



MASSAGE

Illicit Massage Parlors in
Los Angeles County and New York City
Stories from Women Workers

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FOREWORD

MESSAGE FROM CONGRESSWOMAN JUDY CHU, 27th CONGRESSIONAL DISTRICT

The massage parlor industry continues to thrive in major metropolitan cities and suburban community enclaves in the United States. This research report highlights the enormity of the illicit massage parlor industry, focusing particularly on New York City and Los Angeles County. With its many in-depth interviews of Asian immigrant women in this industry, this report deepens our understanding of how these women were recruited, and how they are treated both in the parlors as well as in the criminal justice system.

Most importantly, the research report provides an important analysis and recommendations for reforms, especially from a labor rights as well as a law enforcement perspective.

As a Congressional leader representing a district in Los Angeles County, I believe it is important to shine a light on this issue, so that we can work on improving the lives of these women. We must have continued dialogue and action as we address this local issue, which has such a clear national and global impact.

Sincerely,

A handwritten signature in black ink that reads "Judy Chu". The signature is written in a cursive, flowing style.

JUDY CHU, Ph.D.

Member of Congress, 27th District

October 2019

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ACKNOWLEDGEMENTS

We are grateful to the many women who shared their stories about working in massage parlors. We also thank the legal and social service providers who offered their expert guidance and insights about the massage parlor industry. We thank Asian Pacific AIDS Intervention Team – Special Service for Groups in Los Angeles (Jury Candelario, Division Director) and APICHA Community Health Center in New York City (Therese Rodriguez, CEO) for their partnership on the project. We also thank study interviewers Hyang Choi, Mio Lan Chou, Yichen Tu, and Jennifer Zhang. We are grateful to Sahnah Lim (Assistant Professor, NYU School of Medicine, Department of Population Health) and Catherine R. Chen (Chief Program Officer, Polaris) for their careful review and helpful comments on a previous draft and to Elizabeth S.C. Wu for graphically designing the report. Research reported in this paper was supported by the Eunice Kennedy Shriver National Institute of Child Health & Human Development of the National Institutes of Health (NIH) under Award #R21HD074446. The content of this report is solely the responsibility of the authors and does not necessarily represent the official views of NIH, the authors' institutions, or the experts we consulted.

We are also grateful to the following experts for generously sharing their knowledge with us during the course of our research:

Leigh Latimer, Supervising Attorney, The Exploitation Intervention Project, The Legal Aid Society
Jimmy Lee, former Executive Director, Restore NYC
Chiu Hong Ma, MA, LMFT
Kate Mogulescu, Assistant Clinical Professor of Law, Brooklyn Law School
Rosie Wang, Immigration Attorney
Kate Zen, Co-Founder and Director, Red Canary Song

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EXECUTIVE SUMMARY

Recent media accounts about high-net-worth individuals, including New England Patriots owner Robert Kraft, being identified as clients of illicit massage parlors have gained national attention.¹ Other media reports have documented raids, mass arrests and undercover stings of massage parlors in US cities and suburbs. Although these recent accounts highlight the linkages between massage parlors and human trafficking and the fact that many of these women are Asian immigrants, rarely has there been media coverage of the daily experiences of the workers in these illicit massage parlors from their own perspectives. Why are women working in these establishments and under what conditions do they labor? What is the arrest process like for them? What solutions can be offered that do not further penalize, traumatize, or victimize an already vulnerable population?

We aim in this analysis to summarize previous research and to report on our recent interviews with Asian immigrant women working in illicit massage parlors in New York City and Los Angeles County – to portray a full range of “occupational arrangements, power relations, and worker experiences.”^{2, p. 215} By “illicit,” we mean a sub-set of massage parlors that purport to operate as legal businesses but where sexual services are illegally bought and sold. Our analysis suggests that some of the polarized debates around illicit massage parlors can be at least partly reconciled by framing massage parlor work as a labor rights issue, as part of the larger immigrant story of survival, and as a law enforcement reform issue.

To help fill some of the gaps in existing research, we focused our study around the following questions:

1. What are the pathways for Chinese and Korean immigrant women into the illicit massage parlor sector in New York City and Los Angeles County;
2. In what ways is work in this sector exploitative and stigmatizing, or not;
3. What is the role of law enforcement and criminalization in shaping the conditions of labor; and
4. What are the prospects for economic advancement for women who work in illicit massage parlors?

To answer these questions, we interviewed 116 Chinese and Korean women who reported that they at least once in the past provided sexual services in a massage parlor setting in New York City or Los Angeles County. Data collection occurred from October 2014 through July 2016. Participants constitute a convenience sample recruited through ads in ethnic newspapers, online ads, direct recruitment at massage parlors, referrals from social service providers, and recruitment at courthouses.

Some of our basic findings are summarized in the table below.

Summary of study findings

	What do we know from previous studies?	What does our study tell us about Los Angeles County and New York City?
How does the illicit massage parlor industry work?	<ul style="list-style-type: none"> • There is very little research on illicit massage parlor operations • The few studies that exist describe the industry differently: <ul style="list-style-type: none"> • Some say that the industry is highly organized, with links to human trafficking, drug trafficking and gangs • Others say that the industry is similar to other ethnic businesses, composed mainly of small stand-alone businesses 	<ul style="list-style-type: none"> • The illicit massage parlor industry is only loosely organized, with most owners (many former workers) running just 1 to 3 shops • Businesses openly advertised for female workers and male clients, although the ads were ambiguous to avoid law enforcement scrutiny • Workers learned about jobs by word-of-mouth through other workers and through ads in ethnic newspapers and online sites
What are the effects on women who work in illicit massage parlors?	<ul style="list-style-type: none"> • Some argue that illicit massage parlor work is oppressive and the women workers are typically survivors of human trafficking and are vulnerable to exploitation and violence • Others argue that illicit massage parlor work is similar to other types of work, leading to financial independence and flexible work situations 	<ul style="list-style-type: none"> • Women often chose illicit massage parlor work from a very small number of employment options; some women described being coerced or deceived into this work, but most women said that they chose this work as their best alternative among limited options • On the positive side, the pay was higher than in other industries and could provide opportunities for self-employment • On the negative side, there were risks to physical health (HIV, STIs) and mental health (isolation, stigma); risk of violence from clients and owners, and robbery in this cash-based industry; and possible arrest, fines, and jail, as well as deportation in the case of undocumented immigrants
How do law enforcement and the criminal justice system affect the industry?	<ul style="list-style-type: none"> • Much research has focused on sex trafficking, street prostitution, and the causes of criminal behavior (e.g., linkages among low income levels, drug use, and prostitution; the role of mental health issues and history of abuse) 	<ul style="list-style-type: none"> • Fear of arrest almost always superseded fear of robbery or assault; many women were reluctant to seek police protection • Women who did not read or speak English were often unaware of what was happening after their arrests, leaving them vulnerable to predatory lawyers (or those posing as lawyers), both in their criminal proceedings as well as their immigration cases

Summary of recommendations

Our research findings lead us to prioritize the following recommendations in four primary areas: 1) modifying law enforcement practices; 2) increasing employment options; 3) improving healthcare access; and 4) reducing the stigma of illicit massage parlor work. (These recommendations are presented in further detail, starting on page 31.)

1) **MODIFY POLICE PRACTICES AND COURT SERVICES TO PROTECT THE SAFETY AND RIGHTS OF ILLICIT MASSAGE PARLOR WORKERS**

Our research indicates that illicit massage parlor workers sometimes suffer unnecessarily rough treatment during the arrest process and may be arrested wrongfully. Resulting fear of the police increases massage parlor worker vulnerability in that they are reluctant to seek police help when they are targets of crime. Lack of understanding by workers of what massage parlor practices are illegal, of rights during arrest and court processes, and of immigration law leaves illicit massage parlor workers vulnerable to predatory lawyers or those posing as lawyers. These problems are exacerbated by language barriers and undocumented immigration status. In recognition of these issues, advocates from across the spectrum appear to be arriving at somewhat of a consensus that people who sell sex should not be criminalized. That consensus appears to have extended to some degree to the New York City Police Department, which recently indicated that it was shifting its enforcement emphasis away from arresting women working in the sex industry.³ There continues to be a contentious debate, however, about how far decriminalization should go in terms of whether to extend decriminalization to purchasing sex and managing the selling of sex. Our recommendations below address contexts in which prostitution remains illegal, which characterizes most places in the US:

- a) **In places where prostitution remains criminalized (most of the US), scale back law enforcement efforts that are focused on arresting illicit massage parlor workers.**
- b) **Increase language interpretation services during the arrest and court processes.**
- c) **Maintain separation between criminal proceedings and immigration enforcement.**
- d) **Use social media to disseminate information about legal rights and procedures.**
- e) **Increase collaboration between law enforcement and legal/social service providers.**
- f) **Provide training to police officers so that they interact with illicit massage parlor workers in a trauma-informed manner and with an understanding of the needs and rights of immigrant women who have limited English proficiency.**
- g) **Change arrest procedures to prevent further trauma.**
- h) **Community-oriented policing should be carried out with awareness of the conflicting interests within communities.**
- i) **Local governments should consider having law enforcement take a secondary role in the oversight of illicit massage parlors and instead have other government agencies (such as health departments) take the primary role.**

2) **INCREASE EMPLOYMENT OPTIONS.**

A number of women interviewed for this study explained that they had previously worked in low-skill,

low-wage industries (such as nail salons or restaurants) but could not handle the physical strain and toxic exposure or survive on their low wages. Illicit massage parlor work was thus seen as a more viable economic alternative, despite its risks. To address this lack of employment/economic survival options, we recommend the following:

- a) **Shift the focus of social services targeted to illicit massage parlor workers to address their economic realities.**
- b) **Build support networks of Asian immigrant women who have moved into sectors outside of the illicit massage parlor industry.**
- c) **Provide English-language classes that accommodate the women's work and home obligations.**

3) **INCREASE ACCESS TO HEALTHCARE, PREVENTION EDUCATION, AND HEALTH SCREENING.**

Illicit massage parlor work leaves workers and clients at risk for sexually transmitted infections (STIs). Among the study participants, 7% reported having ever had some type of hepatitis infection; 7% reported having had at least one STI; 43% had not been tested for HIV, and an additional 3% did not know if they had been tested; 36% had not had a gynecological exam in the last year. Potential benefits of systematic STI and HIV/AIDS education include prevention of infection by decreasing unprotected sex and increasing use of effective pre- and/or post-exposure prevention methods (PrEP and/or PEP). Regular healthcare and management of HIV infection also reduce risk of HIV transmission.

4) **WORK WITH KEY COMMUNITY INSTITUTIONS, SUCH AS RELIGIOUS INSTITUTIONS AND LOCAL NEIGHBORHOOD ORGANIZATIONS, TO REDUCE STIGMA OF ILLICIT MASSAGE PARLOR WORK.**

- a) **Work with key organizations within the ethnic community:** Engaging in illegal activity that is considered shameful by other community members leads to harmful social isolation and lack of social support for these women. Shame- and stigma-reducing messaging from key co-ethnic community institutions, such as religious institutions, may help to change the conversation in the community.
- b) **Provide information and education to local neighborhood organizations or councils (e.g., community boards):** Local neighborhood organizations are sometimes at the forefront of initiatives that encourage police crackdowns on massage parlors, without having a clear understanding of the causes of illicit massage parlor proliferation and the difficult decisions made by these women to work in the illicit massage parlor industry. Advocates and local government agencies can work with these key community organizations to get their buy-in on the benefits of providing social services and increased job opportunities for women working in illicit massage parlors.

These recommendations offer incremental ways to address the most immediate issues of overly aggressive policing, as well as some of the root causes of exploitation, such as the lack of economic survival alternatives. Given the highly politicized nature of the debate on whether the provision of commercial sexual services should be legalized, decriminalized, or eliminated – these recommendations seek to move beyond the stalemate and create change that is attainable.

INTRODUCTION

On March 4th, 2016, the New York City Police Department's Queens Vice Enforcement Squad arrested four massage parlor workers in Glendale and Ridgewood as part of an undercover sting.⁴ Several days later, on March 15th, another seventeen massage parlor workers in Whitestone and Flushing were arrested as part of an ongoing crackdown on illegal activities in massage parlors across the borough of Queens.⁵ More recent media accounts about high-net-worth individuals, including New England Patriots owner Robert Kraft, being identified as clients of illicit massage parlors have gained national attention.¹ Reports of these raids noted that some of the employees arrested were charged with practicing prostitution, but most of them were charged with practicing massage without a license, an offense that can carry stiffer penalties than a prostitution charge and which is easier to prove. These media accounts also highlighted how the raids were largely a result of local community members' complaints regarding threats to the neighborhood's quality of life, fear of the spread of "seedy" businesses in the community acting as fronts for prostitution, and suspected illegal activity in massage parlors. Community boards, neighborhood committees and concerned individuals filed several complaints in order to pressure their local precinct to respond.

