

NOTES & COMMENTS

REGULATED VICTIMIZATION: THE RISE OF HUMAN TRAFFICKING WITHIN THE OREGON MASSAGE INDUSTRY

by
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Illicit massage businesses are massage spas that appear to operate as legitimate businesses but facilitate commercial sex acts behind closed doors. Recent law enforcement investigations in Oregon have revealed that some illicit massage businesses have facilitated the human trafficking of multiple victims. The illicit massage industry has steadily grown across the country but has especially boomed in recent years in Oregon. This Note investigates how the illicit massage industry has evolved to be so prevalent in our communities and what factors have contributed to the growth. It goes on to recommend ways to protect victims, to prevent further harm, and to prosecute effectively. Factors such as gaps in state and local legislation and regulations, racial stereotyping, poor immigration protections, corporate shields, and unregulated online forums have served to facilitate human trafficking in the massage industry in Oregon. Filling gaps in Oregon's laws and effectively using the laws we already have will make it more difficult for illicit massage businesses to operate. Taking a victims' rights-centered approach to immigration and prosecution will protect trafficking victims while preventing traffickers from causing further harm.

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INTRODUCTION

Nestled in one of the most affluent neighborhoods in the State of Oregon,¹ Flora Spa in Lake Oswego operated under the guise of a legitimate massage business until law enforcement discovered in 2023 that the spa was part of a multi-jurisdictional human-trafficking ring.² At least ten women connected to Flora Spa are believed to be victims of human trafficking.³ Approximately 20 miles away in

¹ Andrew DePietro, *Here Are the Richest Places in Oregon, From the Latest Census Data*, FORBES (Sep. 17, 2024, at 15:35 EDT), <https://www.forbes.com/sites/andrewdepietro/2024/09/17/here-are-the-richest-places-in-oregon-from-the-latest-census-data/> [https://perma.cc/8KNH-AJ9G].

² *Police Make Arrests Related to Human Trafficking in Lake Oswego*, CITY OF LAKE OSWEGO (Feb. 1, 2024, at 16:51 PT), <https://www.ci.oswego.or.us/police/police-make-arrests-related-human-trafficking-lake-oswego> (on file with the Lewis & Clark Law Review).

³ *Id.*

Newberg, Amber Massage and Lavender Foot Spa were investigated for prostitution and promoting prostitution, leading to the arrest of three individuals, and one spa worker being sent to the hospital for medical care.⁴

Flora Spa, Amber Massage, and Lavender Foot Spa operated as what are commonly referred to as “illicit massage businesses.” An illicit massage business on the surface looks like a legitimate massage spa, but inside, it operates to facilitate commercial sex acts.⁵ Illicit massage parlors provide “services” commonly referred to as “rub and tugs” or “happy ending massages.”⁶ In 2018, the illicit massage industry was estimated to generate \$2.5 billion annually, growing to an estimated \$4.5 billion in 2021.⁷ As demonstrated with Flora Spa, illicit massage businesses have facilitated organized human trafficking within their storefronts. The illicit massage industry is considered one of the largest and most organized forms of human trafficking to exist today, with approximately 13,000 illicit massage businesses operating as of 2022.⁸ The two most common forms of human trafficking—labor trafficking and sex trafficking—converge in the illicit massage industry.⁹ While not all illicit massage businesses facilitate human trafficking, nor do all massage businesses offer illicit services, the structure of the industry and the vulnerability of many massage workers allow the industry to facilitate human trafficking in storefront businesses without drawing much attention to their illegal activities.

Human trafficking, a form of modern-day slavery, is a complex criminal act involving the exploitation of vulnerable persons.¹⁰ Article 3(a) of the international

⁴ Dylan Scott, *Newberg Police Arrest 3 in Massage Parlor Prostitution Sting*, FOX12 OR. (July 18, 2024, at 17:19 PDT), <https://www.kptv.com/2024/07/18/newberg-police-arrest-3-massage-parlor-prostitution-sting/> [https://perma.cc/76GW-F4YK].

⁵ *The IMI at a Glance: A Resource for Communities*, THE NETWORK (Jan. 2023), <https://s3.amazonaws.com/www.thenetworkteam.org/The+IMI+at+a+Glance.pdf> [https://perma.cc/3NHW-FEXL].

⁶ Eliza Aronson, *Illicit Massage Parlors That Profit from Sex Trafficking Are Multiplying Around the City. No One Stops Them*, WILLAMETTE WEEK (Sep. 25, 2024, at 00:01 PDT), <https://www.wweek.com/news/2024/09/25/illicit-massage-parlors-that-profit-from-sex-trafficking-are-multiplying-around-the-city-no-one-stops-them/> [https://perma.cc/J35E-A8HA].

⁷ Will Yakowicz, *Inside the \$4.5 Billion Erotic Massage Parlor Economy*, FORBES (Apr. 5, 2021, at 13:57 EDT), <https://www.forbes.com/sites/willyakowicz/2021/04/04/inside-the-45-billion-erotic-massage-parlor-economy/> [https://perma.cc/T7XA-VVHR]; POLARIS, HUMAN TRAFFICKING IN ILLICIT MESSAGE BUSINESSES 10 (2018), <https://www.wisdoj.gov/Criminal%20Investigation/FullReportHumanTraffickinginIllicitMassageBusinesses.pdf> [https://perma.cc/45MC-KY3K] (estimating, in 2018, that the annual revenue of illicit massage businesses was \$2.5 billion per year).

⁸ See *The IMI at a Glance: A Resource for Communities*, *supra* note 5.

⁹ Julie Braun, *Illicit Massage: The Intersection of Labor and Sex Trafficking*, 95 WIS. LAW. 22, 22–23 (2022) (analyzing the relationship between labor and sex trafficking within the illicit massage industry in Wisconsin).

¹⁰ *Human Trafficking: Modern Enslavement of Immigrant Women in the United States*, ACLU

framework for combating trafficking—the Palermo Protocol—defines “trafficking in persons” as:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹¹

The illicit massage industry commonly facilitates human trafficking by recruiting vulnerable workers through force, coercion, or fraud to work in massage spas to exploit them to commit acts of prostitution so traffickers may profit.

This form of trafficking continues to be facilitated in Oregon because of ineffective legislation, enforcement, and regulation. Chris Muller-Tabanera, chief strategy officer for The Network,¹² argues that the illicit massage industry in Oregon is growing at “twice the national rate” and suggests that it is caused by “the regulatory environment and lack of successful enforcement across the board [which] has created an environment that traffickers and bosses can take advantage of.”¹³ The Oregon State Board of Massage Therapists’ compliance and licensing manager, Jeff Van Laanen, agrees that even though his agency receives complaints about illicit massage businesses, it lacks the law-enforcement power to regulate them, and when he does investigate and sends his evidence to law enforcement, he rarely sees action.¹⁴ This communication gap between regulators and law enforcement plays a large role in the growth of the industry. Further, the workers often targeted for trafficking purposes are usually from East Asia and come to the United States with little English

(May 31, 2007), <https://www.aclu.org/documents/human-trafficking-modern-enslavement-immigrant-women-united-states> [<https://perma.cc/C65B-ZJTA>]; see U.S. CONST. amend. XIII, § 1 (“Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”).

¹¹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children art. 3(a), Nov. 15, 2000, 2237 U.N.T.S. 319 [hereinafter Palermo Protocol].

¹² The Network is a 501(c)(3) nonprofit based in northern Virginia that is self-described as a “data-driven counter-human trafficking organization.” The Network focuses on the business model of trafficking networks and what drives their profitability. See *We Defeat Trafficking Networks*, THE NETWORK, <https://www.thenetworkteam.org/about> [<https://perma.cc/H9DY-Y5MX>] (last visited June 7, 2026).

¹³ Aronson, *supra* note 6.

¹⁴ *Id.* As a state agency, the Oregon Board of Massage Therapists does not have the authority to shut a business down or to impose criminal penalties; it can only impose civil penalties pursuant to OR. REV. STAT. § 183.745 (2026).

proficiency, funds, or knowledge of the realities of the job they are being trafficked into.¹⁵ Traffickers have learned to exploit these vulnerabilities to keep victims isolated and dependent on them for basic needs.¹⁶

This Note analyzes major gaps that exist in our national, state, and local legal frameworks which have led to extensive growth of the illicit massage industry, ultimately facilitating the complex crime of human trafficking in Oregon. Part I of this Note will analyze the evolution of human trafficking within the illicit massage industry at the national and state levels. In Part II, it will examine what factors have contributed to the growth of the illicit massage industry. And in Part III, it will explore methods of preventing trafficking and protecting victims.

I. EVOLUTION OF THE ILLICIT MESSAGE INDUSTRY

A. *National Overview*

The illicit massage industry is just one forum in which the crime of human trafficking is perpetrated. The international community tackled the issue of human trafficking head-on by adopting the Palermo Protocol in 2000, which entered into force on December 25, 2003.¹⁷ The Palermo Protocol's full title is Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.¹⁸ There are 185 parties to the Palermo Protocol and 117 signatories as of 2026, including the United States.¹⁹ The Palermo Protocol was designed to create a comprehensive approach to human trafficking, particularly to prevent and combat trafficking, to protect trafficking victims, and to promote international cooperation.²⁰ Article 5 of the Protocol requires each state party to adopt "legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in [A]rticle 3 of this Protocol, when committed intentionally."²¹ Further, Article 9 requires state parties to establish "comprehensive policies, programmes and other measures" to "prevent and

¹⁵ *The IMI at a Glance: A Resource for Communities*, *supra* note 5.

¹⁶ See Rachel K. Monaco, *Lifelines for Survivors: Labor Trafficking in Wisconsin*, 95 WIS. LAW. 18, 19 (2022).

¹⁷ *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, U.N. TREATY COLLECTION: DEPOSITARY [hereinafter *Palermo Protocol Status*], https://treaties.un.org/pages/viewdetails.aspx?src=treaty&cmdsg_no=xviii-12-a&chapter=18&clang=_en [<https://perma.cc/6NXY-9J8R>] (last visited June 7, 2026).

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Palermo Protocol, *supra* note 11, art. 2.

