrorize Asian migrant workers. In addition to accountability from law enforcement, we are also demanding the accountability of anti-trafficking organizations who have profited extraordinarily from programs that target so-called "Illicit Massage Businesses." By falsely equating human trafficking with all Asian massage businesses, anti-trafficking approaches collaborate with law enforcement to enact state sanctioned violence on migrant workers and working class communities of color. The results of such policing have had deadly and detrimental consequences for migrant massage workers, and do nothing to protect migrant workers or amplify their abilities to organize themselves and workplaces," said **Professor Elena Shih, Brown University Center for the Study of Slavery and Justice, Red Canary Song Organizer.**

"For far too long, New York state has trapped workers practicing massage without a license in brutal misdemeanor and felony charges, cycles of criminalization and systemic poverty. Massage is one of the only unlicensed professions where its workers and associates are frequently subject to arrest and police violence, and over 90% of those arrested are Asian women and non-binary people. New York state must take an overdue step to end the sexual harassment, exploitation and loss of property at the hands of law enforcement that wreaks havoc on workers from marginalized communities. Our state can and should protect consumers, but not at the expense and exploitation of workers. Albany lawmakers must pass the Massage License Decriminalization Act without delay," said **Jared Trujillo, policy counsel at the New York Civil Liberties Union.**

"Criminalizing certain forms of labor, particularly when the workers in that sector are predominantly immigrant women and women of color, actually does little to keep consumers safe. In fact we know that by keeping certain forms of work in the informal economy, we put both workers and customers at greater risk of exploitation, abuse, wage theft, and violence. The Massage License Decriminalization Act is another step I am proud to take with my partner in the Assembly, Jessica González-Rojas, to create dignity and safety for the immigrant women who are trying to provide an essential form of care work,"

said **Senator Jessica Ramos (D,WF - SD13), Chair of the Senate Labor Committee and Senate sponsor of the legislation.**

“Our city is experiencing a horrific spike in hate violence against our Asian neighbors, particularly Asian women. These acts of violence don’t take place in a vacuum. For too long, the criminal legal system in New York has targeted massage workers, disproportionately those who identify as Asian women, without restraint or accountability. Law enforcement increasingly exploits this statute to bring additional charges on sex work against massage workers. I introduced A8281, the Massage License Decriminalization Act, to end the state’s ongoing punishment of these working-class, immigrant New Yorkers. Decriminalizing sex work, including massage work, is an evidence-based solution that will allow marginalized communities to participate in the economy and survive in New York. It is time to put an end to criminalizing survival and for Albany to pass this bill,” said **Assemblymember Jessica González-Rojas.**

"Workers should never be criminalized for simply doing their jobs, as has been the case in this industry. We need to ensure that workers are empowered to do their jobs with the protection of New York State, not with the fear that their work will be targeted," said **Charlene Obernauer, Executive Director New York Committee for Occupational Safety and Health.**

Massage workers are the only workers in New York state that are explicitly eligible to be targets of special prosecution. The **Massage License Decriminalization Act** would right these historical wrongs based on stigma by *ending the violence and harassment toward Asian massage workers* that continues the cycle of poverty, exploitation, and deportation.

BACKGROUND: Red Canary Song (RCS) is a grassroots collective of Asian and migrant sex workers and allies based in Flushing, NY. RCS centers base building with migrant workers through a labor rights framework and mutual aid. RCS was founded in 2018 during the one-year commemoration of Yang Song, a massage worker who fell to her death during a NYPD raid at her place of work.