Views about illicit massage parlors can be highly polarized.

Numerous media reports have documented raids, mass arrests and undercover stings of massage parlors in US cities and suburbs, similar to the accounts above. However, rarely is there coverage focusing on the experiences of illicit massage parlor workers. While some reports go so far as to identify the

names of the female workers arrested (who are overwhelmingly Asian and female), or to suggest they could be survivors of trafficking, rarely has there been media coverage of the daily experiences of the workers in these illicit massage parlors from their own perspectives. Why are women working in these establishments and under what conditions do they labor? What is the arrest process like for them? What solutions can be offered that do not further penalize, traumatize, or victimize an already vulnerable population?

Views about illicit massage parlors can be highly polarized. In communities where illicit massage parlors proliferate, community members who find them to be a public nuisance are pitted against immigrant women workers who see massage parlor work as their best path for economic survival. On the one hand, among social service providers and advocates, there are debates about the level of exploitation and trauma that illicit massage parlor workers experience and, on the other hand, the degree to which massage parlor workers are empowered agents of their own life course. Within the criminal justice system, a view of illicit massage parlor workers as criminals clashes with specialized courts' efforts to treat the women as survivors of exploitation and trafficking who need protection and guidance. **There appears to be a more recent growing consensus, however, among law enforcement, legal service providers, social service providers, advocates and workers that it is counter-productive to criminalize individuals who sell sex, although whether to also decriminalize buying sex and promoting prostitution (i.e., "pimping") is still hotly debated.**

An important context of these debates is the ongoing and often contentious discussion about whether the provision of sexual services is just another form of labor, or if it is inherently problematic, oppressive, and exploitative because it involves sex.

We aim in this report to summarize previous research and to report on our recent interviews with Asian immigrant women working in illicit massage parlors in New York City and Los Angeles County – to portray a full range of "occupational arrangements, power relations, and worker experiences."^{2, p. 215} By "illicit," we mean a subset of massage parlors that purport to operate as legal businesses but where sexual services are illegally bought and sold. Our analysis suggests that some of the polarized debates around illicit massage parlors can be at least partly reconciled by framing massage parlor work as a labor rights issue, as part of the larger immigrant story of survival, and as a law enforcement reform issue. In seeking solutions, it is also important to understand that gender inequity – both within the women's ethnic communities and in society at large – lies at the root of the

vulnerabilities and exploitation experienced by Asian immigrant women working in illicit massage parlors. The violence and exploitation they face is often gender-based or exacerbated by gender-related vulnerabilities.

The report is divided into five sections: what existing research tells us, gaps in existing research and our research questions, our study's data collection methods, our study's findings, and recommendations for policy makers, law enforcement and the justice system, and advocates.

WHAT EXISTING RESEARCH TELLS US

How does the illicit massage parlor industry operate?

Illicit massage parlors are a prominent aspect of the “indoor” (or “off-street”) sex industry, which has become the most prevalent form of the sex industry,^{6,7} constituting up to 85% of all sex industry activity in the US.^{8,p.19} Despite the greater prevalence of indoor sex industry activity, most research has focused on street prostitution.⁹ The growth in the illicit massage parlor industry has been traced in part to more aggressive policing of street-based prostitution, driving the sex industry into indoor venues¹⁰ and to the use of the Internet to connect clients and women working in the sex industry.¹⁰ Although “red-light districts” have long existed in cities,¹¹ illicit massage parlors have become more ubiquitous, moving into higher income areas in New York City (NYC), such as Midtown,¹² and into middle-class immigrant areas in Los Angeles County (LAC), such as suburban Chinatowns.

A substantial proportion of women working in illicit massage parlors are Asian immigrants. In one NYC study, 47% of women working in indoor sex venues were foreign-born,⁸ and another study in Los Angeles found that women working in indoor sex venues tended to be Asian or Latina,⁹ populations in Southern California that are predominantly foreign-born. For the majority of women working in the sex industry, financial hardship is a strong incentive to enter into such work,¹³ increasing the likelihood of exploitation or coercion. In the case of immigrants in particular, many are paying off migration debts.¹⁴

Researchers know little about how illicit massage parlors operate. Historically, Chinese brothel syndicates were operated by gangs in the nineteenth and early twentieth centuries, but demand for brothel services declined after the number of Chinese women in the US grew to more closely match the number of Chinese men following World War I. This sex ratio normalization contributed to what Light called “industrial succession,”^{15,p.469} whereby brothels closed while the restaurant and tourism industries grew.

A substantial proportion of women working in illicit massage parlors are Asian immigrants.

More recent studies suggest that small networks may support the industry's operations. An Urban Institute study of medium-sized cities in the US found that the underground commercial sex economy was not connected to weapons trafficking but in some cities was connected to sex trafficking, drug trafficking, and gang involvement.¹⁶ Jang et al.¹⁷ studied a 2006 US federal case in which 41 Korean owners, managers, and associates were arrested for running illicit massage parlors in the US. The researchers identified three key roles: middlemen, owners, and money transmitters. Middlemen recruited workers, transported workers to illicit massage parlors throughout the Northeastern US and acted as a conduit for communications between and among owners and Korean women workers. Owners sometimes owned multiple small establishments and hired managers to run the day-to-day operations of the business, facilitate interactions with clients, prepare meals for the workers, and clean the establishment. The Jang et al. study found that the size of one business location ranged from three to eleven workers, including owners and managers (many owners and managers also provided sexual services themselves).¹⁷ A third group, money transmitters, enabled workers and owners to transmit earnings to Korea from the US, without using formal banking institutions.^{17, pp.56-62}

Some researchers have argued that hiring immigrant, co-ethnic workers in illicit massage parlors is characteristic of ethnic enterprises more generally, where employing undocumented workers at low wages offers immigrant businesses a way to survive in a costly, complex, and competitive economic environment.¹⁸ As with other ethnic enterprises, women enter illicit massage parlor employment through global pathways: through international recruitment networks;^{17,19} through a decrease in alternative employment opportunities in low-skill local manufacturing jobs (especially the garment industry) as a result of globalization;²⁰ and through increased demand for personal services by workers in the global economy,²⁰ which may include sexual services. These global pathways are shaped by sending and receiving countries' policies regarding immigration¹⁹ and, in the case of illicit massage parlors, laws regarding prostitution.²¹

What are the effects on women who work in illicit massage parlors?

Researchers and advocates disagree about what effects the provision of sexual services in exchange for money has on women workers. On the one hand, some researchers and advocates argue that providing sexual services is a viable form of employment ("empowerment paradigm" and labor rights framework). On the other hand, other researchers and advocates argue that women working in the sex industry are victims and highlight the oppressive and exploitative nature of providing sexual services in exchange for money ("oppression paradigm").²

Much of the existing research and mainstream media coverage characterizes work in illicit massage parlors as oppressive for women and intertwined with human trafficking (often relying on the FBI definition of sex trafficking, which includes cases where "a person was induced to engage in commercial sex acts through force, fraud, or coercion"²²). For example, the *Los Angeles Times* in 2017 reported the federal indictment of nine southern California residents accused of running a sex trafficking and money laundering ring. Federal authorities claimed that the women were trafficked from Thailand and "forced by traffickers into the sex trade, sent to brothels across the country and rotated from city to city. They were isolated and forced to work all day and night to pay down outrageously high debts — often between \$40,000 and \$60,000. Until then, the organization owned the victims."²³ Sexual services were provided at apartments and houses, hotels, and illicit massage parlors.

There may be a differentiation of experiences and practices by ethnicity and sector (e.g., apartment-based brothels vs. storefront illicit massage parlors). While there is a wide range of worker experiences, several scholars argue that kidnapping, gang involvement and restriction of movement may not be the norm in the illicit massage parlor industry and that many massage parlor workers have some prior understanding that they may be asked to provide sexual services.²⁴ However, even in situations where physical coercion and blatant deception are not present, researchers have argued that indirect coercion and psychological manipulation are used in the recruitment and management of illicit massage parlor workers. Taking advantage of illicit massage parlor workers' economic vulnerability and fear of arrest and deportation as a result of their undocumented immigration status,^{19,24} engagement in illicit activities (i.e., sexual services for payment), and the need to pay off large migration debts owed to smugglers, employers may pressure workers to perform sexual services or work longer hours by threatening to withhold wages, fire workers without notice, or report workers to the police or immigration authorities.^{19,24}

What are the effects of regulation and anti-prostitution enforcement on the illicit massage parlor industry?

Much existing research on the intersection between the law and provision of sexual services has focused on street prostitution, experiences in the criminal justice system, and the causes of criminal behavior (e.g., linkages among low income levels, substance use, and prostitution; the role of mental health issues and history of abuse).²⁵⁻²⁷ There is also a substantial and growing set of research studies on sex trafficking, especially

global trafficking.²⁶ Illicit massage parlors, a type of indoor sex business, has been studied less, though there is increasing research interest.

Some researchers have argued for decriminalization or legalization of prostitution, some for cost reasons and others because of safety issues for workers. Pearl argues that enforcement of anti-prostitution ordinances is costly and that more resources should be focused on arrests for violent crime; she notes that in the 16 largest US cities, arrests for prostitution equal the number of arrests for all violent offenses.²⁸ Lutnick and Cohan, interviewing women working in the sex industry in San Francisco, say that they prefer a combination approach of decriminalization and legalization to help protect them from violence from male clients and sometimes from police.²⁹

Research suggests that decriminalization of prostitution may benefit workers. An interesting study of Rhode Island found that a brief period where indoor prostitution was decriminalized, following a court decision in 2003, was linked to more indoor sex industry activity, but fewer forcible rape offenses and lower incidence of gonorrhea for the state.³⁰ Legalization allows for the introduction of regulatory policies that may increase health and safety in the sex industry. In Ecuador, where prostitution is legal and regulated, a study found that enforcing licensing regulations for street-based workers in the sex industry was associated with lower rates of a current sexually transmitted infection (STI) in this population, although regulation was also linked to a higher chance that a brothel worker would have ever had an STI.³¹

OUR RESEARCH QUESTIONS

Much of the research and analysis of the illicit massage parlor industry follows one of two frameworks – one that views the women workers as victims and another that views illicit massage parlor work as a potential avenue of empowerment. Solid empirical data supporting either of these frameworks are rare, however. For example, Weitzer,^{2, p. 215} who critiques the “oppression paradigm,” argues that much of the research highlighting victimization in the sex industry “is replete with tainted findings and spurious conclusions” (see also Sanders and Campbell³²). Further, Chin and Finckenauer contend that research on human trafficking, which is an integral component of the “oppression paradigm,” has been based “almost exclusively [on the experiences of] rescued subjects who were in the hands of law enforcement officials, advocates, or service providers.”^{24, p. 4} On the other hand, Weitzer also argues that research that follows an “empowerment” paradigm tends “to neglect sex workers who have had highly negative experiences.”^{2, p. 215}

To help fill some of the large gaps in existing research, we focused our study around the following questions:

(1) what are the pathways for Chinese and Korean immigrant women into the illicit massage parlor sector in New York City and Los Angeles County; (2) in what ways is work in this sector exploitative and stigmatizing, or not; (3) what is the role of law enforcement and criminalization in shaping the conditions of labor; and (4) what are the prospects for economic advancement for women who work in illicit massage parlors?

OUR STUDY: DATA COLLECTION PROCEDURES

To answer these questions, we interviewed **116 Chinese and Korean women who reported that they at least once in the past provided sexual services in a massage parlor setting in New York City or Los Angeles County.** Data collection occurred from October 2014 through July 2016. Participants constitute a convenience sample recruited through ads in ethnic newspapers, online ads, direct recruitment at massage parlors, referrals from social service providers, and recruitment at courthouses. Because our study focused specifically on

Chinese and Korean massage parlor workers, our sample does not include women of other races/ethnicities nor substantial representation of women who participated in other sectors of the sex industry, such as street-based solicitation, escort businesses, or sex businesses based in private homes. It is also important to note that our sample of participants is made up of women who were willing to be interviewed; therefore, the voices of women who may be working in more oppressive or controlled situations may be under-represented.^h

The 60- to 90-minute interviews were conducted primarily in Chinese (Mandarin or Cantonese) and Korean by trained bilingual interviewers and covered a variety of topics, including reasons for entering the profession, labor conditions, health risks, encounters with law enforcement, and experiences of violence and sexual assault. Interviewers followed a structured survey instrument that included both closed-ended questions (i.e., check-the-box questions) and open-ended questions (i.e., questions where the participant can give a narrative answer). Although we were authorized to audio-record interviews by our Institutional Review Board, almost all participants refused to be recorded. Interviewers took careful notes and then translated/transcribed their notes following the interview. Therefore, the quotations included in this report are drawn from the notes of the interviewers and are not necessarily the verbatim words of those interviewed.