²¹ *Id.* art. 5.

combat trafficking” and “to protect victims of trafficking” from revictimization.²²

The United States, concurrent with the Palermo Protocol obligation to criminalize human trafficking, enacted the Trafficking Victims Protection Act of 2000 (TVPA) on October 28, 2000.²³ The TVPA was reauthorized in 2003, 2005, 2008, 2013, 2017, 2018, and 2022, and it adopts a three-pronged approach of “prevention, protection and prosecution.”²⁴ The TVPA particularly focused on sex and labor trafficking, providing both statutory definitions and criminal penalties. The TVPA defines “severe forms of trafficking in persons” as:

(A) sex trafficking²⁵ in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.²⁶

The federal statutes criminalizing peonage, slavery, and trafficking in persons, found at 18 U.S.C. §§ 1581–1597, codify the obligations of the TVPA and the Palermo Protocol to criminalize human trafficking.²⁷ Sex trafficking of children or by force, fraud, or coercion is criminalized in 18 U.S.C. § 1591.²⁸ This statute has been used multiple times to prosecute defendants involved in the illicit massage industry.²⁹

For example, in *United States v. Campbell*, the Seventh Circuit Court of Appeals affirmed a guilty verdict under the TVPA, finding that “[t]he jury could reasonably find that the Day and Night Spa provided a cover for the money [defendant] Campbell received illicitly through prostitution, and a source of legitimate masseuses Campbell could use when he feared law enforcement was

²² *Id.* art. 9.

²³ Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (codified at 22 U.S.C. §§ 7101–15 and scattered sections of the U.S. Code).

²⁴ *Trafficking Victims Protection Act (TVPA)*, CORNELL L. SCH.: L. INFO. INST., https://www.law.cornell.edu/gender-justice/resource/Trafficking_Victims_Protection_Act_TVPA [<https://perma.cc/PP39-97PN>] (last visited June 8, 2026).

²⁵ 22 U.S.C. § 7102(12) defines “sex trafficking” as “recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.”

²⁶ *Id.* § 7102(11).

²⁷ 18 U.S.C. §§ 1581–97.

²⁸ *Id.* § 1591.

²⁹ See KYLEIGH FEEHS & ALYSSA CURRIER WHEELER, HUM. TRAFFICKING INST., 2020 FEDERAL HUMAN TRAFFICKING REPORT 20, 86 (2021), <https://traffickinginstitute.org/wp-content/uploads/2022/01/2020-Federal-Human-Trafficking-Report-Low-Res.pdf> [<https://perma.cc/9RTJ-UPTX>].

investigating the other spas.”³⁰ In *United States v. Gandy*, the U.S. District Court for the Southern District of Texas denied a motion for judgment of acquittal for the defendant on a count of 18 U.S.C. § 1591(e), and found that the “evidence showed that having a minor engage in rubbing the genitals for sexual gratification in the course of a massage was a commercial sex act and prostitution.”³¹ Both of these cases are clear examples of federal prosecutions of sex trafficking under the TVPA in the context of illicit massage businesses. However, the number of cases tried under 18 U.S.C. § 1591 is minimal in comparison to the number of suspected illicit massage businesses nationally.³²

Approximately 13,000 illicit massage businesses are currently operating around the country, generating billions of dollars annually.³³ Illicit massage businesses have started to get attention from national headlines in recent years. In 2019, New England Patriots owner Robert Kraft was charged with misdemeanor solicitation of prostitution after visiting Orchids of Asia Day Spa in Jupiter, Florida.³⁴ In 2021, the Atlanta spa shootings brought the illicit massage industry to the forefront of national conversation when two spas and one massage parlor were targeted, leaving eight people dead and one injured.³⁵ Some states, such as Iowa, Georgia, and Delaware, have introduced legislation to tackle the illicit massage industry directly.³⁶

³⁰ *United States v. Campbell*, 770 F.3d 556, 575 (7th Cir. 2014).

³¹ *United States v. Gandy*, 2018 U.S. Dist. LEXIS 172411, at *4 (S.D. Tex. Oct. 5, 2018).

³² Compare Elizabeth Ranade Janis, *Illicit Massage Businesses: The Pervasive, Insidious Form of Trafficking Happening Across the United States*, HUM. TRAFFICKING INST. (Jan. 23, 2020), <https://traffickinginstitute.org/illicit-massage-businesses-the-pervasive-insidious-form-of-trafficking-happening-across-the-united-states/> [<https://perma.cc/VY23-8KDA>] (noting that “more than 9,000 suspected Illicit Massage Businesses (IMBs) purportedly exploit tens of thousands of women”), with FEEHS & WHEELER, *supra* note 29, at 3 (reporting 579 active human trafficking prosecutions with 1,007 active defendants in 2020). See also, e.g., *United States v. Cooper*, 926 F.3d 718, 728, 741 (11th Cir. 2019) (affirming a defendant’s conviction for, among other crimes, attempted sex trafficking and sex trafficking); *United States v. Withers*, 960 F.3d 922, 928 (7th Cir. 2020) (affirming a defendant’s conviction for “nine counts of sex trafficking”).

³³ *The IMI at a Glance: A Resource for Communities*, *supra* note 5.

³⁴ Jason Hanna, *How Police Spent Months Taking Down a Spa where Robert Kraft is Accused of Paying for Sex*, CNN (Mar. 16, 2019, at 01:28 EDT), <https://www.cnn.com/2019/03/15/us/robert-kraft-florida-day-spa-investigation/index.html> [<https://perma.cc/LG2W-6KMX>].

³⁵ *A Man Accused of Killing 8 in Atlanta Area Spa Shootings Pleads Guilty to 4 Deaths*, NPR (July 27, 2021, at 14:48 ET), <https://www.npr.org/2021/07/27/1021144933/georgia-man-pleading-guilty-to-4-of-8-atlanta-area-spa-killings> [<https://perma.cc/M5UU-7NYT>].

³⁶ Pepper Purpura, *Iowa Bill Targets Illicit Massage Businesses Linked to Human Trafficking*, KCCI (Feb. 2, 2026, at 22:26 CST), <https://www.kcci.com/article/iowa-bill-targets-illicit-massage-businesses-linked-to-human-trafficking/70228876> [<https://perma.cc/L6V4-QLUP>]; Zoë Read, *Gov. Carney Signs Legislation to Reduce Illicit Massage Businesses*, WHYY (July 26, 2017), <https://whyy.org/articles/gov-carney-signs-legislation-to-reduce-illicit-massage-businesses/> [<https://perma.cc/H6WR-HK5A>]; Cody Alcorn, *Georgia’s First Lady Discusses Initiatives to Stop Human Trafficking*, 11ALIVE (Jan. 30, 2024, at 17:54 EST), <https://www.11alive.com/article/news/local/>

However, without a comprehensive and collaborative approach to the issue of human trafficking within the massage industry, traffickers will flock to states with weak oversight of the massage industry. Oregon is a prime example of a state that has not taken sufficient steps to address the issue of trafficking within the massage industry.

B. *Oregon Overview*

While the illicit massage industry has gradually expanded nationwide, the industry in Oregon has steadily increased since 2019.³⁷ As of January 2025, there are suspected to be approximately 301 illicit massage businesses in Oregon.³⁸ Most of the illicit businesses are concentrated in Portland and along the I-5 corridor.³⁹ This corridor, which runs from Canada to Mexico and connects large West Coast cities like Los Angeles, Sacramento, Portland, and Seattle, has been identified as a primary route of large-scale human trafficking.⁴⁰ The illicit massage industry is growing at “twice the national rate” in Oregon, particularly in Portland.⁴¹

first-lady-marty-kemp-discusses-initiatives-stop-human-trafficking-georgia/85-b7d57f72-1f5d-42dd-8687-8b149156c0c1 [https://perma.cc/P4MX-PJVD].

³⁷ Aronson, *supra* note 6.

³⁸ Letter from Robert Ruark, Executive Director, Or. Bd. of Massage Therapists (Jan. 24, 2023, updated with Jan. 2025 data), <https://www.oregon.gov/obmt/Documents/OBMT%20support%20of%20anti-trafficking%20efforts.3.2025.pdf> [https://perma.cc/B79S-X7GN] (estimating “approximately 177 (301 in 2025) illegal illicit massage business[es] operating in Oregon today”).

³⁹ See Sophie Peel & Aaron Mesh, *Bill to Crack Down on Illicit Massage Businesses Passes the Oregon House*, WILLAMETTE WEEK (Apr. 17, 2025, at 19:06 PDT), <https://www.wweek.com/news/2025/04/17/bill-cracking-down-on-illicit-massage-businesses-passes-the-oregon-house/> [https://perma.cc/4L4X-6BKT] (publishing a January 2025 map of illicit massage businesses in Oregon showing concentration in the Portland metro area and along the I-5 corridor).

⁴⁰ Kelsey Turner, *Sex Trafficking in the Northwest is a Problem in Plain Sight*, OPB (Dec. 4, 2023, at 06:00 PT), <https://www.opb.org/article/2023/12/04/pacific-northwest-sex-trafficking/> [https://perma.cc/B5LX-UWZK].

⁴¹ Aronson, *supra* note 6.

