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## Asian massage parlors in Clark County

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*University of Nevada, Las Vegas*

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ASIAN MASSAGE PARLORS IN CLARK COUNTY

by

Angela Meiwen Lok

Bachelor of Arts  
University of Nevada, Las Vegas  
2006

A thesis submitted in partial fulfillment  
of the requirements for the

**Master of Arts Degree in Criminal Justice**  
**Department of Criminal Justice**  
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**Graduate College**  
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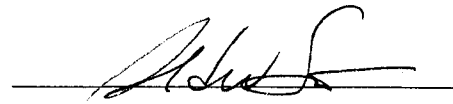
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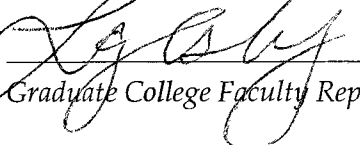
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## ABSTRACT

### **Asian Massage Parlors in Clark County**

By

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The U.S. Department of Justice has identified Las Vegas, Nevada as a hotspot for trafficking for sexual exploitation (Farley, 2007). The objective of this research is to determine whether Asian massage parlors are openly operating as unlicensed businesses in Las Vegas and consider the licensing issues faced in Las Vegas. Recent focus on the issues of human trafficking and high profile stings against Asian massage parlors has created a public debate about the licensing and enforcement against Asian massage parlors in Clark County. This research will consider a number of facets surrounding Asian massage parlors, from stereotypes associated with Asian massage, to the vast number of unlicensed massage parlors, and the connection between massage parlors and human trafficking.

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## CHAPTER 1

### INTRODUCTION

Las Vegas, Nevada

Recently, there has been focus on the issues of human trafficking and high profile sting operations against Asian massage parlors, which have created a public debate about licensing of and enforcement towards massage parlors in the State of the Nevada. The Trafficking Victims of Protection Act of 2000 (TVPA) defines sex trafficking as the means of, “recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act” (p. 1). Trafficked women are the primary focus because according to the U.S. Department of State as of 2007, 80% of victims are female and up to 50% are minors. Also, the U.S. Department of State (2007) estimated that roughly 800,000 people are trafficked internationally each year. Many people in the United States are trafficked through commercial sexual exploitation domestically as well.

It is not difficult to make the connection between human trafficking for sexual activities and Nevada’s Asian massage parlor businesses. Illegal prostitution activities are openly advertised in Asian massage parlors. For example, one yellow page advertisement with “internationally trained Asian masseuses” decorates its advertisement with hearts and claims that their 24/7 hotel in-service massages “will appease all your needs.”<sup>1</sup> Examples of the sexual overtones in the advertisements can be seen in the

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<sup>1</sup> p. 1390, Embarq July-December 2007 Las Vegas Yellow Pages.

Appendix. There is an alarming rate of Asian massage parlors opening all over Las Vegas, Nevada.

Massage parlors openly advertise that they offer “happy endings” - a euphemism for sexual services. Based on the title of massage parlors alone, it is difficult to differentiate between legitimate and illegitimate Asian massage parlors. However, no one denies that there is a substantial illegal prostitution world operating under the guise of massage parlors. With these illegitimate massage parlors blooming unchecked by the city or county it creates a greater demand for women. This problem feeds into the need to traffic women for sex into Las Vegas. This paper will look into human trafficking, prostitution, massage parlors, licensing, current Las Vegas massage and reflexology parlors advertising.

There has been no academic research on prostitution occurring in massage parlors in Las Vegas. However, the literature from other cities examines the life style for women working in massage parlors. The women who work as masseuses in these types of massage parlors are often immigrants from Asian countries. Research has revealed that women are abused, exploited, drugged, and a proportion is further victimized because they are living underground due to their illegal status in the United States (US Department of State- Bureau of Public Affairs, 2007). Research conducted on prostitution will also be included in this paper to describe the extent of commercial sexual activity in Nevada. In addition, the current licensing requirements for Las Vegas City and Clark County will be presented in this paper.

## Research Question

This research project quantified the prevalence of unlicensed massage businesses operating in Las Vegas. Capturing the extent of illegal businesses operating out in the open may help to explain why massage businesses are being misperceived as sources for illegal prostitution. The analysis of the licensing of massage businesses in Nevada relied on a number of different sources of information. First, massage and reflexology parlors were located through yellow page advertisements, Embarq Yellow Pages, online advertisements and other sources of the advertisements were compared to those listed by the Clark County and City of Las Vegas business website. To determine the number of businesses operating unlicensed current listings of massage and reflexology parlors listed under Clark County and the City of Las Vegas business license website. Second, the research looked into the current listings of massage and reflexology parlors listed under Clark County and the City of Las Vegas business license website. Third, the concentrations of unlicensed businesses were considered by geographic location to identify hotspots of illegal or unlicensed activity. Finally, the massage businesses were examined for the frequency of references to Asian themed words in the business name in licensed versus unlicensed businesses.

## CHAPTER 2

### REVIEW OF RELATED LITERATURE

#### Human Trafficking

Slavery is considered to have been abolished all over the world but unfortunately, there exists a modern day version of slavery otherwise known as human trafficking. The United States Government views trafficking as a modern type of slavery because it includes fraud or extortion in recruitment and coercion, loss of liberty and loss of self determination on arrival to their destination (Schauer & Wheaton, 2006). Not only does human trafficking severely affect the victim mentally and physically but, it affects global health, safety and security issues, as well as increases organized crime (Facts about Human Trafficking, 2007). Trafficking women has become one of the fastest growing criminal enterprise surpassing international trade in drugs and arms. Women can be sold to one person to another; they are “reusable” unlike cocaine (Foo, 2003).

The United Nations Convention Against Transnational Organized Crime has defined trafficking as;

...the recruitment, transportation, transfer, harboring 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 (Trafficking in Human Misery, n.d., p.1).

As a form of human trafficking, sex trafficking involves a person being trafficked for the purpose of sexual exploitation or sexual slavery (Schauer & Wheaton, 2006).

### Victims

Men, boys, women, and girls can all be victims of sex trafficking, however, sex trafficking victims tend to be more women and girls (Fact Sheet: Sex Trafficking, 2004). The majority of women and girls typically fall under the category of a sex trafficking victim. Females who are trafficked into United States are usually young adult women, around 20 years of age. Those females tend to be the most vulnerable type of women; they are women and girls who are poor, uneducated, unemployed, live in rural areas whose families are in agricultural, and have limited resources (Miller et al., 2007). According to Foo (2003) when poor communities are suffering from a drought or when food is scarce, traffickers target these communities because poor families are easily persuaded to sell their daughters for a small amount of money. Human trafficking comes from all over the world, but the greatest volume of trafficking comes from Asia; Thailand, Vietnam, and China. The root causes of trafficking are poverty and inequity (Trafficking in Human Misery, n.d.). Many of the victims do not speak or understand English which makes it extremely difficult for law enforcement officials to communicate what services are available (Fact Sheet: Human Trafficking, 2008).