Study participants were offered a \$100 cash incentive. The cash incentive was an important component of recruitment because many of the participants saw the interview time as a missed opportunity to earn money. Because of the sensitive nature of the topics and disclosure of illegal activities, we sought and received a federal Certificate of Confidentiality, which prevents the study from having to surrender research records if subpoenaed by law enforcement agencies.

This analysis focuses on responses to the open-ended questions in the interview. To analyze the data, a codebook of major themes emerging from the interviews was developed based on a preliminary review of the responses. Two coders (both study interviewers) applied those codes to the data, identifying passages of text that related to those codes. During the coding process, they identified additional themes that were not included in the codebook. After the first round of coding, the codebook was revised to add the new codes that the coders identified. The coders then reviewed the data again to apply the new codes to the text of the interview notes.

Codes relevant to the focus of this paper were then identified, and six members of the research team extracted text excerpts that were marked by those codes. They then organized the text extractions into larger themes for discussion by the full analytic team (the six research team members, plus the two Principal Investigators). The team further consolidated and refined the themes through research team discussions to arrive at the final themes discussed in this paper.

The characteristics of the 116 women interviewed for the study are summarized in Table 1. The women were in their early to mid-40s in age on average. Most were high school graduates or below; about 8% had a four-year college degree or higher. Most reported that they spoke English “not well” or “not at all.” And most reported having children, although most women who had children were not living with them.

Interviews with massage parlor workers were supplemented with interviews with social and legal service providers (ten interviews in Los Angeles County and ten in New York City). Information from these interviews is introduced in some parts of the analysis below to provide context and aid in the interpretation of the illicit massage parlor workers’ statements.

^h For an analysis of illicit massage businesses that focuses on women’s experiences of being trafficked, see the Polaris report, “Human Trafficking in Illicit Massage Businesses,” at <https://polarisproject.org/message-parlor-trafficking-report>.

Table 1. Characteristics of Asian immigrant massage parlor workers by region, 2014 – 2016

Variable		New York City (n=62), Mean±SD, or frequency (%)	Los Angeles County (n=54), Mean±SD or frequency (%)	Total (n=116), Mean±SD or frequency (%)
Age (year)		46.76±9.26	43.75±9.83	45.35±9.69
Highest education level	Less than 8 years of schooling	4 (6.5)	11 (20.4)	15 (12.9)
	More than 8 years of schooling, but not a high school graduate or GED	5 (8.1)	6 (11.1)	11 (9.5)
	High school graduate/GED	31 (50.0)	16 (29.6)	47 (40.5)
	Some college	7 (11.3)	7 (13.0)	14 (12.1)
	Associates degree/2-year degree	11 (17.7)	9 (16.7)	20 (17.2)
	4-year college degree	3 (4.8)	5 (9.3)	8 (6.9)
	Graduate school and more	1 (1.6)	0 (0)	1 (0.9)
Primary language	Korean	27 (43.5)	20 (37.0)	47 (40.5)
	Mandarin	30 (48.4)	27 (50.0)	57 (49.1)
	Cantonese	3 (4.8)	2 (3.7)	5 (4.3)
	Missing Value	2 (3.2)	5 (9.3)	7 (6.0)
How well do you speak English?	Not at all	11 (17.7)	5 (9.3)	16 (13.8)
	Not well	38 (61.3)	36 (66.7)	74 (63.8)
	Well	9 (14.5)	11 (20.4)	20 (17.2)
	Very well	4 (6.5)	2 (3.7)	6 (5.2)
Current legal marital status	Married, living with spouse	4 (6.5)	11 (20.4)	15 (12.9)
	Married, not living with spouse	14 (22.6)	2 (3.7)	16 (13.8)
	Widowed	4 (6.5)	0 (0)	4 (3.4)
	Divorced	20 (32.3)	23 (42.6)	43 (37.1)
	Separated	4 (6.5)	2 (3.7)	6 (5.2)
	Never married (single)	15 (24.2)	15 (27.8)	30 (25.9)
	Registered domestic partners	1 (1.6)	0 (0)	1 (0.9)
	Missing Value	0 (0)	1 (1.9)	1 (0.9)
Do you have children?	Yes	47 (75.8)	33 (61.1)	80 (69.0)
	No	13 (21.0)	20 (37.0)	33 (28.4)
	Missing Value	2 (3.2)	1 (1.9)	3 (2.6)
Do your children live with you now?	Yes	10 (16.1)	14 (25.9)	24 (20.7)
	No	36 (58.1)	18 (33.3)	54 (46.6)
	Does Not Have Children	13 (21.0)	20 (37.0)	33 (28.4)
	Missing Value	3 (4.8)	2 (3.7)	5 (4.3)

Note: the sum of percentages may exceed or fall short of 100.0 because of rounding.

OUR STUDY: WHAT DID WE FIND?

Illicit massage parlor operations in New York City and Los Angeles County

The illicit massage parlors where study participants worked tended to be small storefront operations, although they were sometimes on upper floors or in the interiors of office buildings (e.g., one illicit massage parlor was located in a medical office building). Owners typically owned one to three illicit massage parlors, and there was little evidence of larger operations. It was not uncommon for owners to be former illicit massage parlor workers and for current workers to express a desire to own their own shops in the future. Illicit massage parlors usually had several workers, sometimes including the owner herself. Larger massage parlors might have a separate receptionist, but in most cases, massage parlor workers played multiple roles – providing massage, acting as a receptionist, and helping to manage the shop.

Many illicit massage parlors had cooking facilities on site, which allowed the workers to have meals cooked for them (for a fee), or to cook meals themselves. For women who lived off-site, some were driven to and from the work site by massage parlor drivers (for a fee), but many traveled on their own. The availability of meals at the massage parlor and the cost of transportation encouraged some workers to remain on site, and some of the workers lived illegally at their massage parlors. Many study participants said that owners came to the shop only to collect the day's proceeds, thereby minimizing their risk of being present during a police raid.

Advertising in the industry is purposely unclear in order to avoid detection by law enforcement. Advertising typically focused only on massage without any mention of sexual services. Advertising to recruit workers or clients might be suggestive of sexual services but only with the use of images or indirect language. One study participant explained that she instructs her ad agency not to make the ads appear too “yellow” (i.e., suggestive of sexual services) while also making them enticing to customers seeking sexual services. Another study participant said that sometimes the ads included the word “massage” and sometimes they did not but instead had only a stock image of a Chinese woman and a phone number. The physical appearance and signage of the illicit massage parlor storefronts also often remained deliberately vague about the nature of the business. As one study participant noted, her massage parlor had only an “open” sign, but no specific markings indicating the types of services provided.

Although our study targeted workers in illicit massage parlors specifically, there were some participants who worked in other types of business situations, such as non-fixed location escort services, and fixed location illicit massage parlors that also offered escort services. Some escorts were connected to clients by illicit massage parlors, while other workers were self-employed as escorts on the side. Escort services were usually provided at the client's house, a motel room, or at the illicit massage parlor.

Some of the illicit massage parlors where study participants worked provided exclusively sexual massages. However, many of the massage parlors provided regular non-sexual massage as well, and clients seeking such services could easily go unaware that sexual services were being provided at the shop. As one participant explained, “some clients only come in for massage services; as a result, there are some repeat female clients who only come in for massage. The employees do not advertise sex services and only respond [with sexual services] when they are asked by clients in the privacy of the massage room.”

Illicit massage parlor fees varied widely. One Korean massage parlor worker said that her massage parlor in Manhattan charged \$500 for a “full-service” massage (i.e., involving vaginal intercourse), not including tip, and the worker received only a small share of the total payment; another nearby illicit massage parlor charged an unusually low \$80 house fee for a full-service massage and a fixed \$40 tip that went to the massage parlor worker.

Illicit massage parlors that offered non-sexual massage typically charged a house fee of around \$60 for a basic non-sexual massage. Some illicit massage parlors charged additional fees for sexual services, but such services were often paid for in the form of tips, with some shops having mandatory tips going to the parlor owner and other parlors allowing workers to collect and keep their own tips. The house fee was often split between the owner and the worker, although in some cases the house fee was taken wholly by the owner, with only tips going to the worker. In these cases, providing sexual services for tips was the only way workers could earn a living wage. Many participants reported that they did not start off providing sexual services, but quickly discovered that massage without sexual services did not pay well enough. Some massage workers invited clients to their homes to avoid paying parlor fees to owners. Workers received no vacation time or other benefits.

Workers' relations with owners and managers

A number of women described multiple forms of exploitation and abuse from owners and managers where they worked. Several massage parlor workers suggested that massage parlor managers did not care what happened inside the massage room; their only concern was that the customers returned to the business. One worker indicated that her manager wanted her to have unprotected sex (full service without a condom) to please paying customers. Another worker was told that providing sexual service without a condom was a basic requirement.

Some women reported that managers also threatened to fire them if they did not provide services requested by clients. Workers shared instances where they attempted to refuse to provide sexual services to a client and received verbal threats from their managers who told them they would be fired or have to take a few days off as punishment. One worker who was undocumented shared that her manager threatened to call the police to have her arrested if she did not provide sexual services to clients.

In some cases, owners docked pay from workers who did not want to provide sexual services. For example, one worker said that if she earned \$60 for a particular client, yet refused to provide sexual services, the owner would take \$60 out of her earnings, and another \$60 as a fine.

Other cases of abuse included insults, verbal abuse, and sexual abuse by the owner. One worker was asked during her interview to demonstrate her ability to provide sexual services on the owner himself. Another worker said that an owner borrowed money from workers and never repaid the loan.

While a number of women interviewed experienced some form of exploitation or abuse from their owners or managers, many women interviewed suggested that their relationships with their managers were more supportive and collaborative. For example, some women described refusing a client's request for a service they were not comfortable providing and having managers step in to negotiate or to find another worker who was willing to provide the service, or even providing the service themselves. In one case, a worker spoke fondly of her manager, saying that the manager would pay her a tip if a client failed to provide one.

Entry into illicit massage parlor work

Entry into illicit massage parlor work for most study participants was relatively easy in the sense that massage parlors did not require documentation of work authorization or previous experience. Several women said they had worked in nail salons or restaurants – other employment sectors that may be open to undocumented immigrants – but found the physical labor to be too difficult, especially in light of the very low pay.

Undocumented immigration status may be preferred by illicit massage parlor employers who are seeking workers they may be able to exploit more easily. One study participant said that her massage parlor owner, a

male Chinese national, “preferred undocumented and unlicensed Chinese masseuses; he would charge them \$1,200 to arrange for a massage license, and also charged them rent for staying at the massage parlor.” Since it is not possible for an employer to purchase a massage therapy license (earning a license requires meeting state-mandated formal training requirements, which are substantial), the employer was likely misrepresenting the fee, taking advantage of the workers’ lack of awareness. In previous work, we learned that there were a number of illegitimate massage therapy schools in the San Gabriel Valley in Los Angeles County that massage parlor workers paid to attend to earn their massage licenses, only to learn later that their school had shut down and their licenses were not valid.

Many participants indicated that before they were familiar with the illicit massage parlor sector, they found their massage parlor jobs through advertisements; after they had worked in the sector, they found new massage parlor employment through word-of-mouth, particularly through co-workers in the industry.

Most illicit massage parlor workers interviewed found their jobs through ethnic newspapers and free street papers in the US. Study participants reported that advertisements for hiring illicit massage workers are easily found in newspapers, street papers, and on the Internet.

Because illicit massage parlors typically minimized any explicit reference to sex in advertisements for female workers to avoid law enforcement scrutiny, it was sometimes difficult for workers to understand whether illicit massage parlors expected them to provide sexual services. Some study participants did not realize they were being hired to provide sexual services until they started working. For more experienced massage parlor workers who understood that sexual services would be expected, the vague ads left them unclear about what types of sexual service they would be expected to provide. One participant said that she called the massage parlors to figure out whether they were offering “half or full service” (i.e., “half” meaning “hand jobs” or “full” meaning vaginal intercourse) but sometimes “massage parlor owners won’t always be clear on the phone and will use massage industry terminology that she doesn’t understand. When she meets the owners in person, they are clearer about what they want.”

Many participants indicated that before they were familiar with the illicit massage parlor sector, they found their massage parlor jobs through advertisements; after they had worked in the sector, they found new massage parlor employment through word-of-mouth, particularly through co-workers in the industry. One study participant said that after “she found a job [through newspaper ads], she got to know the women who worked there. They introduced other jobs to her, and introduced her to their other employers.”