Figure 1: Suspected Illicit Massage Businesses in Oregon, February 2025⁴²

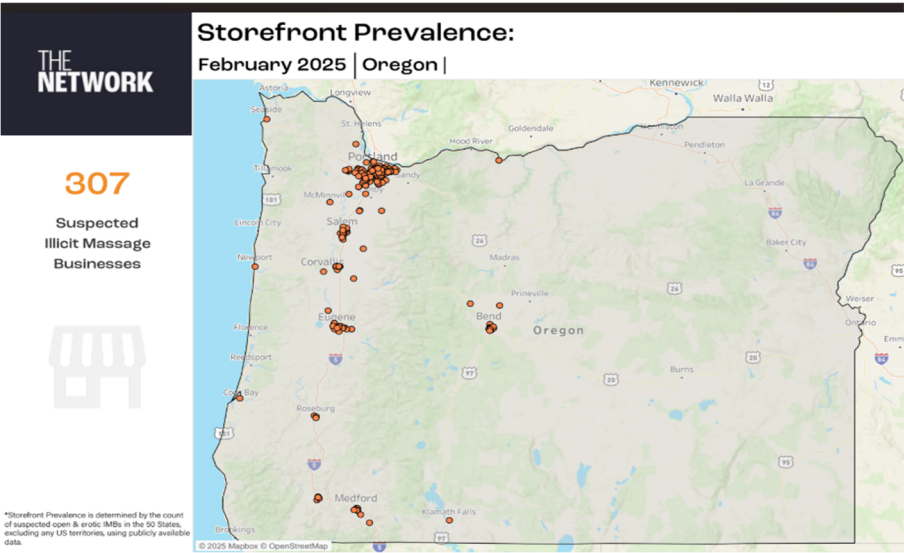
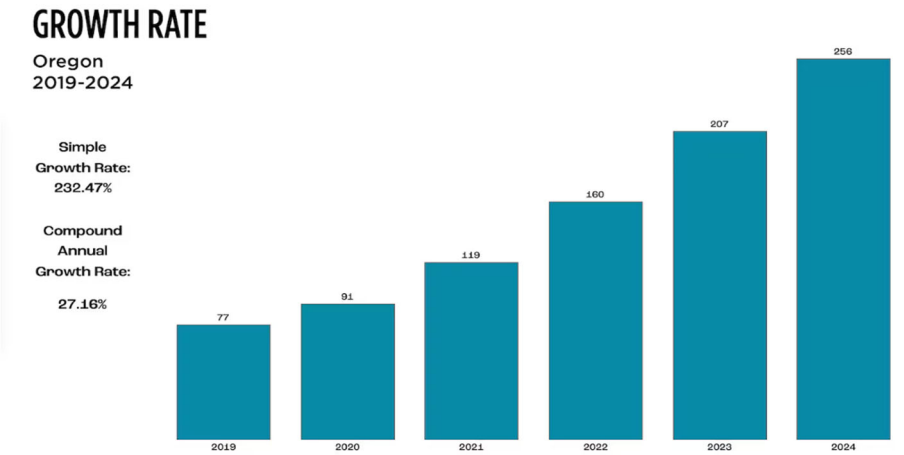


Figure 2: Growth Rate of Illicit Massage Businesses in Oregon, 2019–2024⁴³



⁴² E-mail from Kate Adams, Program Manager, The Network, to author (Feb. 25, 2025, at 09:50 PT) (on file with author).

⁴³ Aronson, *supra* note 6 (publishing a graphic from The Network).

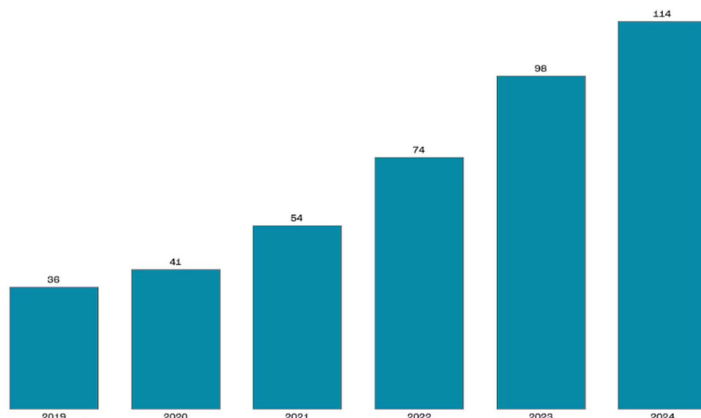
Figure 3: Growth Rate of Illicit Massage Businesses in Portland, Oregon, 2019–2024⁴⁴

GROWTH RATE

Portland
2019-2024

Simple
Growth Rate:
216.67%

Compound
Annual
Growth Rate:
25.93%



Even though some illicit massage businesses have been investigated in Oregon, as demonstrated by Flora Spa, Amber Massage, and Lavender Foot Spa, these massage businesses were found outside the Portland city limits.⁴⁵ A section of Portland’s Northeast 82nd Avenue and Sandy Boulevard has been identified as one of the most prominent locations in Oregon for sex trafficking.⁴⁶ There is a high density of massage and foot spas on 82nd Avenue, including Asian Fortune Massage.⁴⁷ One review of Asian Fortune Massage—since taken down from Google—claimed that it was “the best happy ending in town.”⁴⁸ Businesses like this are not difficult for the public to find, and in fact, the Oregon legislature has given the Portland Police Bureau approximately \$1.4 million annually to fight human trafficking in Portland.⁴⁹ However, even with a designated budget to fight human trafficking, and a known presence of illicit massage businesses in Portland in particular, prosecution of human trafficking has not matched the rate of victims

⁴⁴ *Id.* (publishing a graphic from The Network).

⁴⁵ See *supra* text accompanying notes 2–4.

⁴⁶ Turner, *supra* note 40.

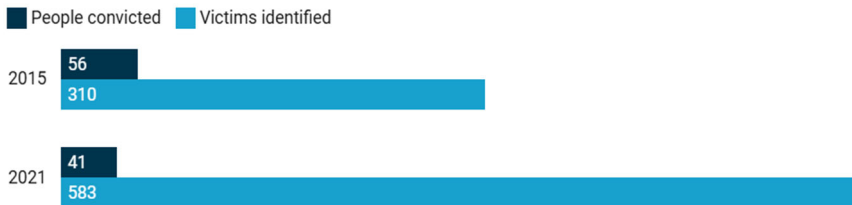
⁴⁷ See GOOGLE MAPS, <https://www.google.com/maps> [<https://perma.cc/2JUQ-NHKF>] (type “ASIAN FORTUNE MASSAGE” into search; select result for location on Southeast 82nd Avenue in Portland, Oregon; press the “x” on the search bar; search “massage”; zoom out slightly using the mouse; then select “Search this area” to see the density of massage locations).

⁴⁸ This review was posted on the Google Maps page for Asian Fortune Massage at the time this Note was authored in February 2025. The review has since been taken down and thus, the Lewis & Clark Law Review was unable to independently verify its contents.

⁴⁹ Turner, *supra* note 40.

identified.⁵⁰ Factoring in the growth rate of illicit massage businesses in Oregon, there is a clear disparity between trafficking victim protection and law enforcement intervention in this state.

Figure 4: Sex-Trafficking Convictions in Washington and Oregon Compared to Trafficking Victims Identified, 2015 & 2021⁵¹



Data includes people convicted of sex trafficking crimes in state and federal courts in Washington and Oregon, and victims identified through the National Human Trafficking Hotline.

Source: Oregon Criminal Justice Commission, Washington State Administrative Office of the Courts, Human Trafficking Institute. National Human Trafficking Hotline • Created with [Datawrapper](#)

C. Industry Structure

There are key characteristics that make identifying illicit massage businesses possible. Often, many illicit massage businesses can be traced back to Flushing, New York, or the greater Los Angeles area of California.⁵² These two areas serve as entry points for workers entering the country from other parts of the world, commonly entering through customs at JFK or LAX airports.⁵³ Many massage workers trafficked through New York or Los Angeles are then dispersed throughout the country to various massage parlors.⁵⁴ One massage worker interviewed at Carnation Spa in Portland stated that she lived in Flushing, New York, before moving to Portland.⁵⁵ Many illicit massage businesses recruit workers from online job advertisements on social media platforms, such as WeChat and KakaoTalk, or from job postings in the World Journal.⁵⁶ WeChat is a popular app among the Chinese

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² Chris Muller-Tabanera & Beisi Huang, *Modern-Day Comfort Stations: Human Trafficking in the US Illicit Massage Industry*, in *THE HISTORICAL ROOTS OF HUMAN TRAFFICKING: INFORMING PRIMARY PREVENTION OF COMMERCIALIZED VIOLENCE* 65, 70 (Makini Chisolm-Straker & Katherine Chon eds., 2021).

⁵³ Janis, *supra* note 32.

⁵⁴ Muller-Tabanera & Huang, *supra* note 52, at 70–71.

⁵⁵ Aronson, *supra* note 6.

⁵⁶ Muller-Tabanera & Huang, *supra* note 52, at 72; Janis, *supra* note 32.

community, with approximately 1.2 billion users.⁵⁷ WeChat has been described as the “end-all be-all” facilitator of trafficking because “[i]ts ubiquity among domestic Chinese and Chinese diaspora and multi-functionality . . . make[s] WeChat a handy tool that helps evade regulation and oversight in the illicit business such as transborder sex trafficking.”⁵⁸ These apps have played a large role in the recruitment of workers, the facilitation of the massage businesses, and the coercive control traffickers exercise over victims.

The number of workers in any given massage parlor can typically range from two to six, with a female manager overseeing their work.⁵⁹ Female managers often try to form bonds with new workers through “mothering” or “sister talks.”⁶⁰ Chris Muller-Tabanera describes the manager–worker relationship as a “different version of pimp control” based on a motherly or sisterly type of bond.⁶¹ In *United States v. Young*, the Seventh Circuit Court of Appeals affirmed the sentence of a female manager based on her “management responsibility over the property, assets, and activities of the criminal organization.”⁶² What makes the female manager’s role more complicated is that if she is prosecuted, like the manager was in *Young*, it is difficult to determine if the manager is the trafficker herself or another victim of trafficking.⁶³ These massage parlor managers typically report to the traffickers, who may be the beneficial owners of the massage parlor.⁶⁴

Illicit massage parlor storefronts are often opened up by individuals called “establishers,” who then transfer ownership to a local “franchisee” of a network of illicit massage businesses.⁶⁵ Besides owners and managers, other parties involved in

⁵⁷ Cara Kelly & Dian Zhang, *Human Trafficking Laws Were Supposed to Help Women. Victims’ Stories Say Otherwise.*, USA TODAY (Jan. 19, 2023, at 14:02 ET), <https://www.usatoday.com/in-depth/news/investigations/2023/01/19/human-trafficking-laws-enforcement-impact-victim-experience/10392339002/> [<https://perma.cc/R9G7-J5EN>].

⁵⁸ *Id.* (alteration in original) (quoting email from communication technology scholar Julie Yujie Chen).

⁵⁹ See Muller-Tabanera & Huang, *supra* note 52, at 70 (explaining that the average illicit massage business is “usually staffed by one female manager and an average of two workers,” but that in high density illicit massage business areas there may be up to six workers in one location).

⁶⁰ *Id.* at 73.

⁶¹ Kelly & Zhang, *supra* note 57.

⁶² *United States v. Young*, 590 F.3d 467, 470 (7th Cir. 2009).