According to the U.S Department of Health and Human Services (n.d.), victims are compelled to engage in activities that they may be forced and coerced to participate in. Victims are usually faced with rape, beatings and confinement. It is called a “seasoning process” when violence is used in the early stages of victimization in order to

break the victim's resistance so they may be easier to control. Victims are often given false offers, which trick them into trafficking situations known as fraud. Often children and or women are told that they were coming to America to work as a waitress or a maid, but end up in sweat shops or in prostitution. Any plan that is intended to cause a person serious harm or physical restraint if they do not perform an act is considered coercion

According to Batsyukova (2007), there are four ways victims escape from their traffickers. The first way is to be rescued by authorities. Second, a customer may pay the victim to be set free. The third way is for the victim to escape on their own. The final escape from traffickers would be if the victim dies, thereby ending the enslavement.

#### Trafficking Methods

Schauer & Wheaton (2006) discussed three common methods of how women are trafficked into the United States. The first is the illegal use of legal documents. This is the most common and successful method. It is the process of taking legal documents away from the first victim and giving it to another victim. The second method is to create false documents such as visas and passports. Third is to bring women into the United States legally as escorts or pretending to be a marriage partner also known as false marriage. A false marriage is when one of the partners is a United States citizen and agrees to be legally married to someone who is not a United States citizen in order to bring that particular person to United States so they can obtain citizenship. The one who is a United States citizen is normally compensated with money.

According to the United States Department of State, roughly 50,000 women and children illegally cross international borders annually to enter the United States (Schauer & Wheaton, 2006). Recruiters usually persuade young women through promises of

economic or employment opportunities such as housecleaning, acting, waitressing or working in a factory. However, employment for women is usually limited to low skilled jobs in domestic services or in the sex related industry (Piper, 2003). For those seeking a better future, the western world represents an opportunity to have access to more jobs, higher pay, as well as finding a more suitable marriage partner. If they remain or stay in their home countries, they face unemployment, limited career opportunities, and economic and social oppression (Miller et al., 2007).

#### Trafficking and Violence Protection Act of 2000

The Victims of Trafficking and Violence Protection Act of 2000 (TVPA) is the most comprehensive United States law designed to address various facets of human trafficking both internationally and domestically (Involuntary Servitude and Human Trafficking Initiatives, 2005). The Act also provides more protection and services for the victims and, harsher punishments for traffickers. For example, traffickers may receive 10 to 20 years per count and life sentences if death, kidnapping, sexual abuse, or attempted murder are inflicted upon the victims (Foo, 2003). The act also discusses measures to prevent trafficking.

Schauer & Wheaton (2006) stated that trafficked women and girls may have made the decision to go to the destination, but they typically did not understand or know about the actual circumstances of their situation until they arrived at their destination. Once they arrive at their destination, it is extremely difficult for them to leave. Women are constantly moved around to keep fresh faces at sex work venues, to reduce their access to assistance, and to prevent the women's ability to gain social support. These women are often in debt to those who transported them illegally. The victim is stripped of their



travel documents and hidden from society making it difficult for others to locate them (Fact Sheet: Human Trafficking, 2008). The common reason why women cannot leave their false imprisonment situation is due to debt bondage.

TVPA (2000) has defined “debt bondage” as,

the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as security for debt, if the value of those services as reasonably assessed is not applied toward the liquidating of debt or the length and nature of those services are not respectively limited and defined (p. 1469).

If victim made an agreement of payment before they left their home, they are more likely to feel that they cannot leave until their original debt is paid off. Once they arrive at their destination, if they do not pay their pre-negotiated debt to the transporter, they begin to accumulate new debt. As long as they have an outstanding balance, the women are locked up in safe houses until they work off their debt to their collector or earn their release. A major problem is that their debt keeps increasing as they are being charged for being housed in the safe house and even for the little food and water they receive (Miller et al., 2007). The victims often receive fines for not meeting daily quotas of service or if they have been “bad.” It is just another way to compel the women to stay longer and to make it nearly impossible to pay off their debt (Fact Sheet: Sex Trafficking, 2004). The transporters or debt collectors hire guards to watch the women in the safe house. A safe house is a location where the women and girls watched over by guards twenty-four hours a day, seven days a week. Another method to ensure the cooperation of the women is to threaten them or their families with violence. In addition, the victims are often threatened to be turned over to law enforcement and immigration officials (Miller et al., 2007). When women and girls become unprofitable for their traffickers, they are quickly

disposed and are easily replaced with newly trafficked women (Schauer & Wheaton, 2006).

### Mail Order Brides

The United Nations Population Fund (n.d.) states that girls as young as 13 are trafficked as mail order brides from Asia and Eastern Europe. Lindee (2007) stated that in 1997, between 2,000 and 5,000 American men were paired up with a mail order bride; in 1998, it has increased to 4,000 to 6,000. By 2004, the numbers increased to 9,500 to 14,000 with more than 500 International Marriage Brokers (IMB) working to match American men. Most of the brides come from Southeast Asia, mainly from the Philippines, and the former Soviet bloc countries (Foo, 2003). The IMB industries claim that they are helping American men “find happiness through inter-cultural relationships leading to marriage” especially targeting men who want women that center her life, family, husband and children and not competing with him. In addition, it gives American men the chance to experience a conception of marriage and gender roles that many believe have become increasingly rare after the second wave of feminism because foreign women are not tainted by feminism by not having a traditional family. IMB companies create an image that these mail order brides are, “submissive, dependent and deferential.” The total cost for services is about \$10,500.00 USD (Lindee, 2007).

There are two major concerns regarding IMB's. One is that IMB's could expose women to domestic violence and abuse without offering protection or resources to the women and second, they potentially facilitate trafficking women internationally. There has incidents of mail order bridges becoming victims of sex trafficked victims once they have arrived. There was a concern regarding the women of IMB's. In July of 2003,

Senator Cantwell introduced the International Marriage Broker Regulation Act, which discusses the power disparities that make women vulnerable to abuse and trafficking. The IMBR Act was passed through the house and Senate in 2006 and effective March 6, 2006. The Immigration and Naturalization Services (INS) conducted a survey in 1999 to determine any problems regarding mail order marriages. The research concluded that there are sufficient reasons to suspect that the IMB industries contribute to trafficking, marriage fraud and trafficking. The law and the media have viewed the IMB industry as a threat to mail order brides (Lindee, 2007). The Global Survival Network has concluded that the IMB's provide a cover up for organized sex trafficking of the mail order brides. In Germany, there were cases where the men had pimped out their mail order brides to their friends. To some scholars, the IMB industry might "per se constitute sex trafficking in women and girls" (p.2). The Coalition Against Trafficking in Women (CATW) believes that the IMB industry constitutes per se sex trafficking. In 2007, CATW described IMB as, "the business of bride trade or marriage matching is sex trafficking because it treats women as a commodity to be sold to foreign men" (p.5).