Although finding work through newspaper ads seemed most common, there were a variety of other ways that women entered the industry. Some participants initially sought illicit massage parlor work because of suggestions of co-workers (in other industries), customers, and acquaintances. A number of study participants were introduced to the work by friends or relatives. One participant said that her illicit massage parlor owner recruited young ethnically Korean women in their 20s and living in China through a broker in Yianbian, China (near the border of North Korea). Others were connected to the work by early encounters with individuals after arriving in the US. One participant in New York City said, “when I came to US, I stayed in a transient hotel. My roommate was a Chinese woman who worked at the massage parlor. She told me about the massage parlor work. She set me up in a massage parlor in Flushing. She taught me how to do massage. I went to the massage parlor she arranged me to work. I provide sex service right after I started working.... I do that for the sake of money.” One key informant at a social service organization suspected that such “chance” encounters were actually engineered by massage parlor owners as a recruitment strategy.

Many study participants characterized themselves as free agents wanting to earn money quickly. This view was more prevalent among younger women: “[we] came here by travel visa and stay here for several months

[working in illicit massage parlors] to get some quick money.” Another study participant characterized the work as flexible and lucrative: “[I] worked only when I needed money. On special days, including Christmas, Korean Thanksgiving, or New Year Eve, it was easy to get a work and [I] made a lot [of money] in short time.” The informality of the work was also seen as a plus in some cases, as one interviewer noted: “she does not want to get a job that requires to pay income tax because it will affect her future [eligibility for public benefits].” Although rare, some study participants described engaging in the work for sexual satisfaction: “[by] providing sex service [I] can satisfy my sexual need.”

In most cases, study participants saw working in illicit massage parlors as the best alternative among very limited choices for meeting economic needs.

Study participants’ characterizing themselves as free agents extended to describing the ease of quitting one massage parlor job and easily starting at another massage parlor. Some study participants described leaving the work all together periodically when they were fatigued or had a change in life circumstances and then easily dropping back in with the help of contacts or simply responding to a

newspaper ad. Some workers changed jobs frequently, quickly moving on to new massage parlors if they were unhappy with the employer/manager or the working conditions, such as the cleanliness of the massage parlor, the length of the commute, or house rules prohibiting cell phone use or talk amongst the staff. Economic reasons were also important in the decision to leave or stay with a massage parlor. A massage parlor’s inability to attract a sufficient volume of clients was given as a reason for leaving. Another massage parlor worker described leaving a massage parlor because the manager kept the highest tipping clients for herself. One study participant said she looked for massage parlors where the customers paid good tips but were not demanding.

In most cases, study participants saw working in illicit massage parlors as the best alternative among very limited choices for meeting economic needs. In closed-ended questions, 32% said they entered illicit massage parlor work by necessity, 19% by choice, and 49% a little of both. As with many other immigrants, massage parlor workers felt pressure to earn higher wages because they faced a variety of financial burdens, including paying off debts to smugglers in the tens of thousands of dollars (to get them to the US), financially supporting parents and children in their home countries, paying college tuition for children in the US, and even repaying a father’s gambling debt. One participant described arriving in the US with no money for rent or food, responding to a Chinese-language newspaper ad, starting work that day, and earning \$200 to \$300 that same day.

In response to one of our interview questions, most study participants (83%) said that they were not coerced into providing sexual services. Still, 17% said that they were coerced or forced in some way to start or continue to provide sexual services. In a number of the cases, the coercion took the form of clients’ pressuring them to provide sexual services. In other cases, the coercion came from massage parlor owners or managers. Some of the women described being deceived into illicit massage parlor work. According to one study participant, “the owner at the MP [massage parlor] where the interviewee started massage work at first time changed the business type without asking or agreement, and then forced her to provide a hand job to a client. Later she continued providing this service by choice and necessity.”

A few study participants described highly coercive situations during their entry into the business. One study participant described this extreme case, which illustrates the financial pressures and lack of alternatives that cause women to return to providing sexual services even after very negative initial experiences:

“I came to United States through a snakehead [someone who facilitates the smuggling of undocumented immigrants into the country] in 2014. I paid the snakehead \$30,000 to come.

When I came here, I was eager to find a job. One day when I got to the supermarket, I saw an ad on the bulletin looking to hire massage worker. I called the number and a man picked up the telephone. He said he is hiring a massage worker and he needed me to come to work the next day. He asked me to get to a place in Flushing, waiting someone to pick [me] up. I followed his direction. I went to the place he asked me to [go to] ... and I went on to a van. The van drove around two hours and dropped me off. I later figured out I was in a hotel in Connecticut. The guy who talked to me on the phone came to greet with me. He then needed me to give him the passport. Later, he locked me in a hotel room and demanded me to provide sex service. All the money I made were confiscated [by] him. He only gave me a 3-pack of instant noodles a day.... I was shut up in that hotel room for one week. A week later, there was a big sporting event. No guest came for sex service. He then released me. I ran away to New York. The next day, I started working in a nail salon. However, it wasn't last too long. I was allergic to the nail polish.... After two months, I can't hold it anymore. I quit the nail salon job. My friend introduced me to the massage parlor I [am working in]. In the beginning, I guessed I was just going to provide regular massage service. However, I realized I was getting very little money for just providing regular massage service. I got a \$10 tip at most for each client. The owner told me if I want to get more tips, I should provide hand jobs for the clients. I could make at least \$20 up for the tips. I was in need of money. I want to pay back to the snakehead as soon as possible. So I start to provide a hand job to the clients after working in the parlor for two months."

Another study participant said that she and a group of other women arrived in the US from Korea through Mexico, led by a Korean broker who "imprisoned them and forced them to provide sexual services. One of them eventually reported him to the police, and the broker was arrested. They were then free. After, she remained in the massage field but with a license."

Risks and costs of illicit massage parlor work

Violence towards illicit massage parlor workers

Many women carried out their work for the most part without violent or coercive incidents. However, many women described at least one incident in their work history where they experienced violence, coercion or harassment from clients, or witnessed such violence. Among the study participants, 18% said that a client had hit them or otherwise hurt them physically in the last year.

An alarming 40% of study participants said that a client had forced them to have sex in the last year. These incidents spanned a range from less violent to more violent. One study participant described a client who grabbed her by the hand and placed it on him so that she would provide a hand job. Another participant described a client who choked her when she refused to provide extra services and another client who displayed a gun to force her to comply with his requests. One study participant saw one of her coworkers being raped while the management did nothing to intervene: "The boss, a 60-year old lady, saw it, shut the door, and left the massage parlor...The boss felt so scared because that guy has a gun."

An alarming 40% of study participants said that a client had forced them to have sex in the last year.

Illicit massage parlor workers often took greater precautions with new clients. However, even a known client could turn violent. One study participant recounted her story of being assaulted by a regular client who "pushed me and tried to tear off my pants. He

threatened me not to report to the police. He said 'if you report to the police, I will tell the police you tempt me to behave so.'" The massage parlor worker reported the incident to the massage parlor manager, who did not provide any assistance.

Since provision of sexual services is a cash-based economy, illicit massage parlor workers are particularly vulnerable not only to rape but also to robbery. One participant in Los Angeles described being violently threatened and robbed at knifepoint:

“A man came in and grabbed [me] around the neck, pointed a knife [at me], and asked for money. [I] gave him \$1,000. There were other female employees there, but no one called the police. [I have] experienced 2-3 such robberies...employees always handed over the money.”

Several women described clients’ demanding refunds and threatening to call the police if the women refused.

Since provision of sexual services is a cash-based economy, illicit massage parlor workers are particularly vulnerable not only to rape but also to robbery.

In one instance, a client gave the massage parlor worker a \$100 tip to induce her to provide full-service sex. Afterwards, he removed his condom, told her it was evidence of her criminal behavior, and threatened to call the police if she

did not return his money. She returned his \$100, but he wanted more, and she complied, fearing the threat of police intervention.

One study participant described being sent to a hotel to provide sexual services to a client. The client made her take off all her clothes and strangled her, and then stole her wallet. The worker’s manager told her not to call the police, saying they would arrest her instead of the thief; she was later taken to a hospital in Queens but again told by her manager that she should not say anything to the police.

Reluctance to seek police protection

While illicit massage parlor workers are at high risk for being targets of sexual violence and robbery, they are isolated from police protection because of the criminalization of prostitution. As noted above, massage parlor workers’ fear of being arrested for prostitution made them reluctant to contact the police when they were robbed or assaulted by clients. Massage parlor workers’ fear of arrest for prostitution almost always superseded their fear of being robbed or assaulted by clients. Most women, when asked about threats to their safety, first answered in terms of their fear of being arrested. One study participant said she’s “having trouble to sleep...I keep having a nightmare of being arrested from police. I woke up in a pool of sweat in the middle of the night. It’s so bad.”

Massage parlor workers’ fear of arrest for prostitution almost always superseded their fear of being robbed or assaulted by clients. Most women, when asked about threats to their safety, first answered in terms of their fear of being arrested.

Another massage parlor worker from New York City reported that people who work in this field “are always anxious, they are afraid the police pretend to be customers.” One participant

from Los Angeles said that “massage parlors don’t feel safe because [I] am afraid of the police.” In contrast, she said she “is not afraid of the customers. If the customers don’t look right, [I] don’t let them into the parlor.”

Lack of documented immigration status made illicit massage parlor workers even more vulnerable and reluctant to seek police protection. Study participants described how their lack of documentation placed them in positions of being forced to provide sexual services and having their wages stolen, being threatened by their manager into accepting lower wages, being physically assaulted by owners and managers, and being raped. One study participant described how the owner of her massage parlor, who preferred hiring undocumented Chinese workers, “often hit the employees; the participant left the parlor after he slapped her across the face

and threw her cell phone.”

Study participants described how workers who were targets of violence and crime never reported it out of fear of being deported: “Robbers not only take money from them, but also rape them as well. But workers cannot call or report to police because they are undocumented and cannot speak English well. Robbers know that they cannot report [to the] police so robbers take advantage of them.”

When illicit massage parlor workers consider both the criminalization of their work and the criminalization of their undocumented immigration status, they feel doubly discouraged from pursuing complaints against perpetrators. One participant described how, after being sexually assaulted by a customer soliciting sexual services, she called the police but then later “cancelled the charges because she said that...if she presses charges, the defendant’s lawyer will say she seduced the defendant to have sex. She said she wants to get the green card so she cancelled the charges.”

Stigma and shame

Only 8% of the study participants said they had told a family member that their work involves providing sexual services. For most participants whose family members knew that they worked in a massage parlor, care was taken to portray their work as involving only “straight massage” and not sexual services. In general, participants were reluctant to reveal any connection to illicit massage parlor work because community members associated massage parlors with sexual services. A participant from New York City who was ethnically Korean from China (Korean Chinese) explained that in the “Korean Chinese community, massage work is known as prostitution. Most Korean Chinese in New York, even nail technicians, look down on massage workers.” Another participant said that she moved to California to work in massage because “too many people knew [her]” in her hometown and could find out about her illicit massage work. Churches serving the ethnic community can be particularly stigmatizing to illicit massage parlor workers. One participant said that her church was a “rumor mill” and that church members treated her “like a case of infectious disease.”

However, several participants said that churches were among the few organizations they sought help from to deal with challenges they faced as illicit massage parlor workers, suggesting that churches could play an important supportive role. In some cases, the help that massage parlor workers received did not require disclosure of their work. For instance, one study participant said that she took English language classes at a church. Nevertheless, the fear of disclosing one’s work could compromise the quality of support that massage parlor workers experience at churches or other religious institutions. For example, one study participant attended a church regularly, presumably for social and emotional support; however, she never disclosed to anyone there the nature of her work, potentially limiting her level of social support.

HIV risk

Some study participants indicated that they were concerned about their risks for HIV infection and other sexually transmitted infections (STIs). One study participant said that her massage parlor “owner forced young massage workers to provide full service [vaginal sex] for \$40 without condom.” Among the study participants, 64% said that management never provided condoms.

HIV risk might be heightened in cases of sexual assault. According to one study participant, “I was almost raped and I got HIV prevention medication in the ER because I was told the medication can protect me from HIV” (the study participant was likely referring to HIV post-exposure prophylaxis, or PEP).

Sometimes, concern about HIV was not about health per se, but rather about how having HIV infection might affect their ability to work. One illicit massage parlor worker said, “I am afraid of HIV because I want to continue to stay in this field.”

Some of the study participants said that they had little knowledge about HIV and other sexually transmitted infections, which was reflected in misconceptions or confusion they had about HIV. For example, one worker said, “I think HIV and STD are not related. ... I think HIV virus, the first place it will attack is the heart and organs of the body.”