⁶³ POLARIS, *TYPOLOGY OF MODERN SLAVERY* 13 (2017), <https://polarisproject.org/wp-content/uploads/2019/09/Polaris-Typology-of-Modern-Slavery-1.pdf> [<https://perma.cc/6YL7-CNND>].

⁶⁴ Nicholas Kulish, Frances Robles & Patricia Mazzei, *Behind Illicit Massage Parlors Lie a Vast Crime Network and Modern Indentured Servitude*, N.Y. TIMES (Mar. 2, 2019), <https://www.nytimes.com/2019/03/02/us/massage-parlors-human-trafficking.html> [<https://perma.cc/DND7-U3ZR>].

⁶⁵ Muller-Tabanera & Huang, *supra* note 52, at 70.

running an illicit massage business are money transmitters and middlemen.⁶⁶ Money transmitters are often in charge of transmitting money from stores to owners and potentially to overseas shareholders, while middlemen are involved in transporting workers from one location to another and facilitating communication among networks.⁶⁷

Many illicit massage businesses have physical characteristics that set them apart from legitimate massage businesses. Often, massage parlors are located in unsuspecting areas like strip malls, community business districts, and residential neighborhoods.⁶⁸ Most operate with late-night hours, generally until 10 p.m.⁶⁹ Illicit massage businesses tend to prefer buildings with private entrances and minimal street view into the interior of the building to protect the privacy of the customers.⁷⁰ It is also not uncommon for massage parlors to operate out of residential properties zoned for commercial use.⁷¹ This allows illicit massage businesses to locate themselves in residential areas.

Another common trait among illicit massage businesses is poor on-site living conditions for the workers.⁷² One customer review of one of the three massage parlors targeted in the 2021 Atlanta shootings stated, “I had to laugh that the staff sleeping quarters are in plain view as you go to your room. One of the staff was passed out when I walked by.”⁷³ On-site living conditions for massage workers can

⁶⁶ JOHN J. CHIN, LOIS M. TAKAHASHI, YEONSOO BAIK, CAITLIN HO, STACY TO ET AL., *ILLCIT MESSAGE PARLORS IN LOS ANGELES COUNTY AND NEW YORK CITY: STORIES FROM WOMEN WORKERS* 8 (2019), http://johnchin.net/Article_Files/MP_Study_10.11.19_FINAL.pdf [<https://perma.cc/9VY9-DHW6>].

⁶⁷ JOON JANG, KYUNGSEOK CHOO & KYUNG-SHICK CHOI, *KOREAN INST. OF CRIMINOLOGY, HUMAN TRAFFICKING AND SMUGGLING OF KOREAN WOMEN FOR SEXUAL EXPLOITATION TO THE UNITED STATES: A CRITICAL ANALYSIS OF TRANSNATIONAL DISPLACEMENT AND ANTI-TRAFFICKING MEASURES* 62–68 (2009), https://www.researchgate.net/publication/305720517_Human_Trafficking_and_Smuggling_of_Korean_Women_for_Sexual_Exploitation_to_the_United_States_A_Critical_Analysis_of_Transnational_Displacement [<https://perma.cc/YZ2P-Z245>].

⁶⁸ Janis, *supra* note 32.

⁶⁹ *The IMI at a Glance: A Resource for Communities*, *supra* note 5; N. VA. HUM. TRAFFICKING INITIATIVE, *ILLCIT MESSAGE BUSINESSES: A COMMUNITY PROBLEM* 6, 20–21 (Mar. 7, 2020), https://reset180.com/wp-content/uploads/2021/02/Illicit_Massage_Businesses_a_Community_Problem_Estimating_Impact_in_Fairfax_County.pdf [<https://perma.cc/MX9J-FRGK>].

⁷⁰ *The IMI at a Glance: A Resource for Communities*, *supra* note 5.

⁷¹ Janis, *supra* note 32.

⁷² *Id.*

⁷³ THE NETWORK, *THE BACKDROP OF THE ATLANTA SHOOTINGS: IGNORING ILLICIT MESSAGE BUSINESSES PERPETUATES VULNERABILITY* 4 (2021), <https://s3.amazonaws.com/www.thenetworkteam.org/The+Backdrop+of+the+Atlanta++Vulnerability.pdf> [<https://perma.cc/BQX6-YCR4>].

give traffickers a greater sense of control over their victims.⁷⁴ Keeping workers on site allows traffickers to watch their movements through on-site cameras.⁷⁵

Further, illicit spas generally charge rates lower than the general standard for legitimate massage therapy, and workers will solicit cash tips after the massage to negotiate any commercial sex acts.⁷⁶ These common characteristics among illicit massage businesses allow buyers to identify where they may be soliciting commercial sex acts and make it easier for traffickers to facilitate their crimes. The factors contributing to this industry structure will be explored below.

II. CONTRIBUTING FACTORS

Flora Spa was an illicit massage business that was the target of a police sting, leading to the arrest of multiple individuals in 2024.⁷⁷ Flora Spa was officially shut down through administrative dissolution on July 11, 2024.⁷⁸ However, given the opening of additional nearby massage storefronts after Flora Spa's closing, the question arises: are any new massage storefronts filling a gap in the illicit massage market that Flora Spa left, or are they operating as legitimate massage businesses? Various contributing factors lead to new illicit massage storefronts opening in local neighborhoods that could be facilitating the crime of human trafficking. One of the biggest contributors to the problem in Oregon is weak massage industry regulation. Victim status, online forums, and corporate shields also contribute to the persistence of the industry at the national level and in Oregon.

A. *Massage Industry Regulation*

The agency with the power to regulate the massage industry in Oregon is the State Board of Massage Therapists, as authorized by Oregon Revised Statutes (ORS) § 687.115.⁷⁹ The State Board of Massage Therapists ("the Board") operates as a

⁷⁴ Vanessa Bouche & Sean M. Crotty, *Estimating Demand for Illicit Massage Businesses in Houston, Texas*, 4 J. HUM. TRAFFICKING 279, 283 (2018).

⁷⁵ POLARIS, *supra* note 63, at 13.

⁷⁶ POLARIS, HIDDEN IN PLAIN SIGHT: HOW CORPORATE SECRECY FACILITATES HUMAN TRAFFICKING IN ILLICIT MESSAGE PARLORS 3 (2018) [hereinafter HIDDEN IN PLAIN SIGHT], <https://polarisproject.org/wp-content/uploads/2018/04/How-Corporate-Secrecy-Facilitates-Human-Trafficking-in-Illicit-Massage-Parlors.pdf> [<https://perma.cc/2YMJ-VFUP>]; *Fake Massage Businesses in the United States*, POLARIS PROJECT (2011), https://s3.eu-west-3.amazonaws.com/observatoirebdd/2011_Fake_message_businesses_US_Polaris_Project.pdf [<https://perma.cc/3CB6-4DRQ>].

⁷⁷ *Police Make Arrests Related to Human Trafficking in Lake Oswego*, *supra* note 2.

⁷⁸ See *Flora Spa LLC, Registry No. 2119117-97*, OR. SEC'Y OF STATE: BUS. NAME SEARCH, https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_detl?p_be_rsn=2401721&p_srce=BR_INQ&p_print=FALSE [<https://perma.cc/9MP9-C53D>] (last visited Jan. 25, 2026).

⁷⁹ OR. REV. STAT. § 687.115 (2026) (describing the authority of the State Board of Massage

“semi-independent state agency,” with a board consisting of seven members, appointed by the Governor, who have the authority to carry out the provisions of ORS §§ 687.011 to 687.250, 687.895, and 687.991.⁸⁰ The Board may adopt rules to set standards for the industry concerning health, safety, methods, licensing, and continued education.⁸¹ Beyond rule-making authority, the Board may investigate violations of its rules and regulations as authorized by ORS § 687.122.⁸² The Board may request evidence, take depositions, send interrogatories, and issue subpoenas.⁸³ Further, the Board may inspect, upon complaint, a massage facility to determine that it meets the standards set by the Board, as authorized by ORS § 687.123.⁸⁴ If the Board investigates a massage facility and finds that it is engaging in the practice of massage without a license, the operator may be found in violation of ORS § 687.021, which prohibits engaging in the practice of massage without a license, operating a massage facility without a permit, advertising the practice of massage without a license, or using the word “massage” in a business name without a license or permit.⁸⁵ If a person violates this provision, the Board, the Oregon Attorney General, or a county’s prosecuting attorney “may maintain an action for an injunction against” them, and the “injunction does not relieve” the violator of criminal or civil liability.⁸⁶ The Board further has the authority under ORS § 687.081 to “discipline[,] . . . deny, suspend, revoke or refuse to renew a license to practice massage or a permit to operate a massage facility” for many reasons, but most relevant here is discipline for violations of Oregon statutes dealing with prostitution.⁸⁷

The crime of prostitution in Oregon occurs “if the person engages in, or offers or agrees to engage in, sexual conduct or sexual contact in return for a fee.”⁸⁸ It is also a crime to promote prostitution and to compel prostitution.⁸⁹ However, there is an affirmative defense to the crime of prostitution if it is demonstrated that at the

Therapists, as well as the requirements for board members, appointment requirements, length of terms, board member compensation, and the administrator’s role).

⁸⁰ *Id.*

⁸¹ *Id.* § 687.121 (describing the types of rules the Board may adopt to regulate the industry).

⁸² *Id.* § 687.122 (authorizing the Board to investigate, take evidence, and issue subpoenas).

⁸³ *Id.*

⁸⁴ *Id.* § 687.123 (authorizing the Board to inspect a massage facility upon receiving a complaint).

⁸⁵ *Id.* § 687.021 (prohibiting the practice of massage without a license, from operating a massage facility without a permit, from advertising the practice of massage without a license or permit, and from using the word “massage” in a business name without a license or permit).

⁸⁶ *Id.*

⁸⁷ *Id.* § 687.081(1).

⁸⁸ *Id.* § 167.007.