According to Lindee (2007), the power in IMB circumstances is not equal between the man seeking a bride and the mail order bride. The women receive no information regarding their future husbands other than what the men are willing to disclose during their discussions. On the other hand, men have access to information on a number of different women and receive information regarding each person's private details along with the women's criminal history. Some brief descriptions of the women include, "passionate lovemaking guaranteed" or "docile, exotic, and available as bed

partners and domestic help at the same time.” These commentaries towards the women are similar to those in the Las Vegas Embarq yellow pages (see Appendix for examples).

Linedee (2007) states just like trafficking victims, women who are listed as mail order brides tend to come from economically distressed countries that offer few opportunities to them. Majority of the women are between the ages of 21 and 25. The characteristics of a typical male seeking a mail order bride are from a higher resource bracket, white, middle class, well educated, divorced and conservative. To further exaggerate the imbalance between the U.S. citizen and his new bride, there is a lack of social and support networks in America available to the women that can overcome the cultural differences, and language barriers that they are facing.

#### Prostitution

According to Delacsoste & Alexander (1998), throughout the world there is a status difference between men and women. The imbalance has led to double standards of sexual behavior and economic power. Men typically dominate the household because they make the money for their family while women take care of the house and the children. Men are known to make more money and are usually the first to be hired and last to be fired from a job compared to women. With men having an upper hand in society, there is a sense of power.

With prostitution, when a man “purchases” a sex worker they believe they have the right to have whatever service he wants performed for him. A street prostitute has the ability to set the agreement of the sexual transaction, price and when to pay for the service. According to the U.S. Department of Justice (2007), girls who are involved with street prostitution, 75% of them work for a pimp. Girls who are controlled by a pimp are

often linked to private dancing, conventions, tourist destinations, major sporting and recreational events, and escort and massage services (Child Prostitution, 2007). Not every transaction between prostitute and client are consensual business transactions. Advocacy groups for prostituted women point out that the violence endured by women prostituted through commercial sexual exploitation can result in death.

### Health

No matter where a victim of trafficking originates from, they generally all face some sort of abuse once they arrive whether it may be physical, sexual assault, psychological abuse, forced or coerced use of drugs and alcohol, debt bondage, legal insecurity, or restrictions on movement and social isolation. Women in sex work have significantly higher rates of hepatitis B, higher risks of cervical cancer, and fertility complications (The Link Between Prostitution and Sex Trafficking, 2007). Miller and colleagues (2007) reported that some psychological issues these women face due to their ordeals are posttraumatic stress disorder, depression, anxiety and attempted suicide. In addition, many studies have shown that substance and drug abuse are common among sex trafficked women because it helps ease and numbs themselves from their violent encounters. Not only are women subjected to poor emotional and psychological health, their physical health is poor as well. These women have limited access to health services and have a difficult time preventing unprotected sex because of the control and coercion they face. A person with the status of being undocumented, deters them from seeking health care due to the fear of not being able to pay for health care, being turned over to the authorities, or being tracked down by their abusers whom the women are attempting to escape.

Just like any other job, sex workers have occupational injuries. However, they cannot seek medical help or workers compensation. These women face repetitive stress injuries, foot, knee, and back problems; bladder and kidney infections, which are caused by, repeated vaginal intercourse (Delacsoste & Alexander, 1998). These authors report that awareness of AIDS is known in most communities including the sex industry. However, there have been an increasing number of sex workers reporting vaginal irritation due to using latex condoms. Most condoms are coated with nonoxynol-9 and if one is allergic to nonoxynol-9 it causes vaginal inflammation. Even though there are significant rates of vaginal irritation, condoms are still widely distributed to facilitate the transmission of HIV infections. Women who are seriously dependent on drugs and financially desperate are least likely to protect themselves from STD's and HIV.

There is very little concern about a prostitutes' general health. However, when there is research regarding HIV infections, it is geared towards African American and Latina women. Asian American women in United States and Asian women in Asian countries who engage in sex work, have high STD rates which are due to having a high quantity of customers and the inconsistent condom use with male customer (Nemoto, Iwamoto, Oh, Wong, & Nguyen, 2005). According to Nemoto and colleagues (2003), there is very limited data focused on HIV and other health issues among Asian women in United States. There has been evidence revealing an increase in AIDS cases among Asians. In 2001, the San Francisco Department of Public Health found that Asian/Pacific Islander (API) women are most likely to be infected with HIV through heterosexual transmission.

Nemoto and colleagues (2003) have conducted research to describe the working conditions, health, social and psychological factors related to HIV risk Asian women who work in massage parlors in San Francisco. Their sample consisted of 107 Asian female masseuses who worked in massage parlors in San Francisco. The women in their study had to be at least 18 years old; self identified as Asian or Pacific Islander, currently working in a massage parlor, and have ever exchanged sex for money. Among the 107 Asian/ Pacific Islander women masseuses, their average age was 33 years old, worked in the massage parlor industry for on average of 3.2 years, worked 10.5 hours per day, worked 5.3 days a week and had an average of 26.6 customers during a typical week. The masseuses did report that their parlors did provide condoms without extra charge. There has been reported of high percentages of violence, and STDs and HIV among these women. They have also reported that 62% of the masseuses had been physically beaten by a customer, 94% were diagnosed with at least one STD. Those women who reported STD had sought other medical care for the following vaginal candidiasis (85%), hepatitis B (46%), gonorrhea (4%), trichomoniasis (2%), Chlamydia (2%), and genital herpes (2%).

Many masseuses state they have the intention to consistently use condoms with their customers but there were exceptions on occasions. According to Nemoto and colleagues' 2005 research, there are five explanations as to why there is inconsistent condom use with customers. The first explanation is because there are different rules with different customers, masseuses who had regular customers tend not to use condoms, some customers refused to use a condom, threatened to go to someone else and there were customers who offered more money to have sex without a condom. The second justification is that regular customers are safer. When there are repeat customers,

masseuses tend to develop a trusting relationship with them and perceive them as safe by posing less of a health threat than new customers. Third, customers refuse condom use. Many masseuses reported having a lack of choice in condom use when they engage in sex because the customers can force and or manipulate the masseuses to agree to have sex without a condom. This could be done because masseuses are expected to do as the customer demands and will agree to them in order to protect and increase their cliental despite known health risks. Customers know that the woman will disregard the condom for fear of losing business.