Another participant indicated not knowing about HIV post-exposure prophylaxis and HIV treatment:

“I don’t know any medication (in Emergency Room) can prevent HIV after dangerous sex. ... I don’t know how much the medical expense in China and United States cost and don’t know whether it is free or not. I don’t know where I can get free HIV medication and don’t know what specialty I need to consult if [I have] HIV.”

Strategies for minimizing health risks

Many study participants indicated that the sexual services they provided were limited to “hand jobs,” which are relatively low risk in terms of HIV and other STI transmission. However, a number of study participants disclosed that they provided oral sex and vaginal intercourse, which are higher risk for transmission of HIV and STIs.

Study participants used strategies of varying effectiveness to minimize the health risks of their work. Many study participants said they tried to avoid clients who had visible signs of skin trouble. One participant said that she “would refuse to provide service if I saw customers had rash on their genital area.” Another participant said that “one time a customer wanted the light dimmed. And then when he disrobed, I saw that he had some lesions or rashes on his skin. I was concerned about getting a disease so [I] refused to continue with services.”

Although observable skin conditions could in some cases be a genuine indicator of a transmittable disease, many women relied on more impressionistic and subjective indicators, where conscious or unconscious bias resulted in a hierarchy of safer and riskier male clients based on race and body appearance. For example, one study participant said that she “will refuse to serve customers who *seem* dirty or *look like* have skin diseases or STIs” (emphasis added). This strategy of deciding clients’ risk level by appearance sometimes led study participants to discriminate based on race. For example, one study participant said, “[I] also don’t provide sexual services to men who are African American, fat, or appear unclean.” Another woman said she “refused to service Mexicans because they feel dirty and smelled bad.... [I] was afraid of getting sick from them.” Another woman said “she dislikes working on Indians, because they smell bad too. She also heard that Indians were rough.”

Making decisions about which customers to accept based on subjective impressions could potentially elevate risk when positive impressions lead to greater willingness to engage in riskier practices. One woman said that “if she felt that the customers look clean and tidy, she is willing not to put on condom and follow what the customers want.” One study participant said that “she prefers a nice, tall, handsome white man;” another said that she “only provides sexual services to white men who look attractive.” Another participant made distinctions based on socioeconomic class, saying that she “preferred well-educated clients, such as doctors or lawyers.”

Douching, washing, and urinating after sex were also widely used practices among the study participants as a strategy for minimizing risk of HIV/STIs and preventing pregnancy. Study participants said, “I will gargle after the oral sex to clean the sperm,” or “I will douche the vaginal [area] right after sex,” or “I will urinate after sex to prevent inflammation.” Another study participant said, “those professional massage workers who receive education will use some gel to douche their vagina.”

Many study participants were familiar with condoms and said that they were able to insist that customers use them. For example, one participant said, “I told a customer who did not want to use condom that he had to

wear a condom because I don't want to take a risk of STD or any other disease." Another participant said that she "kicked out customers when they refused [to use a] condom. They are not going to take responsibility for my risk of getting AIDS or any sexual diseases."

Study participants were less familiar with the female condom. One study participant said, "I have never used female condom but if it is free then I will use it." Another participant said similarly, "I never saw a female condom. I will use it if I can learn how to use it and what it looks like."

Access to healthcare

Among the study participants, 7% reported having ever had some type of hepatitis infection; 7% reported having had at least one sexually transmitted infection (STI); 43% had not been tested for HIV, and an additional 3% did not know if they had been tested; and 36% had not had a gynecological exam in the last year.

Study participants may have experienced barriers to healthcare, in large part because of their undocumented immigration status. For example, one illicit massage parlor worker said, "I saw a doctor but never have had a regular medical checkup in the United States because I am undocumented."

One woman had symptoms of a sexually transmitted infection but did not take any action and was confused about what her symptoms meant. She also noted a general reluctance among her coworkers and the management to discuss such issues:

"Sometimes my genital area was itchy and with yellow and white discharge. Sometimes I had burning sensation when I urinate. ... I believe HIV and STD can have no symptom but I don't know how long and why they have no symptom. Between coworkers and boss, we will not talk about their own sexual service and sickness."

Experiences with law enforcement and the criminal justice system

Unfair arrest, aggressive policing, and police misconduct

In addition to experiencing poor working conditions, health risks, and violence, illicit massage parlor workers face constant fear of arrest for prostitution. Many study participants felt that the police targeted workers while letting managers and owners freely pursue their business activities. A number of participants also complained about wrongful arrests, describing being caught up in raids that arrested all women in the illicit massage parlor, regardless of whether they had actually provided sexual services or unlicensed massage.

In addition to experiencing poor working conditions, health risks, and violence, illicit massage parlor workers face constant fear of arrest for prostitution.

A number of study participants felt that the police were overly aggressive during the arrest process. One participant described being handcuffed and verbally abused during her arrest. Along with the physical constraint of the handcuffs, her fear and anxiety made it difficult for her to breathe, and she experienced chest pain. The police took her to the hospital in handcuffs, where she said they continued

to verbally abuse her. She said she continues to have nightmares about the incident, waking up in a pool of sweat, and she cried during the interview while she related this story.

Participants were wary of being entrapped by undercover police officers who solicit massage parlor workers for sexual services in order to arrest them for prostitution. Several study participants described entrapment situations, where an undercover police officer would grab the massage parlor worker's hand and force her to

touch him sexually, and then arrest her. In other cases, arrests were made even when no sexual services were provided or agreed to. According to one participant, "...[the undercover police officer posing as a client] told her he wanted a hand job for \$20. The participant responded 'no.' The client then raised the amount offered to \$40, to which the participant didn't respond. At this point, the client left to go to the bathroom and returned with a cell phone in hand and was followed afterwards by the police." Similarly, one participant believes she was arrested because "she gestured with both hands (holding her palms up) when he asked about 'additional' services, and believes the cop may have interpreted this as her agreeing to provide a hand job."

Furthermore, participants described the police's use of aggressive questioning to draw out a confession. One study participant said that she refused to provide sexual services after being asked insistently by an undercover police officer but was still arrested after he gave her a \$2 tip. She was then questioned:

A "female cop [who] asked her a lot of questions about her family and made conversation with her. She kept asking her 'yes? Yes?' Then suddenly she asked her whether she touched his penis... [The massage parlor worker] didn't know what 'penis' meant [and answered 'yes']. It turned out the female cop was recording her, and her answer was on tape. However, the undercover cop (the massage customer) was also recording all of their interactions and her repeated 'no' to his requests should have also been captured on tape. So it made no sense to her why her 'no' was not considered evidence and her 'yes' to the female cop was considered evidence."

In some cases, undercover police officers engaged in extensive sexual contact leading up to the arrest. One study participant described how an undercover police officer solicited her for a hand job while he "groped her, and touched her posterior and legs. He also groped her breasts." Upon agreeing to provide sexual services, the participant was arrested. The participant reported that her assigned "lawyer told her that there was no evidence to support her case, and used fear tactics to convince her to plead guilty," which she did. Without language interpretation, she was unable to report the police officer's inappropriate touching nor defend herself against prostitution charges.

Although most study participants were in agreement that experiences with the police ranged from negative to abusive, some reported having more benign experiences with police officers, even when arrested.

One participant said she dated an undercover police officer and later realized that he was using her to set up a raid of the illicit massage parlor later. Another participant said that she provided sexual services to a number of undercover police officers without being arrested, which led her to believe that

she was engaging in legal behavior. She identified them as police officers by their guns and badges, which she saw when they took off their clothes. She added that they were not generous with tips, and some did not tip at all, but she could not protest because they were police officers.

Some participants perceived the police as corrupt. One participant said, "police sends us donation papers 2-3 times a year. We don't know what kind of donation, but we gave them money for our safety."

Although most study participants were in agreement that experiences with the police ranged from negative to abusive, some reported having more benign experiences with police officers, even when arrested. For instance, one participant thought that her arrest was "honest" and that the undercover officer treated her fairly. According to the participant, "[the undercover officer] just touched her thigh, so she thought he wanted a hand job. She negotiated pricing with him. And then the police came in. She felt they were not too aggressive."

Language barriers and lack of adequate language interpretation during arrest and court processes

Language barriers further exacerbated illicit massage parlor workers' anxiety about encounters with police. Having limited English proficiency (LEP) or not speaking English at all, study participants were unable to communicate effectively with the police and sometimes unwittingly admitted to crimes they did not commit. For example, according to one participant, "after I finished the regular [massage] service, [the undercover officer] asked me many questions in English. I didn't understand so I kept nodding my head. Suddenly, around seven or eight police broke the door. I was arrested and sent to the precinct...[a public defender] told me I was accused of prostitution."

Some participants described how their confusion continued upon reaching the police precinct. One interviewer described a participant's experience at the precinct:

"She said that she did not really understand the process, what the police said, or what she was signing. They didn't provide her with an interpreter. She was scared that day and felt that she had no choice but to sign the paper because she cannot refuse what the police wanted her to do."

Without a language interpreter, police officers have a distinct advantage over illicit massage parlor workers who have limited or no knowledge of their legal rights or a means of communicating their requests for legal representation.

The courts appear to be better at providing language interpretation services. However, these services remain inconsistent and a general lack of understanding of legal procedures persists. One Mandarin-speaking participant who was provided with language interpretation in court explained that "the court used a phone interpretation system, but it was all in Cantonese. She couldn't understand what the judge was saying. The

Study participants were unable to communicate effectively with the police and sometimes unwittingly admitted to crimes they did not commit.

phone interpreter attempted to speak in Mandarin, but the participant still couldn't understand her." In other instances, participants reported having friends or lawyers, and even their children, provide interpretation, often with inadequate results. For example, one

participant felt that "[her lawyer's] interpretation was not always correct or appropriate. She feels helpless with this lawyer and believes she did not get a fair sentence."

Immigration status

For some participants, concerns over their immigration status made them less likely to defend themselves more aggressively after being arrested for prostitution. One participant expressed "her extreme disappointment and dissatisfaction with her lawyer. She wanted to go to court and present her case to a jury, but her lawyer told her that if she lost the court case, she will get deported right away because she does not have a green card."

Because of immigration status concerns, some participants were willing to drop complaints against police officers and claims of wrongful arrest. One participant described how an undercover police officer came into the massage parlor to solicit sexual services, grabbed her hand so that she could perform sexual services, and then arrested her. In addition, the study participant explained that:

“...he touched her ‘li mian’ (which means ‘inside,’ and is generally a Chinese euphemism for genital areas). She relayed her experience to the attorney, while her son acted as interpreter. Her attorney’s response to her experience was, at first, validating. He told her that the undercover cop’s actions are illegal and he appeared angry on her behalf. Then, he said that he consulted with an immigration lawyer about her case and was told that a prostitution charge will negatively affect her immigration application, whereas if she were charged for physically hurting the officer, that will not affect her immigration application. ... The participant appeared to be very confused about the discussions that led to her admitting to an assault rather than prostitution, and about whether the lawyer’s actions and arguments are ethical... She says that ultimately, she cares more about the status of her immigration application than about the prostitution charge.”

Although the participant agreed to the assault charge, she was still left feeling “unsure whether this case will negatively affect her immigration application.”

In some cases, immigration concerns led study participants to defend themselves more aggressively in court and to curb their illicit massage parlor work. After realizing that a prostitution conviction could jeopardize her permanent residency status, one participant “lodged an appeal against the decision of the court. The appeal dragged for two years. Finally, the case was dismissed but [she] didn’t work for four years because [she] had to be careful during the period.” Another study participant, after being arrested for prostitution, followed her lawyer’s advice and attended Prostitution Diversion Program classes, took steps to improve her English proficiency, and changed her occupation to help ensure that her permanent residency application would be successful. These cases reflect what policy makers hope would be the results of current laws and practices, but they appear to constitute a minority of the experiences documented in our study.

Returning to illicit massage parlor work after arrest

Most illicit massage parlor workers are not in a position to be as strategic as the study participant noted above who was careful not to engage in illicit massage parlor work for four years while her immigration case was in process; even she returned to the work after her immigration case was resolved. Because of the relative lucrateness of illicit massage parlor work, many study participants were caught in a cycle of being arrested,

Because of the relative lucrateness of illicit massage parlor work, many study participants were caught in a cycle of being arrested, returning to work, and then being arrested again (one participant was arrested at least four times).

returning to work, and then being arrested again (one participant was arrested at least four times).ⁱ

Additional arrests often lead to increasingly severe penalties. One participant was on probation for three years after a second arrest; she had decided that she could not afford to

take her second arrest to trial and decided to plead guilty, where at that point, “her first prostitution case will be expunged in six months (already served six months of probation), while she will have to wait an additional three years for this current case to complete probation.” With the considerable risks that multiple arrests entail, the fact that illicit massage parlor workers continue to return to the work after being arrested suggests the lack of other viable work options.