⁸⁹ *Id.* § 167.012; *see also id.* § 167.017 (defining the crimes of promoting and compelling prostitution).

time of the offense, the person was a victim of the crime of trafficking in persons.⁹⁰ ORS § 163.266 establishes, in relevant part:

(1) A person commits the crime of trafficking in persons if the person knowingly recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person and:

(b) [t]he person knows or recklessly disregards the fact that force, fraud or coercion will be used to cause the other person to engage in a commercial sex act.⁹¹

Even though the Board has broad authority to regulate and discipline massage therapists and businesses that may commit the crime of prostitution, the Board has essentially no authority to regulate reflexologists or foot spas.⁹²

“Massage,” along with “massage therapy,” or “bodywork,” is defined as “the use of pressure, friction, stroking, tapping or kneading on the human body.”⁹³ The Board has the authority to regulate those who practice under this definition of massage. However, the Board does not have the authority to regulate:

[p]ractitioners of reflexology who do not claim expressly or implicitly to be massage therapists and who limit their work to the practice of reflexology through the application of pressure with the thumbs to reflex points on the feet, hands and ears for the purpose of bringing the body into balance, thereby promoting the well-being of clients.⁹⁴

Practitioners do not need a license to practice reflexology in the State of Oregon, and it falls outside of the Board’s regulatory power.⁹⁵ Businesses that are registered with the Oregon Secretary of State list in any annual reports what type of “business activity” they are conducting.⁹⁶ While it cannot be confirmed with certainty that businesses registered with the state as “foot spas” or “reflexology businesses” are in fact illicit massage businesses without further investigation, it highlights a large gap in which illegal spas can operate without administrative oversight.

Even if spas listed as practicing reflexology were under the purview of the State Board of Massage Therapists, the Board has little control over the existing massage parlors under its administrative authority. The compliance and licensing manager

⁹⁰ *Id.* § 163.269.

⁹¹ *Id.* § 163.266(1)(b) (defining the crime of trafficking in persons).

⁹² *See id.* § 687.031.

⁹³ *Id.* § 687.011.

⁹⁴ *Id.* § 687.031(1)(i).

⁹⁵ *See id.*

⁹⁶ *See Annual Report or Renewal*, OR. SEC’Y OF STATE, <https://sos.oregon.gov/business/Pages/obr-annual-report-renewal.aspx> [<https://perma.cc/6DFJ-72X9>] (last visited June 8, 2026).

of the Board, Jeff Van Laanen, finds that even though the Board receives complaints weekly about illicit massage parlors, little has been done to combat them because the agency lacks law-enforcement authority.⁹⁷ Violations of ORS § 687.021, practicing massage therapy without a license, and rules adopted under ORS § 687.121, are criminal class A misdemeanors.⁹⁸ However, Van Laanen has pinpointed discrepancies in law enforcement action regarding illicit massage businesses.⁹⁹ For example, in 2022, an illicit massage spa in Woodburn, Oregon, was investigated for alleged prostitution and sex abuse.¹⁰⁰ The spa remained open during the investigation; it “isn’t unusual for massage parlors to stay open after investigations of alleged misconduct,” which Van Laanen himself acknowledged.¹⁰¹ Further, Van Laanen explained that the Board “does not have a mechanism for shutting a business down, so the best that we can do as a regulatory agency is to issue fines for violations.”¹⁰² The Board is thus dependent on law enforcement to impose criminal penalties for any violations of their rules.¹⁰³ As the Oregon massage industry is generally weakly regulated, traffickers may take advantage of weak enforcement to operate their businesses as long as possible before getting caught.

B. *Victim Status*

Human trafficking occurs globally and impacts victims of various nationalities, but the illicit massage industry largely profits from victimizing women from East Asia.¹⁰⁴ Most commonly, women working in illicit massage businesses are Chinese, as well as Korean, Vietnamese, and Thai.¹⁰⁵ Indeed, many massage businesses directly advertise that their spas are “Asian” or “oriental,” such as Comfort Zone Asian Massage—a now inactive massage business in Salem, Oregon—or Oriental Massage Spa in Albany, Oregon.¹⁰⁶ The illicit massage industry profits from these

⁹⁷ Aronson, *supra* note 6.

⁹⁸ OR. REV. STAT. § 687.991 (imposing criminal penalties for violations of OR. REV. STAT. § 687.021 and rules adopted under § 687.121).

⁹⁹ Dejanía Oliver, *Woodburn Spa Still Open After Fines, Investigations and Reports of Misconduct*, SALEM STATESMAN J. (July 20, 2022, at 06:00 PT), <https://www.statesmanjournal.com/story/news/local/2022/07/19/woodburn-spa-still-open-after-fines-investigations-and-reports-of-misconduct/65376727007/> [<https://perma.cc/D95T-VSMJ>].

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ OR. REV. STAT. § 183.745 (limiting state agencies to imposing civil penalties); *see also id.* § 183.310(1) (defining “agency” as “any state board, commission, department, or division . . . authorized by law to make rules or to issue orders”).

¹⁰⁴ *The IMI at a Glance: A Resource for Communities*, *supra* note 5.

¹⁰⁵ POLARIS, *supra* note 7, at 19.

¹⁰⁶ *See Comfort Zone Asian Massage LLC*, Registry No. 1628589-98, OR. SEC’Y OF STATE: BUS. NAME SEARCH, https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_detl?p_be_

East Asian women, mostly from China and South Korea, due, at least in part, to rampant sexual stereotyping of Asian women.¹⁰⁷ On average, victims in the illicit massage industry range in age from their mid-30s to late 50s, and are commonly mothers.¹⁰⁸

The hypersexualization of Asian women in the United States is not a new phenomenon, with popular media as early as the mid-1800s describing Chinese women as “lustful and sensual in their dispositions; *every* female is a prostitute, and of the basest order.”¹⁰⁹ In fact, the Page Act of 1875, the first restrictive federal immigration law in the United States, restricted immigrants from China, Japan, or any “Oriental country” from entering the country if they were entered into a contract or agreement “for lewd and immoral purposes.”¹¹⁰ The Page Act explicitly forbade the immigration of women “imported for the purposes of prostitution.”¹¹¹ Former U.S. President Ulysses S. Grant remarked that Chinese women were “brought for shameful purposes, to the disgrace of the communities where settled and to the great demoralization of the youth of those localities.”¹¹²

1. *Military Exploitation*

This harmful racial stereotype became even more prevalent with American military involvement in the Pacific region during World War II, the Korean War, and the Vietnam War.¹¹³ Throughout the various wartime conflicts in the Pacific, Japan set up military brothels known as “comfort stations” in Japan, Korea, China, Taiwan, and the Philippines.¹¹⁴ Following the defeat of Japan in World War II, the United States established its presence in the Korean peninsula and eventually

rsn=2103095&p_srce=BR_INQ&p_print=FALSE [https://perma.cc/ZUK6-CWG6] (last visited June 8, 2026); *Oriental Massage Spa, Registry No. 1962084–91*, OR. SEC’Y OF STATE: BUS. NAME SEARCH, https://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=2308074&p_srce=BR_INQ&p_print=FALSE [https://perma.cc/YPM8-33N3] (last visited June 8, 2026).

¹⁰⁷ See THE NETWORK, RACISM IN THE ILLICIT MESSAGE INDUSTRY, THE SEXUAL STEREOTYPING OF ASIAN WOMEN BY U.S. SEX BUYERS 1, 3 (2021), https://www.thenetworkteam.org/research/racism-in-the-illicit-massage-industry [https://perma.cc/9ECM-6AF6].

¹⁰⁸ Janis, *supra* note 32; HIDDEN IN PLAIN SIGHT, *supra* note 76, at 1.

¹⁰⁹ See, e.g., *Chinese Immigration to California*, N.Y. DAILY TRIB. (Sep. 29, 1854), at 4, 4.

¹¹⁰ Page Act of 1875, ch. 141, § 1, 18 Stat. 477, 477 (repealed 1974).

¹¹¹ *Id.* § 5, 18 Stat. at 477.

¹¹² *December 7, 1874: Sixth Annual Message Transcript*, UVA, MILLER CTR: PRESIDENTIAL SPEECHES, https://millercenter.org/the-presidency/presidential-speeches/december-7-1874-sixth-annual-message [https://perma.cc/PD44-EDX5] (last visited June 8, 2026) (providing the transcript of then-President Ulysses S. Grant’s 6th Annual Message to Congress).

¹¹³ See Muller-Tabanera & Huang, *supra* note 52, at 65–67.

¹¹⁴ *Id.*

supported the South Korean government in the Korean War.¹¹⁵ The United States and South Korean governments created towns surrounding the U.S. military bases exclusively to boost the morale of U.S. troops.¹¹⁶ These former “comfort stations” of Japan morphed into what is now known as “R & R” or “rest and relaxation centers.”¹¹⁷ These R & R centers surrounding U.S. military bases in Korea facilitated the trafficking of young women and girls from Korea, China, and the Philippines for prostitution.¹¹⁸ These young women were largely exploited because they came from war-torn communities with vulnerable economies.¹¹⁹ Military service members were generally immunized from any crimes they committed against women in these rest and relaxation centers, and this trend continued on into the Vietnam War.¹²⁰

Even after U.S. wartime involvement in East Asia decreased and military bases closed down, the commercial sex industry still existed near former military sites in cities like Bangkok and Manila.¹²¹ Because of the success of exploiting young Asian women to foreign men, criminal networks found that they could establish more business back in the United States. Some criminal networks in Korea, for example, facilitated “sham marriages” between Korean women and U.S. military members to traffic the women to the United States to work in illicit massage businesses.¹²² While some women were physically trafficked from East Asia into the United States during the period when the U.S. military pulled back its presence, the racial stereotyping of Asian women was brought back to the United States in an impactful and harmful way.¹²³ The interactions between the American military and East Asian women during the R & R era created a racial, hypersexualized stereotype of Asian women that fostered a demand for Asian women in the commercial sex market in the United States.¹²⁴ The illicit massage industry has become a popular forum for exploiting this harmful racial stereotype, and human trafficking sustains the industry’s supply of victims. The sheer number of illicit massage businesses in the United States with names advertising “Asian spa” or “oriental massage” demonstrates that a demand still exists for the racial stereotype of hypersexualized Asian women.

¹¹⁵ See *id.* at 67.

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ See *id.* at 67–68, 80.

¹¹⁹ *Id.* at 67.

¹²⁰ *Id.*

¹²¹ *Id.* at 68.

¹²² Donna M. Hughes, Katherine Y. Chon & Derek P. Ellerman, *Modern-Day Comfort Women: The U.S. Military, Transnational Crime, and the Trafficking of Women*, 13 VIOLENCE AGAINST WOMEN 901, 910 (2007).