The fourth reason is because customers pay more to have sex without a condom. Many masseuses have a substantial amount of debt that they have accumulated with their trafficker and others have the pressure of sending money back home to their families. They come to a financial dilemma to make more money. The masseuses in their study admitted when the opportunity came up they did engage unprotected sex even when they were aware of potential health risks. The last explanation is because of the lack of support for consistent condom use by massage parlor owners. The researchers explain that an important discovery regarding condom use is that massage parlor owners do not establish condom use as a work policy. Owners were more concerned about making money rather than the health of their employees. With condoms existing in a massage establishment, it provides evidence against the massage parlor that they are offering “happy endings” and their business could be shut down. If masseuses were to use condoms, there are strict rules about storing and disposing condoms. Furthermore, it is a belief with the owners that they have no control over condom use because the masseuses are responsible for their own health.



Batsyukova (2007) stated in her research article, "Prostitution is not the oldest profession, but the oldest form of violence" (p.1). The researchers listed four possible reasons why there are high violence rates against Asian masseuse. First, when a masseuse engages in sex with customers in private rooms, the masseuses have little protection in emergencies. In addition, there are very few legal protections for masseuses who do report incidents to the police. It is rare in the first place for masseuses to report incidents at their work place because commercial sex is illegal in the majority of the state. The third reason that could explain the high rates of violence is that male customers have this notion that Asian women are passive, obedient and subservient to men. And lastly, Asian women tend to be physically smaller than men and have limited English speaking skills making it difficult for them to avoid confrontation.

#### Gender Inequality

According to Delacoste & Alexander (1998) prostitution exists because of an imbalance of power and status between men and women. Men historically and institutionally have had more access to and control of money than women have. Throughout history, women have been considered the weaker sex. They have had very few opportunities, rights and privileges to pursue higher education and professional careers. Employment, in the preindustrial societies, a woman's domestic chores would be taking care of the children, washing clothes, keeping the house clean were left to the women because women could not do "heavy" labor like their counterpart. Because they were doing domestic chores, they made no income for themselves (WIC, 1995). Throughout past centuries, there were very few opportunities for women to make money. With these limited choices to make ends meet, prostitution appeared to be the only career

that existed in every society. The rise of prostitution tended to increase during social and economic change (Delacoste & Alexander, 1998).

Delacoste & Alexander (1998) stated that during the 13<sup>th</sup> century with the invention of the spinning wheel, it gave the women an opportunity to become spinsters so they were able to support themselves. During the 14<sup>th</sup> centuries, when towns began to grow larger, authorities only allowed prostitutes to conduct their business on certain streets, sometimes within and outside the city. During the Industrial Revolution around the 19<sup>th</sup> century, there was an increase in prostitution, which was caused by the migration of women from rural agricultural communities to urban industrializing cities. These women could not obtain factory jobs so they turned to prostitution. Just like in Africa, Latin America and Southeast Asia women migrated to cities to earn money to support themselves along with their families. Girls who work in the sex industry often send a large amount of money home.

In China, female labor was considered less valuable than male and women were often victims of poverty. Historically, poor families would often arrange for their daughters to be placed into prostitution in order to help support the family. Most girls did not oppose of their families decision because culturally children did what they were expected to do (Hirata, 1979). There is a Chinese proverb that states, “A boy is born facing in; a girl is born facing out.” This proverb portrays the low status of Chinese women (Tong, 2000).

#### History of Chinese Prostitutes in United States

Between 1785 and 1840, the United States had made numerous trades for valued commodities such as tea with the Chinese (Miller, 1969). The image of the Chinese

during those years was described as "high esteem" and "respected." However, by 1840, the U.S. image of the Chinese collapsed when the Chinese were unwilling to change to Western ideas and cultures. The Chinese were now looked down upon and were viewed as "decadent and dying" and hostile to all improvements. This new impression spread throughout the United States and Europe (Miller, 1969). Even though society's perception of the Chinese was negative, Chinese goods were still being traded. It was not until the late 18<sup>th</sup> century that the Chinese started pouring into United States (Tong, 2000).

In 1848, the headline "Gold Discovered in California" created an extraordinary attraction to men from all over the world to come to California. Overnight, California became known as the land of riches and opportunities. By 1850, more than 20,000 Chinese came to the United States strictly because of the Gold Rush. California contained the largest population of Chinese. Chinese men were first accepted however, they were seen as economic, political and moral threats as well as a threat to the Anglo American (Ahmad, 2007). The Chinese had various types of employment ranging from working in the gold mines to being an entrepreneur by opening opium dens, brothels, laundries or dry goods businesses. With these Chinese entrepreneurs living on the West coast, it reinforced negative images of the Chinese. They came during the time when America was becoming more conscious about antisepsis and germs. With a more conscious awareness, this brought upon fears of "coolieism" of alien genes and germs. Between 1850 and 1882, Chinese were considered to be endangering the American society because they were "filthy" and "diseased." There was a fear that Chinese prostitutes were demolishing America's health. Syphilis was a significant health issue

during those times. Newspapers began discussing syphilis and the American people started to believe that there was a "Chinese syphilis" which was more hazardous than syphilis itself because it was resistant to treatment (Miller, 1969).

Tong (2000) stated that in 1860, the sex ratio for the entire Chinese population was roughly 1,784 females to 33,149 males. When husbands went to United States, their wives would not accompany their husbands due to the cost of travel for the entire family. Also men would come alone as they would be moving place to place to seek the most productive areas, because of the anti Chinese sentiment, and the violence in California (Hirata, 1979). Typically when women traveled to America it was to serve as prostitutes (Tong, 2000).

Between 1840 and 1875, there were secret Chinese societies such as the Hip Yee Tong bring Chinese women for prostitution. The Hip Yee Tong transported over 6,000 Chinese prostitutes to the United States. They brought women mainly from Southeastern China to serve the sexual needs of the Chinese men who came to America. These Chinese women were kidnapped, purchased from poor families or lured to San Francisco with the promise of marriage. When the Chinese women arrived in America, they were either sold to be concubines to the wealthy Chinese merchants, purchased by high-class brothels which only served to Chinese men, or they were sold into lower class brothels or cribs which served mixed clientele. Chinese prostitutes lived close to Chinatown where the opium dens were typically located. Chinese and Anglo American prostitutes smoked opium to seek temporary escape from their lives (Ahmad, 2007). Prostitutes, who work in Chinatown, profited from rumors, which stated there is a difference in the "slant" of the vagina of white and Chinese women. Because of this rumor, Chinese prostitutes

developed the ten-cent “lookie.” The “lookie” was a popular service among white boys (Light, 1974).

The number one moral complaint about the Chinese was their involvement in prostitution. In 1865, the 13<sup>th</sup> Amendment, stated all Chinese, who were being sent to America for prostitution, had to sign a contract for their services in an effort to prevent Anglo Americans accusing them of promoting slavery (Miller, 1969). Chinese prostitutes earned approximately 25 to 50 cents per customer. Opinions of Chinese prostitutes on the West coast varied from region to region and across time. But overall, Anglo Americans viewed Chinese prostitutes as "strangers to virtue," "utterly shameless," "rotten, venal carcasses" and a greater threat than Mormons towards the American society (Ahmad, 2007). The Chinese prostitutes were blamed for spreading syphilis and making young men spend all their money. Even with negative views of prostitutes, some Anglo Americans thought they deserved pity.