ⁱ An arrest may make an illicit massage parlor a target for future arrests. One massage parlor worker described how because of a prior arrest, she believed that “the police has now ‘targeted’ or ‘flagged’ her parlor for prostitution and will now come to inspect every two months.”

Disproportionate law enforcement focus on workers vs. owners and clients

Many illicit massage parlor workers felt that the police focused considerably more attention on arresting workers rather than shutting down illicit massage parlors. Even though this practice meant that the massage parlors they relied on for jobs would still exist, the workers nevertheless had developed a cynical view of police activities. As one participant explained, “the police cracked down on the massage shops that provide sex services, and then allowed them to re-open next day. She said the police should be more aggressive about enforcing anti-prostitution law or not do anything at all.” Another participant similarly remarked, “...if they just arrest the worker and the boss are always not guilty, they [the owners] can just employ other [massage parlor] workers to continue their business. Police should keep them [owners] in prison or fine the boss.”

One participant said that “she doesn’t know the purpose of these arrests and does not feel that the police are trying to help. She thinks that the arrests are just to show society that something is being done, but she doesn’t feel like these arrests are done to help the women who are involved.” Another participant remarked, “...I think police [are] aggressive about enforcing anti-prostitution laws to meet their quota. They don’t really care about prostitution.” Ultimately, many study participants felt the arrests were merely token efforts to address prostitution without delving more deeply into the root causes of the issue by targeting illicit massage parlor owners and clients. As a result, participants felt unjustly targeted and disproportionately penalized.

Illicit massage parlor workers’ understanding of legal issues

Illicit massage parlor workers’ ability to assess their own legal risks was often compromised by their lack of understanding of the law and of arrest and court procedures. Even when effective language interpretation is provided and the massage parlor worker understands specific instructions, she may remain feeling uncertain about the legal process overall. For example, according to one participant, “at court, she understood what the judge was telling her. She already understood ... what she was supposed to plead at court from her previous conversations with the lawyer. She still indicates that she doesn’t understand the entire legal process, but says she understood what the lawyer and judge told her because an interpreter was present.” Issues of “legal literacy” are compounded when language interpretation services are inadequate, as described earlier.

Study participants often relied on other workers and on massage parlor owners for information about what practices are legal and illegal in their work. This often led to incorrect information. One participant, for example, believed that “when the client and massage worker agreed mutually on the sexual activity, it was legal.”

Study participants often relied on other workers and on massage parlor owners for information about what practices are legal and illegal in their work. This often led to incorrect information.

A number of study participants believed incorrectly that varying types of sexual activity were associated with different legal

penalties. **Many illicit massage parlor workers believed that if they avoided full-service (vaginal) sex and provided oral sex or hand jobs instead, they would face fewer legal consequences.** One participant said that she thought at first, “if I provide full-service, I would get additional punishment,” but then she talked to other massage parlor workers who told her that the penalties would be the same, regardless of the type of sexual service provided. One participant shared how she “did not know that giving hand jobs or soliciting for hand jobs was illegal.”

In some cases, workers may have been deliberately misled by the parlor owners. One participant said she had assumed that any direct sexual touching of the client's body was illegal but was possibly deliberately misled by the massage parlor owner, who told her wrongly that "sexual services without intercourse is not illegal."

Beliefs about which sexual services are legal and illegal may be reinforced by personal views on which activities cross a line of acceptability. One participant believed that:

"hand jobs are part of regular massage. She thinks 'half service' massage parlors are just like regular massage parlors. People working in massage do not feel it is prostitution, but she thinks full service massage parlors deserve to be closed down."

Confusion regarding what is considered legal exacerbates workers' job stress. According to one participant, her uncertainty about the law contributed to her feeling that "working as a massage worker is like walking a tightrope. Sometimes, everything could be reason for the arrest, but sometimes anything could be fine." As described earlier, this confusion is fueled when police arrest all the women in a massage parlor, regardless of what they were doing, and on the other hand, when police engage in sexual activity with massage parlor workers without making arrests.

Confusion regarding what is considered legal exacerbates workers' job stress.

Arrests based on massage licensure laws further increases confusion. Many participants understood that it is illegal to provide massage without a license, but many also were unsure of what constituted appropriate licensure (e.g., is having one licensed massage therapist on site to supervise sufficient to meet the law?) and also unsure about the

severity of the penalties. Some participants believed that if they provide "massage without license then the penalties will be much heavier than prostitution" and felt, therefore, that obtaining a massage license might be more important than avoiding arrest for prostitution. Indeed, in New York State, potential jail time for practicing unlicensed massage is much lengthier than for a first-time prostitution offense, although the Human Trafficking Intervention Courts now treats both types of charges the same (see further below for a discussion of these courts).

Avoiding arrest

To minimize their risk of arrest, many participants developed strategies or rules of thumb for identifying undercover police officers. For example, one participant observed that undercover officers "speak very loudly." Another participant became suspicious that her client was an undercover officer because he "looked stern, and fit. He asked her a lot of questions." She did not provide this client with sexual services and was very careful about the way she presented herself. Some illicit massage parlor workers carefully selected the clients they provided sexual services to, and some only provided sexual services to familiar and repeat clients.

Nonetheless, many study participants described having difficulty distinguishing between a regular customer and an undercover police officer. One participant said that she could not differentiate between the two "because all customers behave similarly." Another participant who was arrested described the undercover police officer as being "very relaxed, and he was very good at acting because it felt very natural."

Experiences with lawyers

Facing prostitution charges, illicit massage parlor workers face a myriad of challenges while navigating the court system. As noted earlier, language barriers make it difficult for them to understand the legal process. Furthermore, **lack of knowledge of the legal system puts women at risk of being inadequately served,**

and sometimes manipulated or exploited, by their legal representatives. For instance, one participant explained:

“[Her lawyer] initially told her that he was able to help other clients get their charges reduced from prostitution to trespassing. She hired and paid him \$3,000 in lawyer fees. When she went to court, he asked her to plead guilty. She was so confused. The lawyer ... used fear tactics to convince her to plead guilty. She did and was charged with prostitution and mandated to complete a Prostitution Diversion Program – 10 days of community service and 3 years of probation. She was dissatisfied with the sentence and asked him to help her reduce the sentence. He told her that if she wanted a different outcome, she should go to jail and he wouldn’t care about her case at all. She told [the lawyer’s assistant] that if he can help her get the charge reduced, she will give him a red envelope (traditionally, an envelope containing tip money). It was only after she made this request that the lawyer was able to get her sentence reduced.”

Some participants believed that their lawyers manipulated them into a guilty plea for either expediency or to prolong the need for legal services (and thereby additional legal fees). At the very least, participants felt that proceedings and decisions were not adequately explained to them, leaving them feeling unsure if they received appropriate representation. According to one participant:

“she wanted to go to court and present her case to a jury, but her lawyer told her that if she lost the court case, she will get deported right away because she does not have a green card...she believes he should have told her up front that he could not help her, instead of insisting that he could help her reduce her charges. She also said that he made her sign paperwork very quickly in the courtroom...[The lawyer] urged her to sign the paperwork quickly by impatiently saying ‘Hurry up! Hurry up!’ in Chinese. He also told her that if she doesn’t sign the paperwork fast, the judge can forward the paperwork to another court and they will have to make a trip there. Afterwards, when the lawyer tried to convince her of what a good job he did, she felt he was doing so because he was trying to get a red envelope from her.”

Other participants complained that their lawyers were paid and then ignored their cases. One participant described how “she still has not heard about her case. She doesn’t know when her next court date is. She cannot talk to him because he is so busy, and she is beginning to feel dissatisfied. She says that she is unsure whether his services are a scam. He is now telling her that she owes \$2,000 when she already paid \$2,000.”

Human Trafficking Intervention Courts and Prostitution Diversion Programs

New York State’s Human Trafficking Intervention Court (HTIC) and Los Angeles’ Prostitution Diversion Program (PDP) provide alternatives to the regular court system for women charged with prostitution, in recognition of the fact that they may be survivors of exploitation and human trafficking. For example, the court may mandate that the defendant attend a series of class sessions that aim to empower participants to leave their illegal work and end the cycle of arrests. Upon completion of the program, and if the defendant has not been arrested again, the charges are dismissed (after one year in Los Angeles, and after six months or less in New York State, depending on extenuating circumstances). According to legal providers we spoke to, massage parlor workers arrested for practicing massage without a license are now able to have their cases handled through the HTIC process in New York State, in recognition of the fact that such arrests are usually prostitution-related.

Regarding court-mandated classes, one participant described them positively, saying that “the classes are all free. There are five classes and [it was eight hours] to finish those classes...The counselor taught her sexual health information...sexual intercourse, violence and prostitution. She went to court for two times and the

court process take her two months to finish it.” The court mandates varied from participant to participant in terms of number of class sessions required and whether community service was required. For example, one participant was required to complete “prostitution diversion program classes (five weeks of classes) and 30 hours of volunteering. Her understanding is that when she completes the classes, her record will be cleared within a minimum of 100 days from the start of trial.” Study participants valued being able to have their criminal records expunged through these alternative court programs. Having a criminal record was not only a source of shame, but also an impediment to acquiring documented immigration status and future employment outside of the illicit massage parlor industry.

Although a number of women we interviewed viewed these specialized courts positively, sex worker rights advocates have argued that these diversion programs, while a step in the right direction, are not effective in addressing the true needs of the women or remedying racial inequities in arrest rates.³³ They also argue that, because these programs come after arrest, they fail to shield the women from the trauma of their interactions with police.

Alternatives to or legalization of illicit massage parlor work

Training for alternative jobs

Many study participants had worked in other low-wage jobs (e.g., restaurant work, nail salon work) but ended up moving to illicit massage parlor work. Although illicit massage work is physically demanding, participants cited the even more physically demanding labor in restaurant work, the health and safety issues at nail salons, abusive employers, and finally, the very low wages for such other low-skilled work. Wages that participants reported in other low-wage work ranged from \$200 to \$2,000 per month; illicit massage parlor work, in contrast, paid workers as much as \$200 in one night and \$2,000 in two weeks. One participant said that “she first worked in a restaurant, and a lot of people, including friends and relatives, and even restaurant customers, asked her why she didn’t work in massage. They told her that she would make good money.”

As discussed earlier, many illicit massage parlor workers had limited job options because of language barriers and undocumented immigration status, and some study participants noted a lack of job training or job counseling as another reason. One study participant, who wanted to pursue a job in education, suggested that community centers could help provide job training and counseling. Without this type of support, she found herself returning to illicit massage parlor work multiple times: “Although I want to quit this job and try to look for other work, there are few options I can choose from. In the past, I quit several times but eventually came back to this industry after spending all the money I had saved while working [in massage parlors].”

Women who had higher levels of education also expressed the need for job training and counseling to help them leave illicit massage parlor work. One study participant explained that it was difficult to return to a job in her field after leaving it because the industry had changed quickly in her absence. She considered trying to open a legitimate massage therapy business, but she was not sure how to go about it and whether it would be financially feasible:

“...the past [job] in the computer company was very promising... [after quitting the job to raise her children for a few years] I have no idea where I could get help [with finding a job] or counseling. I really needed help and counseling. I might open a straight massage shop (which will never provide any sexual service) after finishing the physical therapy training and getting the license, but at the same time I know very well how tough it is to make money by running a straight massage shop. ... **I need someone to talk to about my future career.**”

Regardless of how study participants felt about working in the illicit massage parlor industry, they generally

understood that their tenure in the profession would be limited because of aging. As one study participant said, “[I] cannot work for a long time in this field because I was old and customers prefer young girls.” The criminality of the work, health risks, and violence in the work place further compromise the viability of massage parlor work as a long-term economic strategy.

Planning for illicit massage parlor ownership

Some study participants owned the illicit massage parlors in which they worked, and many other participants envisioned someday owning their own illicit massage parlor, believing that ownership would lead to making more money and having more free time. One study participant described her path from worker to owner: “[I] started as an employee for other massage parlor owners ... to understand the industry. Then, I opened my own massage parlors to make more money. My intention was to open ‘straight’ massage parlors [massage parlors that only provide legitimate, nonsexual massage] but employees were providing sex services. To be completely safe, I am usually the only person working at [my own] massage parlor so that I can make 100% of what customers pay.”

As the account above indicates, illicit massage parlor owners might aim to run a legal operation but then revert to sexual services because of their own and their workers’ desire to make more money. Another study participant described a similar path:

“I opened a chiropractic/acupressure shop in a location where many hospitals were located. Many of the customers were patients who truly needed physical therapy and massage. I ran a ‘clean’ shop and did not allow my workers to provide any extra services. However, the workers left the shop one by one.... I started working as a masseuse when all workers left. I did not know why the number of clients decreased since I started massage... until one of the workers taught me how the massage field had been changing.... I needed masseuses... I had no choice but to negotiate with a masseuse who needed big money.... I also ended up providing handjobs to regular customers...”