¹²³ See *id.*; see also The NETWORK, *supra* note 107, at 1–4 (describing how racism impacts Asian women in the illicit massage industry).

¹²⁴ Muller-Tabanera & Huang, *supra* note 52, at 68–69.

2. *Present-Day Racial Fetishization*

The historical fetishization of Asian women was brought to national attention in 2021 with the Atlanta shootings of three massage parlors.¹²⁵ After Robert Long shot and killed eight people and wounded a ninth at three spas in the Atlanta area, debate arose around his motivation.¹²⁶ The general public viewed the crimes as anti-Asian hate crimes as six of the eight victims were Asian women.¹²⁷ On the other hand, Long described his motivation to be linked to his self-described “sex addiction” and confessed to law enforcement he had a “temptation . . . that he wanted to eliminate.”¹²⁸ The tragedy in Atlanta demonstrated a link between the long-ingrained fetishization of Asian women in the United States and the role the illicit massage industry plays in perpetrating that dangerous racial stereotype. As Professor Catherine Ceniza Choy wrote in response to the Atlanta tragedy:

Killing Asian American women to eliminate a man’s temptation speaks to the history of the objectification of Asian and Asian American women as variations of the Asian temptress, the dragon ladies and the lotus blossoms, whose value is only in relation to men’s fantasies and desires. This is horrifying. Stop fetishizing us.¹²⁹

Further, Elizabeth Kim of Restore NYC found that in her experience serving immigrant women, “the racism and the misogyny and the violence are very much intertwined.”¹³⁰

The racial fetishization of Asian women is evident in the illicit massage industry as the details of the Atlanta tragedy demonstrate. All three of the massage parlors targeted by the Atlanta shooter had advertised sexual services at one point.¹³¹ Sex-buyer review websites have given a forum for buyers to express their views on racial fantasies.¹³² One review found on RubMaps.com stated,

¹²⁵ *A Man Accused of Killing 8 in Atlanta Area Spa Shootings Pleads Guilty to 4 Deaths*, *supra* note 35.

¹²⁶ *Id.*

¹²⁷ See Kimmy Yam, *Racism, Sexism Must Be Considered in Atlanta Case Involving Killing of Six Asian Women, Experts Say*, NBC (Mar. 17, 2021, at 16:02 PDT), <https://www.nbcnews.com/news/asian-america/racism-sexism-must-be-considered-atlanta-case-involving-killing-six-n1261347> [https://perma.cc/GA55-GY7Q].

¹²⁸ *Id.*; Lindsay Whitehurst & Michelle L. Price, *Stigmas on Race, Gender and Sex Overlap in Atlanta Slayings*, AP NEWS (Mar. 18, 2021, at 10:54 PST), <https://apnews.com/article/us-news-race-and-ethnicity-shootings-las-vegas-mass-shooting-georgia-58690b8fd13adc6e76ef2b306fd2c58f> [https://perma.cc/5FT7-K6NP].

¹²⁹ Yam, *supra* note 127.

¹³⁰ THE NETWORK, *supra* note 107, at 1.

¹³¹ THE NETWORK, *supra* note 73, at 1–3.

¹³² THE NETWORK, *supra* note 107, at 1–2. Sex-buyer review websites, sometimes called “hobby boards,” are platforms where sex buyers “review individuals or businesses providing commercial sex and participate in discussion forums on the subject.” U.S. GOV’T

I've always had a thing for Asian women, and so have many of my buddies. But, as you may very well know, there aren't a lot of Asian broads in the area. So as soon as I found out about this website I subscribed and now I've been fulfilling every Asian fantasy that I could possibly think of.¹³³

This review is just one example of the pervasive racist and sexist underpinnings of the illicit massage industry and its exploitative nature. Other sex-buyer review websites reveal more of the dehumanizing, racist, and violent beliefs that some sex buyers hold.¹³⁴ The racial stereotyping of Asian women drives demand for Asian sex workers and, thus, a market for traffickers to meet that demand.

3. *Immigration Status*

Deeply connected to the racist and xenophobic treatment of Asian women in America is their relationship with the immigration legal system. Traffickers have used the immigration status of workers within the illicit massage industry to exercise control over them.¹³⁵ Many women recruited through job boards to work in the United States come to the country with temporary work or visitor visas.¹³⁶ Some workers may not have any form of documented status in the United States and live under constant fear of deportation.¹³⁷ Workers who are recruited from their home country may deal with travel agencies that facilitate the visa application process and travel expenses.¹³⁸ These agencies can charge varying amounts for visa applications, forcing many workers to borrow money from the agency itself, from loan sharks, or from family members.¹³⁹ These travel agencies can put immigrant women into serious debt, with the average debt estimated to be \$45,000.¹⁴⁰ Traffickers may further inflate debt amounts by charging massage workers for lodging, food, or transportation to new massage businesses.¹⁴¹ Traffickers commonly use debt and immigration status to coerce women to work in massage parlors. Debt bondage and withholding immigration documents are common ways in which force, fraud, and coercion are at play in the illicit massage industry.¹⁴²

ACCOUNTABILITY OFF., GAO-21-385, SEX TRAFFICKING: ONLINE PLATFORMS AND FEDERAL PROSECUTIONS 9 (2021).

¹³³ The NETWORK, *supra* note 107, at 2 (listing a "review" posted in September 2013 from a New Jersey user).

¹³⁴ *Id.* at 2–3 (listing various "reviews" found on RubMaps.com).

¹³⁵ See *Victims of Human Trafficking and Other Crimes*, U.S. CITIZENSHIP & IMMIGR. SERVS. (Jan. 24, 2025), <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes> [<https://perma.cc/S8LK-4EAU>].

¹³⁶ See Muller-Tabanera & Huang, *supra* note 52, at 71–72; Yakowicz, *supra* note 7.

¹³⁷ Muller-Tabanera & Huang, *supra* note 52, at 74; Yakowicz, *supra* note 7.

¹³⁸ Muller-Tabanera & Huang, *supra* note 52, at 71.

¹³⁹ *Id.*

¹⁴⁰ *Id.*

¹⁴¹ Janis, *supra* note 32.

¹⁴² THE NETWORK, NO LOCKS NECESSARY: FORCE, FRAUD, AND COERCION IN THE ILLICIT

Efforts have been made to protect undocumented trafficking victims through the application for T Nonimmigrant Status, otherwise known as T visas.¹⁴³ T visas allow a “victim of a severe form of trafficking in persons,” “present in the United States due to their trafficking,” to be “eligible for immigration relief” if they have “complied with any reasonable request for assistance from law enforcement in the detection, investigation, or prosecution of human trafficking or qualify for an exemption or exception” and would suffer extreme hardship if removed from the United States.¹⁴⁴ If a T visa is approved, a trafficking victim is granted protection from deportation for four years, and the visa can serve as a basis for receiving lawful permanent resident status.¹⁴⁵ T visas are capped at 5,000 per fiscal year, but that cap had never been met as of 2022.¹⁴⁶ In 2023, U.S. Citizenship and Immigration Services received 8,598 T visa applications, approved 2,181, denied 638, and still had a cumulative 9,394 pending applications.¹⁴⁷ T visas are not processed efficiently, leaving thousands of undocumented trafficking victims in limbo. As traffickers commonly use fear of law enforcement as a coercion tactic, it would be difficult to convince a trafficking victim within the massage industry to apply for a T visa if they must support law enforcement investigations.¹⁴⁸ Often, illicit massage business managers will tell workers that police will hurt or kill them, or claim that they have bribed the police and will get them arrested for immigration violations.¹⁴⁹ A general lack of knowledge about the United States’ legal system leaves victims vulnerable to manipulation by their traffickers. The immigration status of many trafficking victims is used against them, and even with T visas allotted to protect them, T visas are not processed efficiently, nor do they

MASSAGE INDUSTRY 2–3 (2022), <https://www.thenetworkteam.org/research/no-locks-necessary> [<https://perma.cc/8CE8-JLP2>].

¹⁴³ *Visas for Victims of Human Trafficking*, U.S. DEP’T OF STATE, <https://travel.state.gov/content/travel/en/us-visas/other-visa-categories/visas-for-victims-of-human-trafficking.html> [<https://perma.cc/PQ6K-US5K>] (last visited June 8, 2026); see *Victims of Human Trafficking: T Nonimmigrant Status*, U.S. DEP’T OF HOMELAND SEC., <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-t-nonimmigrant-status> [<https://perma.cc/66GL-JU9X>] (last visited June 8, 2026).

¹⁴⁴ *Visas for Victims of Human Trafficking*, *supra* note 143. Minors are exempt from assisting law enforcement. See *Victims of Human Trafficking: T Nonimmigrant Status*, *supra* note 143.

¹⁴⁵ *Victims of Human Trafficking: T Nonimmigrant Status*, *supra* note 143.

¹⁴⁶ U.S. CITIZENSHIP & IMMIGR. SERVS., CHARACTERISTICS OF T NONIMMIGRANT STATUS (T VISA) APPLICANTS 1 (2022), https://www.uscis.gov/sites/default/files/document/fact-sheets/Characteristics_of_T_Nonimmigrant_Status_TVisa_Applicants_FactSheet.pdf [<https://perma.cc/57PB-PHQ4>].

¹⁴⁷ U.S. CITIZENSHIP & IMMIGR. SERVS., TRK 13214, NUMBER OF FORM I-914, APPLICATION FOR T NONIMMIGRANT STATUS BY FISCAL YEAR, QUARTER, AND CASE STATUS, FISCAL YEARS 2008–2023, at 1 (2023).

¹⁴⁸ THE NETWORK, *supra* note 142, at 1–2.

¹⁴⁹ *Id.*

take into consideration the fear of law enforcement that has been instilled in many victims in the illicit massage industry.