On March 3, 1875, an Act called “An Act Supplementary to the Acts in Relation to Immigration,” otherwise known as the Page Act was enforced. The Page Act was to ban the importation of "coolie labor" and women for the purposes of prostitution. It was found that in the six years between the passages of the Page Act and the Chinese Exclusionary Act, Chinese prostitutes declined by 68%. The number of Chinese women fell (Ahmad, 2007). The Page Act barely had any impact on Chinese male immigration, but it did make a dramatic impact on Chinese women. Between 1876 to 1882, any Chinese women coming to United States was interviewed by officials in Hong Kong, British colonial government and ultimately by the United States Port Authority. Because of the long process, it deterred a large number of Chinese wives and daughters from

going through the process. Before the 1870's, Chinese laborers were needed. However, after the 1870's America no longer needed or wanted Chinese laborers but laborers kept coming in. In 1882, the U.S. Congress passed the Chinese Exclusion Act, which froze immigration of both Chinese male and females. Females at that time were roughly around 4,000. The only employment, which was not suspended, was for merchants, scholars, teachers and officials. However, skilled and unskilled Chinese labors were banned. The majority of Chinese immigrants who were interested into coming to United States were poor working individuals not merchants, scholars and politicians. Also, it was clearly written that both state and federal courts were not allowed to naturalize the Chinese. During and after World War II, there were more sympathetic attitudes towards Chinese Americas and slowly anti-Chinese laws were revoked. Eventually the United States became allies with China. It was not until December of 1943, that the U.S. Congress passed the Chinese Exclusion Repeal Act. This Act allowed Chinese immigrants who came to America, to become naturalized citizens. However, the Act only allowed 105 Chinese people to immigrate each year (Kwong & Miscevic, 2005). By 1950s, there were about 40,621 Chinese women in America (Ling, 1993).

Hirata (1979) wrote that earnings of Chinese prostitutes in the United States helped support their families in China. Prostitutes would earn as much as \$300 dollars after seven months in San Francisco. A low class prostitute would earn approximately \$850 dollars per year and \$3,400 after four years. Even with the Anti-Chinese Sentiment, the white society advocated the importance of Chinese prostitutes. The white society stated that the Chinese prostitutes could meet the sexual demands of the Chinese men so the Chinese men would be less of a threat to white women.

After the 1870's, luring and kidnapping became the most common methods by brothel owners or importers to lure women. They would often make false promises of gold, marriage, employment, or the idea of receiving an education. Some were invited to see the big American steamer anchored at the docks in China. However, as soon as the women stepped onto the ship for a tour, the American steamer would sail off to California. The majority of Chinese prostitutes were mainly between the ages of 16 to 25 years old (Hirata, 1979).

Between 1852 to 1873, the Hip Yee Tong was the biggest importers of women. Approximately, 87% of the total women who were in California were brought over by Hip Tee Tong. They charged a forty-dollar buyer fee. Ten dollars went to the white police officers. Hip Tee Tong roughly made \$200,000 dollars between 1852 and 1873. Trafficking women became more difficult after the enactment of the Page Act of 1875 was enforced. This act made trafficking expensive and complex to import women. It was expensive because they had to bribe various U.S. consulate and custom officials. Since it was becoming more expensive, the Hip Yee Yong lost its monopolistic control over trafficking. After 1870, to purchase a girl cost approximately \$1,000 in San Francisco but after 1890, it would cost as much as \$3,000 (Hirata, 1979).

During the winter season, prostitution became a more profitable business where miners congregated. Chinese men thought the worst thing a Chinese women could do is to have sexual relations with a white man. Chinese Brothels either had mixed customers or were strictly for Chinese men. High-class prostitutes had only exclusive Chinese clientele. Low-end prostitutes had a mixture of clientele such as teenage boys, sailors, drunkards and poor labors. Owners and customers often mistreated low-end prostitutes.

Prostitution that was located at mining camps served mixed races and was often treated harshly. An average full time prostitute saw four to ten customers a day. The length of a prostitute's career was approximately four to five years. If a prostitute was no longer valuable, she might have received a job as a cook or doing laundry for the brothel. If a prostitute became ill, she would be left to die (Hirata, 1979).

### Media and Stigma

For some peculiar reason, a stigma surrounds Asian massage. The stigma is that Asian massage establishments offer "happy endings." But what makes Asian massage parlors different from other massage parlors; why is there this assumption about Asian but neither Caucasian nor Hispanic massage parlors? In order to attempt to answer this question, it is critical to look back into history.

Since the first arrival of Chinese women in United States, they have been stereotyped as "exotic and seductive dolls" by the American public (Ling, 1993). According to Shah (2003), the mass media is an important role for the production and distribution of cultural symbols and that media images are often linked to centers of power. The first images of Asians to appear in the media were Asian men. They were depicted to have slanted eyes, buckteeth, and yellow skin (Kashiwabara, 1996).

There are two different stereotypes of Asians and Asian Americans that are represented by the media. The first type of stereotype that came about is the Yellow Peril followed by the Dragon Lady stereotype. The Yellow Peril was the stereotype for Asian men. Between 1900 and 1930, the dominated white society was wary and scared of the Asian population. White workers became angry with the Asians for taking their jobs. In the early 20<sup>th</sup> century, there were films about the "yellow peril" which were demonstrated



as predatory, threatening and chasing after the white women. For example, the film *The Broken Blossom* released in 1919, portrayed Asian men as those characteristics. Dragon Lady was the stereotype for Asian females. The Hollywood films characterized Asian women as diabolical, devious, mean, sexually alluring, sophisticated, and determined to seduce and corrupt white men. Films that represented Asian women as the “dragon lady” were films such as the *Thief of Baghdad*, which was released in 1924 (Shah, 2003). Dragon ladies are usually seen to be wearing tight silk dresses to display their bodies (Kashiwabara, 1996).

By 1931 and the end of World War II, there were new stereotypes which portrayed Asian men and women. The United States feared that the Japanese soldiers were abusing the Chinese and other Asian populations who created films such as the *Dragon Seed* released in 1944 that the Japanese were raping women, and creating chaos. While America was terrified of the Japanese, the Charlie Chan stereotype of Chinese men arrived around 1936. Chinese men were shown to be righteous, hard working, trustworthy, and had “Asian wisdom.” Around 1949, Asian women had this image of a Lotus Blossom or a “China doll.” They were described as obedient, humble, and ready to serve a man’s every need. This view of Asian women was re-created by an opera produced by Puccini in 1898 called, “*Madam Butterfly*.” However, when China became a Communist nation in 1949, their image changed roles with the Japanese and the Japanese were the good and the Chinese were bad (Shah, 2003).