Illicit massage parlor owners might aim to run a legal operation but then revert to sexual services because of their own and their workers’ desire to make more money.

For some study participants, ownership did not fulfill their expectations. One study participant who became an owner said that “she also provides massage to customers.

She occasionally provides hand jobs in her own massage parlor, but she doesn’t want to continue in this industry. She wants to sell her massage parlor.” Her reasons were not clear, but her remarks implied that she was concerned about the viability of continuing to engage in illegal work. She described her massage parlor as “mostly straight” (mostly not providing sexual services), and she had worked for legitimate massage operations previously, even earning her massage therapy license, “which she received from an American-owned massage school...They had Chinese-speaking teachers, which is how she learned.”

Legalization of prostitution

Several study participants expressed support for legalization of prostitution for different reasons. Some believed that legalization would help to improve working conditions. Others reasoned that working in the sex industry should be legalized because laws criminalizing prostitution have been ineffective in reducing supply.

One illicit massage parlor worker pointed to Brazil as a model for legalizing prostitution:

“The government should give license to sex workers like Brazil. No matter how many times the police check the massage parlors, they cannot stop the whole industry from providing sexual service. I think the government should register all the sex worker and restrict the age of people in this industry and always have medical checkups for sex workers. I also think that no country can civilize without sex industry.”

One illicit massage parlor worker supported legalization because she believed that providing sexual services played an important social role and could even reduce sex crimes:

“I think there is a lot of single men in the US. They need massage parlors and us to handle their sexual desire at proper level. I don’t think [prostitution] is maleficence. Maybe there will be less sex crime because of us. If the government prohibit us, I think sex crime rates will rise. In my opinion, if massage parlors manage the shop in a sanitary way, I think it is okay to provide [sexual] service. Yes, the government [should] enact a law that we can work as legal.”

Another study participant felt that legalizing prostitution would make the work safer while also increasing government tax revenues: “It needs to be legal because they have risk. Some of the customers are psychopath and some killed prostitute because they hated them. A lot of rape and robbery happened. If it is legal, government can get more tax because it is a very big industry.”

RECOMMENDATIONS FOR POLICY MAKERS, LAW ENFORCEMENT AND THE JUSTICE SYSTEM, AND ADVOCATES

Illicit massage parlor work as a labor rights issue

The wide range of experiences reported in our study, including both negative and positive experiences, suggests that addressing illicit massage parlor work as a labor issue may be fruitful from both research and practice perspectives. As with studies of other forms of immigrant labor, understanding illicit massage parlor work is an entry point for recognizing the less visible elements of urban globalized economies and the important stories and issues that are often overlooked.

With a labor-oriented perspective, the use of blunt regulatory tools – such as criminal prosecution of workers and the use of municipal codes to thwart illicit massage parlor businesses – can evolve towards a more nuanced understanding of why illicit massage parlor businesses proliferate, why immigrant women continue to work in them, and the consequences for cities, neighborhoods, and the workers. A focus on labor rights can also extend the trafficking lens to include not just sex trafficking but also broader forms of labor trafficking and exploitation. From a practice point-of-view, an immigrant labor framework allows for addressing the day-to-day hardships of illicit massage parlor workers as workers. A labor framework can begin to examine ways of improving daily working conditions by addressing wages, work hours, safety and access to healthcare for the many women who choose to continue working in the sector.

Illicit massage parlor work as a part of the larger immigrant story of survival

Re-framing illicit massage parlor work as a labor issue also allows for the work to be recognized as a part of the larger immigrant story of survival, explained by many of the same dynamics that shape other immigrant experiences, rather than a puzzling or embarrassing anomaly. Understanding illicit massage parlor work as work rather than solely characterizing it as criminal behavior is important since it appears to have become an important economic survival path for Asian immigrant women. Studying illicit massage parlors, therefore, can give insight into the plight of many Asian immigrant women and extend our understanding of the range of immigrant experiences.

Accepting illicit massage parlor work as a part of the larger story of immigrant survival may also help to mitigate the stigma and social isolation that many massage parlor workers experience. Many of the women we spoke to use their massage parlor earnings to support their children and families, both in the US and in their home countries, and yet many of these women did not feel they could talk about their work with friends and family because of the stigma. This commonly led to feelings of isolation and sadness.

Their vulnerability as workers is exacerbated because they do not receive the same types of social and community support as other types of workers. It is hard to imagine a situation where workers in illicit massage parlors would be fully embraced by their ethnic communities, but a broader recognition and understanding of illicit massage parlor work within ethnic communities, coupled with labor protections from government, may reduce levels of social isolation and labor exploitation considerably. All that being said, much of the existing research, including ours, suggests that most women would not choose to work in illicit massage parlors if they had other options that were similarly well-paid,^{19,24} here too, a labor rights framework can be fruitful in developing truly viable long-term work options for women who currently have few alternative choices for employment.

Illicit massage parlor work as a law enforcement reform issue

While we heard about a range of experiences of working conditions in illicit massage parlors, massage parlor workers consistently voiced a fear of law enforcement, and a number of massage parlor workers reported physical, mental and psychological violence and residual trauma from raids and arrests. Some also reported police corruption.

Many workers felt that raids and arrests proved ineffective in ending exploitation. Workers felt that because police arrested workers and not the clients, owners, or other perpetrators of crime in illicit massage parlors, these tactics failed to address the most egregious violations and provided no long-term solutions. Illicit massage parlors easily re-opened for business the day after raids, or if they were permanently shut down, opened at a different location soon after. Because of the lack of alternative employment options for women workers, illicit massage parlor owners were easily able to hire new workers when their existing workers were arrested.

Both advocates and workers believed that raids and arrests did not serve the goal of ending illicit activity and exploitation. Instead, many women were further victimized, and employers, clients, and other actors leveraged this fear of law enforcement to exploit the women further.

Specific recommendations

Our research findings, seen through the framing outlined above, suggest the following recommendations in four primary areas: 1) modifying law enforcement practices; 2) increasing employment options; 3) improving healthcare access; and 4) reducing the stigma of illicit massage parlor work.

1) MODIFY POLICE PRACTICES AND COURT SERVICES TO PROTECT THE SAFETY AND RIGHTS OF ILLICIT MASSAGE PARLOR WORKERS.

Our research indicates that illicit massage parlor workers sometimes suffer unnecessarily rough treatment during the arrest process and may be arrested wrongfully. Resulting fear of the police increases massage parlor workers' vulnerability in that they are reluctant to seek police help when they are targets of crime. Lack of understanding by workers of what massage parlor practices are illegal, of rights during arrest and court processes, and of immigration law leaves illicit massage parlor workers vulnerable to exploitation by employers, clients, and predatory lawyers or those posing as lawyers. These problems are exacerbated by

language barriers and undocumented immigration status. In recognition of these issues, advocates from across the spectrum appear to be arriving at somewhat of a consensus that people who sell sex should not be criminalized. That consensus appears to have extended to some degree to the New York City Police Department, which recently indicated that it was shifting its enforcement emphasis away from arresting women working in the sex industry.³ There continues to be a contentious debate, however, about how far decriminalization should go in terms of whether to extend decriminalization to purchasing sex and managing the selling of sex. Our recommendations below address contexts in which prostitution remains illegal, which characterizes most places in the US:

- a) In places where prostitution remains criminalized (most of the US), scale back law enforcement efforts that are focused on arresting illicit massage parlor workers:** Interviews with massage parlor workers, legal experts and social service providers suggest that the bulk of law enforcement's focus on illicit massage parlors is on the workers, rather than the owners or clients, or potential sex traffickers. A focus on the workers further victimizes a highly vulnerable population without addressing the deeper roots of the problem.
- b) Increase language interpretation services during the arrest and court processes:** As the interviews showed, interpretation services during arrest and court procedures can be limited, low-quality, or non-existent, creating misunderstandings and anxiety for the women.
- c) Maintain separation between criminal proceedings and immigration enforcement:** As of late November 2017, US Immigration and Customs Enforcement (ICE) agents had entered courthouses in New York City 79 times in 2017, according to New York State Office of Court Administration data, which was reported in a *New York Post* article.³⁴ According to a state court spokesperson quoted in the article, court officers "do not facilitate or impede ICE agents when they effect an arrest inside New York State Courthouses." Public defenders have held protests outside of courthouses protesting ICE's presence in the courts. State court systems and the police should commit to maintaining a separation between criminal proceedings and immigration enforcement, including limiting cooperation between police and immigration officials and keeping ICE agents out of state courthouses. This commitment should be publicized in immigrant communities.
- d) Use social media to disseminate information about legal rights and procedures:** Provide information about rights and procedures from arrest to court appearance through social media used by massage parlor workers (e.g., WeChat for Chinese speakers), in appropriate languages and with attention to literacy levels, including "legal literacy" (ability to understand legal terms and processes, regardless of language).
- e) Increase collaboration between law enforcement and legal/social service providers:** Given that illicit massage parlor raids and arrests are likely to continue, law enforcement should at least work in close coordination with legal/social service providers when making arrests. This would ensure that massage parlor workers are provided with interpretation services so they fully understand their rights and what is happening to them. Massage parlor workers would also then be connected more directly to supportive services, potentially reducing the fear and trauma they experience. Legal/social service providers could also help protect the women from predatory lawyers.

To pursue this recommendation, legal/social service providers and law enforcement officers will need to invest heavily in building a strong working relationship built on mutual collaboration. If a foundation of trust between legal/social service providers and law enforcement is not created, an unintended consequence of this recommendation could be a far more complicated process, leading to tension and disagreement over responsibilities and decision-making. Thus, pursuing this recommendation requires critical front-end investment to ensure that each entity is committed to a shared process. Law enforcement may have to relinquish some areas of authority so that legal/social service providers can

truly lead with their community-focused expertise.

Implementation of this recommendation can be informed by other areas where policing has shifted. For example, in New York City, police officers, mental health workers, lawyers and other providers visit homeless encampments together, rather than relying solely on police officers to respond to complaints.³⁵ Understanding how this initiative has worked can be instructive for implementing a collaborative approach to policing illicit massage parlors in New York City and Los Angeles County.

- f) Provide training to police officers so that they interact with illicit massage parlor workers in a trauma-informed manner and with an understanding of the needs and rights of immigrant women who have limited English proficiency:** These practices might draw from some of the strategies highlighted by the Vera Institute of Justice, which has made a number of evidence-based policy recommendations for improving policing in communities. With training on “trauma-informed” policing, police officers learn how to recognize and better address trauma. Rather than responding with greater force, they are trained to use “de-escalation” techniques that better address cycles of violence.³⁶

Vera Institute of Justice and the US Department of Justice’s Community Oriented Policing Services also published a series of reports (“Police Perspectives Guidebook Series: Building Trust in a Diverse Nation”), written by law enforcement officers in collaboration with Vera Institute’s research team.³⁷ These reports offer a number of strategies that officers have effectively used to build deeper trust with the communities they serve and protect. The guidebooks help police officers to understand the history of policing in communities of color and learn how to serve increasingly diverse communities, especially immigrant, refugee, youth, and transgender communities.

- g) Change arrest procedures to prevent further trauma:** For example, if at all possible, police officers should refrain from placing women in handcuffs and should aim to shorten the time they are detained at the local precinct after arrest. These procedural changes might better address the psychological trauma and potential for further exploitation that occurs while workers are held in detention.
- h) Community-oriented policing should be carried out with awareness of the conflicting interests within communities:** Currently, it appears that some local neighborhood groups are working with their local police and leveraging community policing mechanisms to target certain segments of their community that they deem “foreign” and “unwanted,” such as immigrants or those working in illicit massage parlors. Lost in those efforts is an understanding of the ways in which undocumented immigrant women are exploited through illicit massage parlor work and then further victimized through the legal process.
- i) Local governments should consider having law enforcement take a secondary role in the oversight of illicit massage parlors and instead have other government agencies (such as health departments) take the primary role:** This change would allow regulation to focus on labor, health or other safety violations. Rather than arresting illicit massage parlor workers for prostitution or unlicensed massage, agencies would instead focus on the business practices of their employers. Law enforcement would focus on extreme cases of exploitation, such as human trafficking. This approach shifts effort to the more prevalent concerns of labor rights and worker and consumer health and safety. Such a system would require that employees have access to mechanisms allowing them to file a complaint against their employer or to report labor or health code violations, without fear of being prosecuted for prostitution or reported to immigration authorities.

2) INCREASE EMPLOYMENT OPTIONS.