4. *Cultural Coercion*

Traffickers often take advantage of the cultural background of massage workers to coerce them, and one of the most common ways is to isolate a victim through language barriers. Often, trafficking victims in the illicit massage industry have very limited English proficiency, and the trafficker may be the only person they know who speaks the same language as them.¹⁵⁰ Further,

[l]anguage or linguistic difference shapes power, safety and business in the sex industry [T]here is a general assumption that limited fluency in the English language can be a disadvantage for sex workers . . . as this may prevent workers from understanding English-speaking clients, co-workers and law enforcement.¹⁵¹

Traffickers who understand the culture from which the victim worker originated may also use that to their advantage. For example, workers from cultures with strong Confucian values may be more coerced to work in illicit massage businesses if the trafficker uses shame and the threat of reputational damage against them.¹⁵² A trafficker could coerce a victim by threatening to tell their family that they are involved in commercial sex work, or by smearing the victim's reputation in the community so they are unable to find work elsewhere.¹⁵³ The stories of trafficking victims in the illicit massage industry tend to paint a similar picture: they were given a false sense of choice. "No other way"—or "沒辦法"—has been used by Chinese massage workers to describe the false sense of choice they were given about whether to work in the illicit massage industry.¹⁵⁴

The deeply ingrained racist treatment of Asian women in the United States, paired with poor immigration protections, has allowed traffickers to take advantage of massage workers through force, fraud, and coercion.

C. *Online Forums*

Illicit massage parlors are easily disguised among regular businesses and neighborhoods, yet buyers can differentiate which massage businesses offer the ability to purchase commercial sex acts. While buyers are not always well informed as to which massage businesses facilitate commercial sex acts, they are largely able to

¹⁵⁰ *Id.* at 1; HIDDEN IN PLAIN SIGHT, *supra* note 76, at 1.

¹⁵¹ Julie Ham, *Using Difference in Intersectional Research with Im/Migrant and Racialized Sex Workers*, 24 THEORETICAL CRIMINOLOGY 551, 555 (2020).

¹⁵² THE NETWORK, *supra* note 142, at 3.

¹⁵³ *Id.*

¹⁵⁴ Yakowicz, *supra* note 7.

find illicit businesses through online forums.¹⁵⁵ One of the most well-known online forums for the illicit massage industry is RubMaps.com, which serves as a review site for more than 25,000 illicit spas.¹⁵⁶ While it is unknown if any of the advertised businesses are actual fronts for human trafficking, 84% of active federal sex-trafficking defendants in 2019 used sites such as RubMaps.com as their main means of facilitating solicitation.¹⁵⁷ Other sites—including the erotic massage section of adultsearch.com, adultlook.com, and backpage.com—also facilitate buyer review forums and escort services.¹⁵⁸ These sex-buyer review sites are commonly linked to the phone numbers that illicit massage businesses advertise.¹⁵⁹ Traffickers are dependent on sites such as RubMaps.com to facilitate their businesses.¹⁶⁰

Law enforcement have successfully fought back against online forums that facilitate human trafficking. In 2018, the Justice Department seized Backpage.com and issued a 93-count federal indictment against seven individuals.¹⁶¹ According to a DOJ press release, “Backpage has earned hundreds of millions of dollars from facilitating prostitution and sex trafficking, placing profits over the well-being and safety of the many thousands of women and children who were victimized by its practices.”¹⁶² While the Backpage shutdown was successful, prosecutors were able to do so because the company was based in Arizona.¹⁶³ The issue with many online forums facilitating commercial sex acts and human trafficking is that they move their site registrations, servers, and hosts to overseas locations to avoid U.S. legal jurisdiction.¹⁶⁴ Going after other illicit ad sites would involve lengthy discovery processes and cooperation with various international jurisdictions.¹⁶⁵ Further, it may prove even more difficult to identify beneficial owners of illicit ad sites if they hide behind the anonymity of corporate shields.

¹⁵⁵ See discussion *supra* note 132.

¹⁵⁶ Yakowicz, *supra* note 7.

¹⁵⁷ See THE NETWORK, THE CHALLENGES OF ILLICIT AD SITES: ACCOUNTABILITY FOR THE ADVERTISING OF SEX TRAFFICKING VICTIMS 1 (2022) (citing U.S. GOV’T ACCOUNTABILITY OFF., *supra* note 132, at 9), https://s3.amazonaws.com/www.thenetworkteam.org/2022_The_Challenges_of_Illicit_Ad_Sites_WEB.pdf [<https://perma.cc/85WW-5AVS>].

¹⁵⁸ Aronson, *supra* note 6.

¹⁵⁹ POLARIS, *supra* note 7, at 23.

¹⁶⁰ See *id.* at 15.

¹⁶¹ See Press Release, U.S. Dep’t of Just., Justice Department Leads Effort to Seize Backpage.com, the Internet’s Leading Forum for Prostitution Ads, and Obtains 93-Count Federal Indictment (Apr. 9, 2018), <https://www.justice.gov/archives/opa/pr/justice-department-leads-effort-seize-backpagecom-internet-s-leading-forum-prostitution-ads> [<https://perma.cc/Y67Q-JWU7>].

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ THE NETWORK, *supra* note 157, at 1.

¹⁶⁵ *Id.* (citing U.S. GOV’T ACCOUNTABILITY OFF., *supra* note 132, at 21–22).

D. Corporate Shields

As illicit massage businesses take advantage of the weak regulation of the massage industry and hide behind a facade of legitimate business practices, they take advantage of laws governing business regulation. The federal government and state governments do not require those registering a business to name the actual or “beneficial” owner of the business when they go through the legal process.¹⁶⁶ Because this is not required, in some jurisdictions, a business may be registered to an anonymous shell company, or in others, it may be registered to an agent of the actual owner who serves as the face of the business.¹⁶⁷ Research from 2018 found that approximately 28% of illicit spas registered had an actual person listed on the business registration records, and only approximately 21% specifically named an owner.¹⁶⁸ If all massage businesses were registered to the actual beneficial owner, it would be easier for law enforcement investigators to find clear connections between criminal networks.¹⁶⁹ However, because illicit spa businesses are operating without the requirement of the beneficial owner being listed on the business registration documents, it is easier than ever for traffickers to remain anonymous. Because traffickers can hide behind a wall of anonymity, law enforcement efforts often end up targeting victim workers during vice raids.¹⁷⁰ Vice raids against businesses only incentivize illicit spa owners to move their victim workers to other illicit spas and to invest their money elsewhere.¹⁷¹ Corporate shields make it extremely difficult to investigate and prosecute human trafficking within the illicit massage industry and leave victims vulnerable to further harm and criminal treatment.

III. RECOMMENDATIONS

Fighting against a criminal network as extensive and complex as human trafficking within the illicit massage industry is not a simple task. Some jurisdictions have started to take steps toward regulating the massage industry, increasing investigations into business practices, and protecting trafficking victims. Because trafficking within the illicit massage industry is an emerging form of human trafficking, more research is needed to analyze whether new laws and regulations are actually effective in combating trafficking. However, there have been a few successful implementations that can serve as guidance moving forward. The following recommendations are not an exhaustive list, and as the illicit

¹⁶⁶ HIDDEN IN PLAIN SIGHT, *supra* note 76, at 2.

¹⁶⁷ *Id.*

¹⁶⁸ *Id.* at 3.

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ *Id.* at 3–4.

massage industry is exposed more, new pathways to prevent the crime of human trafficking will be brought to light.

A. *Victim Protection*

1. *Access to Justice*

If the goal of human-trafficking prevention is to free victims from modern-day slavery, then victims must have opportunities to come forward and be heard. A major challenge with prosecuting human trafficking is victim cooperation.¹⁷² This is especially true with victims of trafficking within the illicit massage industry, as victims are often taught to fear law enforcement and deportation.¹⁷³ This has been demonstrated in Oregon, and victims' rights advocates have noted:

Victim testimony is often crucial to building cases against traffickers. But many victims don't come forward, whether due to the psychological and emotional manipulation of their traffickers, fear of retaliation, distrust of police and a host of other reasons.

In trial, attorneys question alleged victims about the details of their trafficking situations—a potentially re-traumatizing experience that deters some survivors from participating in the prosecution of their traffickers.¹⁷⁴

Further, the lack of adequate shelters dedicated to serving trafficking victims can deter victims from leaving the sex trade as they face the possibility of homelessness.¹⁷⁵ The barriers to justice for trafficking victims slow down any progress that can be made to fight the illicit massage industry. Victims' access to justice can be improved by giving more evidentiary leniency relating to evidence of victim testimony at trial, by funding shelters specifically designed for trafficking victims, and by enforcing all statutory victims' rights at the state and federal levels.¹⁷⁶

2. *Immigration Status*

As many victims of trafficking within the illicit massage industry are either present in the United States on expired worker visas or are undocumented, providing a level of protection from deportation can protect victims from exploitation. Fear of deportation commonly keeps trafficking victims from coming forward to law enforcement out of fear that law enforcement will immediately

¹⁷² U.S. GOV'T ACCOUNTABILITY OFF., GAO-16-555, HUMAN TRAFFICKING: AGENCIES HAVE TAKEN STEPS TO ASSESS PREVALENCE, ADDRESS VICTIM ISSUES, AND AVOID GRANT DUPLICATION 18–19 (2016).

¹⁷³ THE NETWORK, *supra* note 142, at 1, 3.

¹⁷⁴ Turner, *supra* note 40.

¹⁷⁵ *Id.*

¹⁷⁶ See 18 U.S.C. § 3771 (providing victims with various protections in federal criminal proceedings); OR. CONST. art. I, § 42 (providing victims with various protections in Oregon criminal proceedings).

deport them.¹⁷⁷ Targeting immigration informational materials to massage businesses could serve to inform victim workers of their actual rights while present in the United States. While T visas are a powerful tool to help trafficking victims in the United States, they are difficult to use effectively.¹⁷⁸ Because T visas require assistance to law enforcement, it would be difficult to convince a trafficking victim in the illicit massage industry that they will not be criminally punished or deported if they interact with law enforcement. Further, T visas require a victim to show that they will suffer extreme hardship if they were to be removed from the United States.¹⁷⁹ Trafficking victims within the illicit massage industry may be unwilling to identify themselves as victims or may be unable to prove that they will suffer harm if returned to their country of origin. If T visas are to be effectively used to give protection to trafficking victims, the burden on a trafficking victim to work with law enforcement should be reduced, if not eliminated.

3. *Cultural Awareness*

As traffickers use cultural values and language barriers as tools to control victims, knowledge of the culture and language of massage workers can be used to bridge the gap between isolation and restorative healing. Law enforcement, prosecutors, and social service providers need to be trained on human trafficking within the massage industry and the impacts it has on the Asian community. Law enforcement should especially be trained on the impacts of language barriers and cultural values that may keep victims from coming forward.¹⁸⁰ Community collaboration with nonprofits focused on the Asian community in Oregon should be incorporated into any law enforcement training program related to human trafficking.