With these images of Asians being circulated by Hollywood, Asians have been attempting to counter these images as early as 1920. It was not until the 1980s that Asian American film makers came into existence. Asian American filmmakers made it their

primary concern to create an Asian American Film that shows a realistic depiction of an Asian American Life. The depiction is to include sensitive portrayal to their characters and communities, incorporates symbols, and markers of various Asian cultures. The Media Action Network for Asian Americans (MANAA) was created in 1992. It is dedicated to monitoring all parts of the media and advocating “balanced, sensitive and positive portrayals of Asian Americans (MANAA, 1995).”

The root of the Hollywood representation of Asians came from the history of interaction between the West and the East, which helped the whites maintain social and cultural differences between themselves and Asians. There are various Asian cultures, Chinese, Japanese, Vietnamese, Koreans, etc. (Shah, 2003). However, society chooses to discard the differences between Asian cultures and lump them into one homogenous identity (Kashiwabara, 1996).

#### History of Massage

There is documentation of massage dating as far back as 3,000 B.C. originating in China. The purpose of a massage is to relieve discomfort. When an individual suffers from pain and or discomfort, the automatic response is to rub or hold on to the ached region until the pain eases away. Since 3,000 B.C., there has been an assortment of diverse techniques which have been developed and applied (History of Massage, 2006). Today it is still a popular form of relaxation for the body. However, dating back a few decades there has been a tainted representation of massage. During the Vietnam War, soldiers used to talk about a sauna bath and masturbation service also known as a steam and cream. There were 7,000 massage girls working in 152 massage parlors during the war (Bryant & Palmer, 1975). Also, throughout the Vietnam War, fellatio was very

popular and common. Fellatio was practiced in bars, massage parlors, and in rooms that were set aside for sex. Women typically initiated this service to the men because they preferred this act and a man would not reject to this type of service. However, in massage parlors, men typically initiated this service because they wanted to experience the inexperienced sensations. Fellatio in massage parlors was applied after the massage had been completed. About 40% of soldiers who experienced fellatio stated they had not intended to do so and only sought fellatio after arousal by manual and oral stimulation by the masseuse (Hart, 1975).

#### Massage Establishments

Bryant & Palmer's (1975) research on massage businesses stated that there were only a handful of metropolis cities that offered massage and Las Vegas, Nevada was not on the list. Even back then, there were suspicious advertisements offering sex such as, "ladies to serve you in your hotel or motel from 7pm-3am." In 1972, New York held the title of having the most massage parlors. There is no current public record as to which metropolitan city holds that particular title.

According to Bryant & Palmer (1975), there had been no systematic content analysis of massage parlor names or advertisements so they suggested it was harmless to state that most massage parlors create a name or logo that suggest an exotic and or erotic business. A popular theme was to have pleasure-seeking names. Currently, most massage establishment in the area code 702 Embarq Yellow Pages mentions, "Miracle Hands" and "Magic Hands for a Restful Night's Sleep."

Bryant & Palmer (1975) categorized four general varieties of massage businesses based on services rendered and degree of misrepresentation intended. Usually a customer

pays an admission fee and the price of the massage when they enter. Nemoto and colleagues (2005) report that customers pay additional fees such as a tip for the sexual services the masseuse provides in the private massage room.

There are various types of massage establishments. The first type is the authentic massage parlors, which are located in health clubs and provide exercise and physical therapy. Staff members are expertise in their field of work. Also, many hotels and resorts have trained masseuses who can provide massage services in the guest's room. Whether a massage is being given in the health club establishment or in the guest's room, they are legitimate. The next type of massage parlor is referred to as a "rip off." Advertisement from the "rip off" parlors imply erotic fulfillment. However, it is just a façade. Massage therapist who work in "rip off" parlors are not experts in their field of work and do not provide any sexual gratification. These types of massage establishments will go to the extreme to create the illusion that people who come to their business will be able to obtain sexual services. "Rip off" parlors primary focuses on transient clientele rather than repeats customers and are usually located in shopping centers or near hotels and motels. However, some customers believe that they did not receive the "right" masseuse so they will come back in hopes of achieving a sexual service the next time.

The third type of massage establishment is probably the one that contributes the most to the negative representation of massage parlors. These parlors offer a large selection of sexual services for a particular price. Their clients typically ask about the prices of the massage and the price of "extra services" that can be added on. The usual house specials are genital, oral and manual sex. If a client seeks a particular kind of sexual service that is not mention, generally they will be accommodated. The last type of

massage parlor is the “massage and masturbation only” parlors and were described by Bryant & Palmer (1975) as being the most prevalent type of parlors. Masturbation services may be included into the massage service so paying extra for the sexual service may be optional rather than a massage parlor who only offers a full variety of sexual services that has additional prices besides the basic massage. However, manual sex may be available for an additional fee. These parlors are popular amongst their clientele and are usually successfully in avoiding confrontation with law enforcement.

According to Bryant & Palmer (1975), when a client goes into the room for their massage, at some point of the massage the masseuse would ask if he would like her to “massage anything else” or other phrases relating to that issue or she might respond to the client’s initiative. If the client does answer yes, the masseuse would then request that the client take their hand to put it where they would like the masseuse to focus their attention to. With this technique, it helps girls avoid the allegation that they are soliciting or offering sexual services. If it was an undercover officer or a VICE officer, she could avoid conviction by claiming entrapment on the part of the officer.

Since the mid 1970’s, law enforcement has been trying to handle this particular expansion of prostitution. Because of the persona that they are, a massage parlor is difficult to identify, apprehend and convict criminals involved. Until recently, it has been even more imperative for law enforcement to have control because of the growing knowledge of masseuses being trafficking victims. Many massage parlors proclaim themselves to be legitimate businesses. Current massage establishment owners and previous owners have had to deal with the social and legal pressures and harassment against their company.

Based on recent media coverage of VICE stings in Las Vegas, it is clear that there are a variety of massage businesses operating currently in Las Vegas. To better understand the negative stereotypes about massage businesses and Asian massage businesses in particular, an analysis of current licensing practices was undertaken for this paper.

## CHAPTER 3

### LAWS AND LICENSING

#### Laws that Restrict Prostitution

It is important to consider what has been written in by the legal system regarding the definitions of and punishments for prostitution, human trafficking. Also presented are legislative mandates on resources for victims of sex trafficking.

In Nevada, the Nevada Revised Statutes under Chapter 201 (Crimes Against Public Decency and Good Morals) defines in 201.295 a “prostitute” to be:

a male or female person who for a fee engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person (p.11).

