

**ASSEMBLY CONCURRENT
RESOLUTION No. 50**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Co-Sponsored by:

Assemblywoman Lopez and Assemblyman Webber

SYNOPSIS

Directs SCI to examine human trafficking activity at places of business of registered or illicit employers of massage and bodywork therapists.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **A CONCURRENT RESOLUTION** directing, pursuant to section 3 of
 2 P.L.1968, c.266 (C.52:9M-3), the State Commission of
 3 Investigation to examine human trafficking activity at certain
 4 places of business.

5
 6 **WHEREAS**, The State Commission on Investigation, pursuant to
 7 section 2 of P.L.1968, c.266 (C.52:9M-2), has the broad duty and
 8 power to conduct investigations in connection with “[t]he
 9 faithful execution and effective enforcement of the laws of the
 10 State, with particular reference but not limited to organized
 11 crime and racketeering,” or “[a]ny matter concerning the public
 12 peace, public safety and public justice”; and

13 **WHEREAS**, Among the many crimes listed in N.J.S.2C:41-1 that are
 14 associated with organized crime and racketeering activity is the
 15 crime of human trafficking, section 1 of P.L.2005, c.77
 16 (C.2C:13-8), which can involve a victim being required, by
 17 means of force, fraud, or coercion, to engage in sexual activity,
 18 or to provide labor or services; and

19 **WHEREAS**, In January 2018, Polaris Project, a 501(c)(3) national
 20 nonprofit organization dedicated to combating human trafficking
 21 and offering trafficking victims assistance, issued a report titled
 22 “Human Trafficking in Illicit Massage Businesses,” which
 23 spotlighted the pervasiveness of illegal, commercial sex and
 24 potential human trafficking activity occurring in massage parlors
 25 throughout the United States, including a concentration of
 26 activity within an East Coast region comprised of New Jersey
 27 and its neighboring states; and

28 **WHEREAS**, As evidenced by the Polaris Project report, New
 29 Jersey’s regulation of massage parlors, which includes the
 30 licensing of massage and bodywork therapists, registration of
 31 employers which offer massage and bodywork therapies, and
 32 criminal history record background checks on all licensees and
 33 their employers pursuant to P.L.1999, c.19 (C.45:11-53 et seq.)
 34 and P.L.2007, c.337 (C.45:11-68 et al.), may require stronger
 35 enforcement efforts or further reforms to be more effective in
 36 addressing potential human trafficking activity taking place
 37 within massage parlors throughout the State; and

38 **WHEREAS**, The Legislature, pursuant to section 3 of P.L.1968,
 39 c.266 (C.52:9M-3), can by concurrent resolution direct the State
 40 Commission on Investigation to conduct an investigation falling
 41 within the commission’s scope of authority and to present
 42 recommendations for changes in or additions to existing law “for
 43 the more effective administration and enforcement of the law”;
 44 now, therefore,

45
 46 **BE IT RESOLVED** by the General Assembly of the State of New
 47 Jersey (the Senate concurring):

1 1. The State Commission on Investigation is directed, pursuant
2 to section 3 of P.L.1968, c.266 (C.52:9M-3), to investigate human
3 trafficking activity at the places of business of employers of
4 massage and bodywork therapists, which employers are subject to
5 registration, and which therapists are subject to licensure, pursuant
6 to P.L.1999, c.19 (C.45:11-53 et seq.) and P.L.2007, c.337
7 (C.45:11-68 et al.).

8
9 2. a. While conducting the investigation, the commission
10 shall, upon the request of the Attorney General, a county
11 prosecutor, or any other law enforcement official, cooperate with,
12 advise, and assist the requesting official in the performance of that
13 official's powers and duties in accordance with section 5 of
14 P.L.1968, c.266 (C.52:9M-5).

15 b. While conducting the investigation, the commission may
16 consult and exchange information with law enforcement officers
17 and agencies of other states with respect to human trafficking
18 activity of mutual concern to this and other states in accordance
19 with section 7 of P.L.1968, c.266 (C.52:9M-7).

20 c. If, in the course of conducting the investigation, any
21 information or evidence of a reasonable possibility of human
22 trafficking or other criminal wrongdoing is obtained, the
23 commission shall immediately refer the information or evidence to
24 the Attorney General in accordance with section 8 of P.L.1968,
25 c.266 (C.52:9M-8).

26
27 3. a. No later than two years after the effective date of this
28 concurrent resolution, unless delayed pursuant to subsection b. of
29 this section at the request of the Attorney General, the commission
30 shall issue a report to the Governor, and to the Legislature pursuant
31 to section 2 of P.L.1991, c.164 (C.52:14-19.1), summarizing the
32 findings of its investigation and making recommendations for
33 addressing human trafficking activity within massage and bodywork
34 therapy places of business.

35 b. If the report contains any information or evidence of a
36 reasonable possibility of human trafficking or other criminal
37 wrongdoing, the commission shall, in accordance with section 7 of
38 P.L.1996, c.44 (C.52:9M-8.1), give written notice to the Attorney
39 General at least seven days prior to the intended date of issuing the
40 report, in order to afford the Attorney General an opportunity to be
41 heard with respect to any objections the Attorney General has with
42 the report. The commission may then delay, at the request of the
43 Attorney General and in accordance with that section, the issuance
44 of the report for a period of up to 120 days.

45
46 4. This concurrent resolution shall take effect immediately.

STATEMENT

This concurrent resolution directs, pursuant to section 3 of P.L.1968, c.266 (C.52:9M-3), the State Commission on Investigation to examine human trafficking activity at the places of business of employers of massage and bodywork therapists. A January 2018 report, "Human Trafficking in Illicit Massage Business," by Polaris Project, a 501(c)(3) national nonprofit organization dedicated to combating human trafficking and offering trafficking victims assistance, spotlighted the pervasiveness of illegal, commercial sex and potential human trafficking activity occurring in massage parlors throughout the United States.

Although New Jersey's current regulation of massage parlors includes the licensing of massage and bodywork therapists, the registration of employers which offer massage and bodywork therapies, and criminal history record background checks for all therapists and their employers pursuant to P.L.1999, c.19 (C.45:11-53 et seq.) and P.L.2007, c.337 (C.45:11-68 et al.), the Polaris Project report evidences the possible need for stronger enforcement efforts or further reforms for the State to be more effective in addressing potential human trafficking activity taking place within such places of business.

This concurrent resolution calls for the State Commission on Investigation to issue a report no later than two years after the resolution takes effect summarizing its investigation, unless delayed at the request of the Attorney General for up to an additional 120 days pursuant to section 7 of P.L.1996, c.44 (C.52:9M-8.1), due to information or evidence contained in the report showing a reasonable possibility of human trafficking or other criminal wrongdoing. The report would also include recommendations for consideration by the Governor and Legislature for further addressing human trafficking activity within the places of business of employers of massage and bodywork therapists.