B. *Prevention*

1. *Increased Massage Regulation and Proposed Legislation*

The largest legal gap in Oregon facilitating the growth of illicit massage parlors is the lack of licensing requirements for the practice of reflexology. With many illicit massage businesses registered with the state as “foot spas” or “reflexology facilities,” they can skirt around the administrative jurisdiction of the State Board of Massage Therapists.¹⁸¹ One Oregon lawmaker, State Representative Thuy Tran, has identified this major gap and has introduced House Bill 3819.¹⁸² House Bill 3819 would address various issues relating to the massage industry, but most importantly, would allow the

¹⁷⁷ See discussion *supra* Section II.B.3.

¹⁷⁸ See *supra* notes 143–49 and accompanying text.

¹⁷⁹ *Victims of Human Trafficking: T Nonimmigrant Status*, *supra* note 143.

¹⁸⁰ See discussion *supra* Section II.B.4.

¹⁸¹ See discussion *supra* Section II.A.

¹⁸² Peel & Mesh, *supra* note 39.

State Board of Massage Therapists to “issue a registration to practice reflexology,” and would prohibit “the practice of reflexology without a registration.”¹⁸³ House Bill 3819 would also increase financial penalties “for operating a massage facility without a permit or practicing massage therapy without a license” to \$125,000 and a maximum of five years’ imprisonment.¹⁸⁴ It would also create a hearsay exception for certain sex crimes that were “committed within 200 feet of a massage facility” and where the witness is available.¹⁸⁵ House Bill 3819 would make it a class B felony to commit the crime of promoting prostitution “if it is committed within 200 feet of a massage facility” as well.¹⁸⁶ House Bill 3819 is a comprehensive piece of proposed legislation tackling various issues relating to the illicit massage industry.¹⁸⁷

Even if House Bill 3819 fills the gaps in legislation, the State Board of Massage Therapists needs additional support. Compliance manager Jeff Van Laanen has highlighted that his agency has limited power to deal with the issue.¹⁸⁸ He commented, “We’re about 1.5 full-time employees trying to combat this statewide. And it’s a lot with one hand tied behind your back because we don’t even have the power to close the doors.”¹⁸⁹ If the State Board of Massage Therapists is going to address the issue of massage regulation, it needs more support in its regulatory power.

Funding more positions for compliance and licensing officers would give the Board more opportunities to investigate reports of illegal massage practices. The State Board of Massage Therapists, local law enforcement, and district attorneys’ offices should collaborate more extensively with each other. The Board does not have the power to shut down illegal practices, but if law enforcement and prosecutors collaborated closely with the Board, then its enforcement power would have more teeth.

2. *Online Forums*

Online forums such as RubMaps.com allows buyers to access illicit massage businesses easily and undetected. Just as the Department of Justice undertook the burden of going after those involved in Backpage and subsequently shut it down, other law enforcement efforts should focus on prosecuting and investigating online forums that facilitate illegal, illicit acts.¹⁹⁰ If RubMaps.com were shut down, it would become harder for buyers to locate illicit spas. Targeting online forums that profit from trafficking would bring public attention to the issue as well.

¹⁸³ Summary, H.B. 3819, 2025 Leg., 83d Sess. (Or. 2025) (as introduced).

¹⁸⁴ *Id.*

¹⁸⁵ *Id.* § 15.

¹⁸⁶ *Id.* § 16.

¹⁸⁷ On June 2, 2025, H.B. 3819 passed the Oregon Senate and went into effect in late 2025. H.B. 3819, 2025 Leg., 83d Sess. (Or. 2025) (as enrolled).

¹⁸⁸ Aronson, *supra* note 6.

¹⁸⁹ *Id.*

¹⁹⁰ See *supra* notes 161–65 and accompanying text.

3. *Landlord Engagement Programs*

As illicit massage businesses are dependent on a veil of legitimate business practice, they need brick-and-mortar storefronts to rent. Another avenue to slow the growth of the illicit massage industry is to target outreach toward commercial landlords. Landlords who rent out their commercially zoned spaces to illicit massage businesses may or may not be aware of the activities occurring on their property. Anti-trafficking organizations like The Network have initiated landlord engagement programs that direct attention to educating commercial landlords of the risks associated with renting out their spaces to certain massage spas.¹⁹¹ Targeting landlord education can make it more difficult for illicit spa proprietors to find storefronts to start their illegal businesses.

4. *Public Awareness*

Education initiatives geared toward public awareness of the inherent nature of the illicit massage industry can serve to diminish the great demand for its services. Awareness-raising events can serve to inform the public about the nature of human trafficking and how it can be facilitated by the illicit massage industry. Educational materials about trafficking and the illicit massage industry should incorporate information about victim assistance as well. Further, efforts to raise public awareness around this issue should be made available in various languages, particularly the languages often spoken by victim workers.¹⁹² Public awareness of the illicit massage industry can also lead to the public pressuring law enforcement to investigate the issue more.

C. *Prosecution*

Prosecution and law enforcement efforts need to shift focus away from raids on illicit spas that can harm trafficking victims. The focus must be shifted to large-scale prosecution of illicit spa business owners, online forums, and trafficking facilitators. Effective prosecution in Oregon would need to involve coordination between the Oregon Bureau of Labor and Industries, local immigration agencies, the State Board of Massage Therapists, and local law enforcement. Cases could be brought in state court as well as the U.S. District Court for the District of Oregon. Bringing criminal charges against traffickers in federal court would allow human trafficking within the illicit massage industry to be charged under the Trafficking Victims Protection Act, which enforces the Thirteenth Amendment's abolition of slavery and involuntary servitude.¹⁹³

¹⁹¹ See *Landlord Engagement*, THE NETWORK, <https://www.thenetworkteam.org/partner/landlord-engagement> [<https://perma.cc/J8B8-XNUT>] (last visited June 8, 2026).

¹⁹² See *supra* notes 150–51 and accompanying text (discussing the problems arising from language barriers).

¹⁹³ Trafficking Victims Protection Act of 2000, 22 U.S.C. §§ 7101–15; U.S. CONST. amend. XIII.

However, as the prosecution of human trafficking has been proven to be difficult, illicit spas facilitating human trafficking could be prosecuted for various other crimes that these spas commit. As illicit spas are commonly cash-based businesses, they have been known to commit tax evasion and money laundering.¹⁹⁴ Prosecutors could also go after illicit spas for promoting prostitution, racketeering, conspiracy, or invasion of privacy.¹⁹⁵ Illicit spas could easily be prosecuted for labor law violations as well.¹⁹⁶ Charging illicit spas for other various crimes could serve to move criminal penalties away from trafficking victims and serve to punish those deriving benefits from their criminal enterprises. Successful prosecutions of illicit massage criminal syndicates have occurred in states like Florida, Pennsylvania, Minnesota, and Delaware.¹⁹⁷ For example, Minnesota successfully collaborated with various federal agencies, state, and local authorities to sentence 36 defendants connected to an international sex-trafficking organization.¹⁹⁸ Various defendants were charged with crimes such as human trafficking, money laundering, marriage fraud, and conspiracy to use a communication facility to promote prostitution.¹⁹⁹ Oregon should follow the example of states like Minnesota to effectively prosecute large-scale, organized sex-trafficking networks to prevent harm to future victims.

CONCLUSION

If the illicit massage industry continues to grow in Oregon without any resistance, the opportunities to traffic marginalized massage workers will only increase within our communities. As the illicit massage industry continues to grow in Oregon at twice the national rate,²⁰⁰ the gaps in industry regulation must be addressed to stop these businesses from operating under a guise of legitimacy. Even under the guise of operating as a legitimate business, illicit massage spas have become so prevalent in our communities that entire online forums are dedicated to letting commercial sex buyers rank their favorite spa workers. Deeply rooted in harmful racial stereotyping of Asian women, the demand for illicit spas has created

¹⁹⁴ THE NETWORK, PROSECUTING IMI NETWORKS EFFECTIVELY 1–3 (2021), https://s3.amazonaws.com/www.thenetworkteam.org/2021_Prosecuting+IMI+Networks.pdf [<https://perma.cc/4VCS-3QDG>].

¹⁹⁵ *Id.*

¹⁹⁶ *See id.*

¹⁹⁷ *Id.* at 5.

¹⁹⁸ *See* Press Release, U.S. Dep’t of Just., Thirty-Six Defendants Sentenced for Their Roles in International Thai Sex Trafficking Organization (June 10, 2021), <https://www.justice.gov/usao-mn/pr/thirty-six-defendants-sentenced-their-roles-international-thai-sex-trafficking> [<https://perma.cc/GSZ5-ZBRS>].

¹⁹⁹ *Id.*

²⁰⁰ Aronson, *supra* note 6.

an undeniable market for traffickers to exploit women who face economic, language, cultural, and legal barriers.

Communities must become serious about addressing the systematic, organized harm to marginalized women occurring behind the closed doors of illicit massage spas. Lawmakers need to examine the gaps within existing federal, state, and local laws that allow traffickers to take advantage of industry regulations. Law enforcement must take a victim-centered approach to tackling human trafficking to avoid further harm to victims while holding traffickers accountable. Service providers and public interest lawyers need to understand the underlying cultural and psychological barriers that traffickers use to manipulate victims into believing they are not victims. Community members need to become aware of what illicit massage spas facilitate and how they can take part in slowing the demand for their services.

Any list of recommendations to fight human trafficking cannot be exhaustive. Traffickers are creative and look for new avenues to exploit victims for profit. Even if gaps in law are addressed, even if law enforcement prioritizes prosecuting traffickers, and even if the community demands change, a new form of human trafficking may emerge that is more insidious than trafficking within the massage industry. Just as convict leasing replaced chattel slavery, and Jim Crow laws grew from the Reconstruction Era, new forms of modern-day slavery can grow from complacent reform efforts.²⁰¹ If the State of Oregon is going to be serious about human trafficking within the growing illicit massage industry, it must address the issue through a collaborative, movement-building approach that centers around restoring the lives of trafficking victims.

²⁰¹ MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* 291–93 (10th Anniversary ed. 2020).