Also under the statute, “prostitution” means, “engaging in sexual conduct for a fee.” NRS 201.263 defines “sexual conduct” as “acts of masturbation, homosexuality, sexual intercourse or physical contact with a person’s unclothed genitals or pubic area.” If an individual is caught engaging or soliciting prostitution anywhere else but a licensed house of prostitution, the individual is guilty of a misdemeanor under NRS 201.354.

While prostitution is prohibited as an act in Nevada, there are exceptions to this law. The Nevada Revised Statutes allow for the licensing of houses of prostitution in counties with a population under 400,000 (NRS 244). According to Prostitution ProCon.org (2007), the following Nevada counties have legalized brothels: Churchill, Esmeralda, Lander, Lyon, Mineral, Nye and Storey County. Elko, Humboldt, Pershing,

and White Pine County brothels are only legal in areas that grant them authorization. Eureka County is the only county that has no laws legalizing or prohibiting brothels. In Carson City, Clark, Douglas, Lincoln and Washoe County, it is illegal to have brothels.

Federal legislation prohibits prostitution of children. 18 United States Code (U.S.C) § 1597 discusses sex trafficking of children by force, fraud or coercion. It states that it is unlawful to knowingly place a person (or profiting from a person placed) in a commercial sex act, where the person is either a minor or their services are engaged by force, fraud, or coercion.” If the victim was under fourteen years old at the time of the commission of the unlawful act, the punishment varies from a fine to imprisonment for any term of years.

Additional federal laws criminalize prostitution abroad. According to the United States Department of Justice (2007), if a United States citizen or permanent resident is traveling abroad for the purpose of having sex with a minor; it is still illegal to have sex with a minor even if the individual did not know the child was a minor. However, if the sex act with the minor is a commercial sex act, the defendant could state they reasonably believed that the person whom she/he engaged in commercial sex act was 18 or over. If the United States citizen or permanent resident's original intention was not to engage in sex acts with minors, they still may be subjected to prosecution under 18 U.S.C. § 2423(c). Traffickers could be accountable under 18 U.S.C. § 2421-2423 which prohibits transporting a person across state or international borders for the purpose of prostitution or other unlawful sexual activity. The punishment is a 10-year maximum sentence. Under 18 U.S.C § 2422(a), it is illegal to entice or coerce a person to travel across a state or international borders in order to engage in prosecution or other unlawful sexual



activity. If a person is convicted, the individual carries a 20-year maximum sentence (Trafficking and Sex Tourism, 2007).

#### United States Mandates to Support Victims

The TVPA of 2000 mandated the creation of programs to assist with anti-trafficking efforts. There are five Federal Government Agencies, which implement programs to protect and assist victims of human trafficking and detain and prosecute their traffickers. The United States Department of Health and Human Services (HHS) has the responsibility of verifying victims of human trafficking once they are identified. The certification allows the victims to receive the same federally funded services and benefits as a refugee. The United States Department of Justice (DOJ) examines trafficking cases, prosecutes traffickers and created a network of trafficking victim service providers via their grant programs and assists with the complaint process for members of society wanting to report a case of trafficking. United States Department of Labor offer programs to victims who have been HHS certified with job search, job placement assistance, job counseling services and educational/ training services, referrals to services that offer transportation, childcare, and housing. United States Department of State helps coordinate international anti trafficking programs. Last, the United States Department of Homeland Security's bureau and the United States Immigration and Customs Enforcement (ICE) investigate trafficking cases and assists with victim identification. The United States Citizenship and Immigration Services, which is, also a part of Homeland Security, assists in the awarding T visas to victims, thereby qualifying the individual for HHS certification.

T visas are another legislative resource created to assist victims of trafficking was new immigration provisions. The National Immigration Law Center stated in 2002 that the United States Department of Justice have issued policies under the Trafficking and Violence Protection Act of 2000, the T Visa was created to allow victims of severe forms of trafficking to reside in United States while assisting federal authorities with investigating and prosecuting human trafficking cases. Victims must meet the following criteria's in order to obtain a T Visa. First, they must be or have been a victim of a "severe form of trafficking persons" physically presents in the United States, Samoa, the Mariana Islands, or a port of entry, would suffer extreme hardship involving unusual and severe harm if they were removed from the United States. They need to have complied with any reasonable request for assistance in a trafficking investigation or prosecution or if they are less than five years old; and must have had contact with law enforcement agency either by reporting a crime or by responding to inquires from a law enforcement agency. After having three years of T status, the victim then may apply for permanent residency. Furthermore, the T Visa allows victims to apply for non-immigrant status for their children and spouses and victims under 21 years old may apply for non-immigrant status for their parents (Department of Justice, 2002).

If the Immigration and Naturalization Services (INS) (2002) denies a T Visa application, they must provide a written notification to the applicant of the denial and list their reasons for rejecting their application. The applicant may appeal the denial and the appeal will not become absolute until the appeal has been adjudicated. A district director of INS has the ability to revoke approval of a T non-immigrant status at any given time

even after the validity of the status has expired and must provide written notification to the applicant and explain their reasons for revoking.

## Licensing

### *Massage Licenses*

An individual must meet the State of Nevada licensing guideline before they can become a masseuse or a reflexologist or to start a massage and reflexology business. It is the NRS 640C.400 that mandates that an individual seeking an occupation of a massage therapist must be licensed. Each state in the United States has different requirements for an individual to become a licensed massage therapist. A massage therapist, is explicitly defined in NRS 640C.050.

According to the Nevada State Board of Massage Therapist, for an individual who has never been licensed in the state of Nevada, must fulfill seven requirements. First, they must complete at least 500 hours of schooling and provide transcripts. Second, they must pass a written exam that is accredited by the National Commission for Certifying Agencies (NCCA) or its successor such as the National Exam, NCETMB and NCETM. Applicants must provide confirmation with either a certificate or a letter stating the individual passed the exam. Third, they must complete applications to become a licensed massage therapist. The next four requirements are that they must submit two finger print cards for a background check, one passport sized color photo, a legible copy of a current state I.D or alien resident card, and finally to pay the fees with a money order or cashier's check.

Massage therapy has been clearly defined under the NRS 640C.060. Massage therapy is defined under a number of subheadings as the application of a system of

pressure to the muscular structure and soft tissues of the human body for therapeutic purposes, including, without limitations: effleurage; petrissage; tapotement; compressions vibrations; friction; and movements applied manually with or without superficial heat, cold, water or lubricants for the purpose of maintaining good health and establishing and maintaining good physical condition. Massage therapy does not include; diagnosis, adjustment, mobilization, or manipulation of any articulations of the body or spine; or reflexology.

Under NRS 640C.740, if any members or the executive director becomes aware of any ground for initiating disciplinary against a licenser, there must a written complain to the board. The written complaint must mention relevant facts and charge one or more grounds for initiating disciplinary action. After the complaint has been filed, an investigation will be conducted to determine whether the allegations against the licenser are accurate and follow through disciplinary actions.