A number of women interviewed for this study explained that they had previously worked in low-skill, low-wage industries (such as nail salons or restaurants) but could not handle the physical strain and toxic exposure or survive on their low wages. Illicit massage parlor work was thus seen as a more viable economic alternative, despite its risks. To address this lack of employment/economic survival options, we recommend the following:

a) Shift the focus of social services targeted to illicit massage parlor workers to address their economic realities: Currently, most illicit massage parlor workers who are arrested for prostitution or for practicing unlicensed massage are referred to prostitution diversion courts, a much better alternative to the regular criminal court process. Resolution of their cases usually involves referral to a community organization for mandatory completion of five to eight training sessions. The organizations provide legal counseling, therapeutic support, and modest resources and training to encourage them to find a job in another industry. These organizations provide much-needed services, and the providers have shared moving stories of the emotional trauma experienced by massage parlor workers as a result of their sexual exploitation.

However, illicit massage parlor workers and advocates, and legal/social service providers themselves, have expressed that more comprehensive services and programs are required to ensure a financially secure future for this population. When one legal service provider was asked what would most improve her clients' situation, she replied, "no matter background – [my clients] absolutely share a deprivation of economic activity that influences their work, places they live, [and] options available to them." Social service providers find that after the women complete their court-mandated sessions, they are likely to return to illicit massage parlor work and face even greater pressure to earn back wages missed during their time away from the work.

In light of these realities, social services should include a wider range of programs focused on economic and financial security. Social service providers could offer more economic/skills-based training that track women into jobs that offer living wages. We fully appreciate the considerable challenge this goal involves without a fundamental shift in our prevailing economic systems and in immigration policy. One option may be to help women get massage therapy licenses, which would allow them to practice legitimate massage in better conditions with better pay. This too is a challenge given the considerable time and cost involved in the massage therapy training and licensure process.

Increased resources for social service organizations will be required to support effective economic empowerment programs tailored to the needs of immigrant women workers. Acquisition of a massage therapy license, for instance, requires hundreds of hours of schooling and supervised practice. Currently, social service organizations are often working with very limited resources and will not be able to expand programming without increased funding and capacity.

b) Build support networks of Asian immigrant women who have moved into sectors outside of the illicit massage parlor industry: There may be opportunities through social media and other means to develop support networks where former illicit massage parlor workers can provide guidance to help other women to move out of the illicit massage parlor industry. A number of our study participants indicated that their models for financial success were other illicit massage parlor owners, whom they aspired to emulate. Mentorship by former illicit massage parlor workers who have moved out of the industry may open up alternative paths. Job training programs could leverage these networks to provide further support and contacts for current massage parlor workers.

These social and support networks could be expanded to include more formal arrangements with willing employers and business networks to establish pipelines to living-wage employment.

c) Provide English-language classes that accommodate the women's work and home obligations:

Given that the majority (78%) of illicit massage parlor workers interviewed said they spoke English "not very well" or "not at all," programs should also include English-language courses to increase employment options. Such programs should be intentionally designed to fit within existing work and home obligations.

3) INCREASE ACCESS TO HEALTHCARE, PREVENTION EDUCATION, AND HEALTH SCREENING.

Illicit massage parlor work leaves workers and clients at risk for sexually transmitted infections (STIs). Among the study participants, 7% reported having ever had some type of hepatitis infection; 7% reported having had at least one STI; 43% had not been tested for HIV, and an additional 3% did not know if they had been tested; 36% had not had a gynecological exam in the last year. Potential benefits of systematic STI and HIV/AIDS education include prevention of infection by decreasing unprotected sex and increasing use of effective pre- and/or post-exposure prevention methods (PrEP and PEP). Regular healthcare and management of HIV infection also decrease risk of HIV transmission. Moreover, access to healthcare can reduce anxiety. As one study participant said: "We can help the massage workers by [promoting] more free HIV tests and make them do the test. I felt relief that I can get medical checkup during pregnancy and prove that I do not have HIV and the baby is normal."

Legalization of prostitution could facilitate prevention and screening by making health education and screening part of the work authorization process. Given that legalization is unlikely in the near future, free screening programs and low-cost healthcare programs should be expanded to target illicit massage parlor workers specifically. Healthcare organizations that already have well-developed programs serving HIV-positive populations, immigrants, and other hard-to-reach or stigmatized populations are well-positioned to provide healthcare to illicit massage parlor workers. These organizations could work in collaboration with legal/social service providers and court programs that already work with illicit massage parlor workers.

4) WORK WITH KEY COMMUNITY INSTITUTIONS, SUCH AS RELIGIOUS INSTITUTIONS AND LOCAL NEIGHBORHOOD ORGANIZATIONS, TO REDUCE STIGMA OF ILLICIT MASSAGE PARLOR WORK.

a) Work with key organizations within the ethnic community: Engaging in illegal activity that is considered shameful by other community members leads to harmful social isolation and lack of social support for these women. A recurring theme in our interviews was a high level of secrecy and shame about engagement in illicit massage parlor work. Only 8% of the study participants said they had told a family member that their work involves providing sexual services. The women directly experienced or feared judgment and ostracism from their co-ethnic community members. Shame- and stigma-reducing messaging from key co-ethnic community institutions, such as religious institutions, may help to change the conversation in the community. Such messaging may re-direct community attention towards finding solutions, rather than further shaming illicit massage parlor workers. Solutions could involve working with local businesses within the ethnic community to improve working conditions and wages in other employment sectors so that illicit massage parlor work becomes less necessary or attractive. Co-ethnic community members could also provide social support and mentorship.

b) Provide information and education to local neighborhood organizations or councils (e.g., community boards): Local neighborhood organizations are sometimes at the forefront of initiatives that encourage police crackdowns on massage parlors, without having a clear understanding of the causes of illicit massage parlor proliferation and the difficult decisions made by these women to work in the illicit massage parlor industry. Advocates and local government agencies can work with these

key community organizations to get their buy-in on the benefits of providing social services and increased job opportunities for women working in illicit massage parlors. Involving these community organizations allows them to co-create solutions rather than contributing to the further victimization of massage parlor workers.

These recommendations offer incremental ways to address the most immediate issues of overly aggressive policing, as well as some of the root causes of exploitation, such as the lack of economic survival alternatives. Given the highly politicized nature of the debate on whether the provision of commercial sexual services should be legalized, decriminalized, or eliminated – these recommendations seek to move beyond the stalemate and create change that is attainable.

CONCLUSION

Community groups and mainstream media have largely focused on illicit massage parlors as “vices” that serve as sites of prostitution. Research shows that while illicit sexual activities may indeed occur within these establishments, the “raid and rescue” approach fails to address the very nuanced and complicated conditions of women working in these establishments. The issue of what to do about illicit massage parlors that host sexual activities inevitably brings up a larger, ongoing policy debate about how prostitution should be addressed as a legal matter. While the debate around regulating vs. ending prostitution continues, illicit massage parlor work continues, and it is critical to devise solutions to meet the most immediate needs of those who are especially vulnerable.

In the case of Asian immigrant women working in illicit massage parlors, the policy focus on regulation and enforcement is far too narrow. Rather, solutions must take a broader view to address the economic inequities and the profound lack of opportunities experienced by workers in the riskiest and most exploitative industries. Our recommendations focus heavily on the issue of altering law enforcement strategies because our study findings indicate that police actions are a primary source of distress and hardship for illicit massage parlor workers. Moreover, illicit massage parlor workers’ fear of police makes them reluctant to seek police help when needed, which increases their vulnerability to violence and exploitation. Current policing practices appear to further victimize an already vulnerable population without succeeding at reducing illicit massage parlor proliferation.

Our recommendations suggest incremental solutions that call for changing current raid and arrest procedures and shifting social services to include more economic-based programs that recognize the economic inequity and fundamental lack of opportunity that illicit massage parlor workers face. These alternatives offer a starting place to innovate and experiment. While they may not answer the larger policy debate on legalizing vs. ending the provision of commercial sexual services, they provide critical inroads to begin to address the physical, verbal, and psychological abuse (by law enforcement and the industry) and economic exploitation that women experience as illicit massage parlor workers. We hope these solutions may lead to longer-term strategies, such as addressing the broader poor working conditions that many low-wage immigrant workers face across other industries, such as in restaurants, nail salons, domestic work, and home healthcare work.

Addressing the fundamental lack of opportunity and the extreme economic insecurity of immigrant workers across industries is perhaps the most effective strategy to pursue in the long run. The fact that many of the women interviewed for the study stated they would stop working in illicit massage work if they had another viable alternative speaks volumes to this argument. While raiding and arresting massage parlors may temporarily halt the illicit activities of these businesses, massage parlors quickly re-open in other locations and workers continue to return to them. Envisioning options that address the economic insecurity of workers further upstream, rather than solely reacting to the exploitation they experience further downstream, is essential to improving our cities’ immigrant-reliant economies and the lives of workers who are most vulnerable.

BIOGRAPHIES



John J. Chin is a Professor of Urban Policy and Planning at Hunter College, City University of New York. He is also the director of Hunter College's Graduate Program in Urban Planning. His research has focused on the role of community institutions in the delivery of social and health services, particularly to under-served communities, such as immigrant communities and communities of color. He is also interested in how key community-based institutions in immigrant and minority communities shape community values and norms, particularly in relation to controversial or sensitive topics, like HIV. Prior to his academic/research career, he helped to found the Asian & Pacific Islander Coalition on HIV/AIDS (now a Federally Qualified Health Center known as Apicha Community Health Center), where he served as Deputy Executive Director.



Lois M. Takahashi is Houston Flournoy Professor of State Government at the University of Southern California Sol Price School of Public Policy, and Director of the USC Price School of Public Policy in Sacramento. Her research interests include HIV prevention for underserved populations, access to social services for populations in need (homelessness and HIV/AIDS), the NIMBY (Not In My Back Yard) syndrome, and community participation and environmental governance in Southeast Asian cities. She was President of the Association of Collegiate Schools of Planning (2015-2017), and prior to joining USC, she was Interim Dean of the UCLA Luskin School of Public Affairs (2015-2016).



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Stacy To received her Masters in Public Health from UCLA and has worked in the field of public health for over 11 years. As the Deputy Director at APAIT - Special Service for Groups, she oversaw the agency's evaluation and research unit as well as worked closely with the prevention and care/treatment programs focusing on HIV/AIDS and co-morbidities, including mental health and substance abuse. Since then, she has relocated to the Bay Area and has continued to be involved with program development and quality management at The Health Trust, aiming to cultivate strategies that overcome barriers to effectively serving minority communities facing homelessness.



Abigail Radaza is the Senior Program Manager at APAIT - Special Service for Groups. She oversees the agency's Research, Evaluation, and Development team and has developed programs to address behavioral health and HIV prevention, early intervention, and access to care. She has a Master's degree in Public Health, with an emphasis in Biostatistics and Epidemiology, from the University of Southern California.



Elizabeth S.C. Wu received her Masters in Public Health from UCLA and worked as a clinical case manager and program analyst at APAIT - Special Service for Groups, providing comprehensive linkage-to-care and medical care coordination to people living with HIV/AIDS, as well as developing federal, state, local, and foundation grants. She is currently Director of Research Programs at the UCLA Hub for Health Intervention, Policy and Practice and the Southern California HIV/AIDS Policy Research Center, where she oversees research aimed at understanding, addressing, and reducing health disparities experienced by LGBTQ and other marginalized communities living with or at-risk for HIV/AIDS. She is also a professional graphic designer, illustrator, and photographer.



Sungmin Lee was Access to Care Coordinator at Apicha Community Health Center, serving marginalized communities, including LGBT and homeless individuals and women engaged in sex work. She has done direct service and social justice work with various organizations in the New York City area. Currently, she is helping people to cope with their stresses through yoga instruction and involvement with a suicide prevention helpline.



Melanie Dulfo has worked with Asian and Pacific Islander immigrants since 2007. She is the Director of Community Health Education at Apicha Community Health Center, where she oversees all community-based services, such as HIV prevention programs, health insurance enrollment, SNAP application assistance, and an LGBTQI Asian and Pacific Islander health and wellness project. She is serving as a member of the New York State HIV Advisory Board to the New York State Department of Health, AIDS Institute until August 21, 2021.



Daun Jung is a licensed social worker and completed her Master of Arts in Forensic Psychology at John Jay College of Criminal Justice in New York. She received a bachelor's degree in Forensic Psychology at John Jay and in Social Work in Korea, which allowed her to work for the Child Victim Protection Agency in Korea. Her research focuses broadly on sex trafficking and risk factors associated with sexual assault. She has served as a guest speaker and researcher at the US Department of State, where she conducted workshops about international sex crimes and sex/human trafficking. As a Tow Policy Advocacy Fellow with Her Justice, Daun conducted an analysis of the Violence Against Women Act (VAWA). Daun's thesis received a student research award at the American Psychology-Law Society (APLS) conference.

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