Disciplinary actions towards a massage therapist can be taken under the NRS 640C.700. Conducts that would be considered unlawful and not covered by the term massage therapy would be engaging in or soliciting sexual activity during the course of practicing massage on a person. It is illegal and a misdemeanor for an individual to practice massage in Nevada without a massage license from the Nevada State Board of Massage. According to chapter 7.08.130 for outcall massage, it is unlawful for an individual who provides or offers outcall massage, to massage the opposite gender. Under NRS 640C.700 number 3, it states that the board may refuse to issue a license to an applicant or seek disciplinary action if they,

have been convicted of a crime involving violence, prostitution or any other sexual offense, a crime involving any type of larceny, a crime

relating to a controlled substance, a crime involving any federal or state law relating to massage therapy or a substantially similar business or a crime involving moral turpitude within the immediately preceding 10 years (p.9).

Number 4 explicitly states that if the licensee has engaged in or solicited sexual activity while practicing massage on a person with or without consent, including, without limitation if the licensee or applicant (a) made sexual advances toward the person, (b) requested sexual favors from the person, (c) massaged, touched or applied any instruments to the breasts of the person, unless the person has signed a written consent form provided by the Board.

Depending where the individual or business seeks to conduct their business, they must apply to either the county or city. According to the Clark County business license information guide (2007), an individual must obtain a Clark County business license if the business address is located in the unincorporated area of Clark County or if their business is mobile and conducting business in the unincorporated area of Clark County. According to the City of Las Vegas' Department of Finance and Business Services, a massage therapist is any person who is licensed to engage in the practice of or perform massage therapy. The individual must be able to provide proof that the proposed business location is within the Las Vegas City limits and is properly zoned for this activity. Second, they must apply for a Nevada sales and use tax permit and state business license from the Nevada Department Taxation. Third, they must obtain a health permit from the South Nevada Health Department. Fourth, is to obtain a state license from the Nevada State Board of Massage Therapy. Fifth, they are required to bring a completed license application and paper work as mention from above to the Business Services Division within 30 days to starting the business. Sixth, they must pay a one time

application fee of \$130.00. Lastly, the business license application is reviewed and inspected by the Planning Department and Fire Department. Once the Planning Department and Fire Department have completed and approved the review and inspection, the Business Services Division will issue the business license.

Generally, a majority of business licenses in Las Vegas are typically issued within thirty days. However, privilege licenses that must be approved by the Las Vegas City Council can take up to sixty days or more. Some privileged licenses are gaming, childcare licenses, martial arts schools, and massage establishments. The City of Las Vegas requires an individual to attain a city business license because it helps to insure that their business is properly zoned for the activity to be conducted, the building meets fire safety code standards, all state and local codes are adhered to insure the safety and well being of citizens, and that privilege businesses are properly regulated.

The Las Vegas Municipal chapter 6.52.090 states that each massage establishment licensee shall display the establishment's license in an open and conspicuous place on the premises of the establishment. Furthermore, any massage therapist and independent massage therapist must carry their licensee whenever they are performing a massage.

#### Reflexology Licenses

Reflexology was included into the study because it is predominately an Asian-owned business and is gaining the reputation of offering "happy ending." The American Reflexology Certification Board official website explains the differences between reflexology and massage. Reflexology and massage are two different techniques that help alleviate pain and stress to enhance the health of an individual. With reflexology, reflexologists are taught to focus on specific areas such as the feet, hands or ears because

they focus on the nervous system of the body and acupuncture meridians. The purpose of reflexology is to improve the function of the organs, glands, and all the systems of the human body. Reflexologists works with the function of the body. Massage is applied to the whole body focusing on muscles and connective tissues and works with the structure of the body. A masseuse's objective is to change the soft tissue by directly stimulating it. When an individual is receiving treatment with reflexology, only their footwear comes off because hands and ears are generally not covered. Unlike massage, typically, all clothing comes off or the decision is up to the client's discretion of what they feel is comfortable to them. Reflexologists primarily use their thumbs and fingers to apply pressure while a masseuse uses their hands (either open or closed), arms, elbows and sometimes feet.

According to Community College of Southern Nevada, an individual who wants to become a reflexologist must meet the requirements of the American Reflexology Certification Board (ARCB). The ARCB requires that applicant be 18 years of age or older, has a high school diploma or the equivalent and has at least 110 hours of instruction of : (1) 40 hours of reflexology theory, history and hand on work, (2) 40 hours of anatomy and physiology correlated to reflexology, (3) 15 hours of anatomy and physiology specifically focused on the study of the lower leg and foot, (4) 5 hours of business practice and standards and local/ state laws and ordinances pertaining to the practice of reflexology, (5)10 hours of practicum- supervised classroom or clinical work and (6) 90 hours of documentation on ARCH forms.

Depending where they plan to practice in Clark County or in Las Vegas, they have to meet the licensing requirements. If they practice in Clark County, the individual

must obtain a general business license and there are no specific requirements or limitations as of October 17, 2000. However, in the City of Las Vegas they must obtain a reflexology health card (TB test), background check, and have 200 hours education from a duly licensed school or national certification. Under the Las Vegas Chapter 6.69.010, defines, “reflexology” as means of a method of using hands, thumbs or fingers to apply specific pressure to reflex points located in the hands, feet or ears (Ord. 5491 § 18, 2002: Ord. 5172 § 2, 1999)” (p.1).

Under Chapter 6.69.030 section, B states that a reflexology business licensee “shall not permit any person to perform reflexology services for consideration upon the licensee’s business premises unless that person has a valid unexpired license to perform those services (Ord. 5491 § 20, 2002: Ord. 5172 § 4, 1999)” (p.2).



## CHAPTER 4

### METHODOLOGY

The first step in data collection was to ascertain which massage businesses are currently advertising in Las Vegas. Various advertisement resources were used to obtain the name, address, and phone number of both massage and reflexology establishments. The Embarq Yellow Pages (July 2007- December 2007) was the primary and most plentiful source of advertisements for massage businesses. In addition, the Yellow Book phone book was used. Multiple online yellow page websites were also used. Almost all of the advertisements highlight massage services and only a few businesses are advertised as reflexology. Table 1 lists the advertising sources that were used, under what category, and the exact number of advertisements was in each category.

Table 1: Advertisements for Massage and Reflexology Businesses in Las Vegas and Clark County

<b>Source of advertisements</b>	<b>n</b>
Embarq Yellow Pages July 2007- Dec. 2007 (Massage)	266
Embarq Yellow Pages July 2007- Dec. 2007 (Reflexology)	14
Yellow Book 2007- 2008 Greater Las Vegas (Massage)	42
Eroticmassage.blogs.com (Massage)	45
Lasvegasdirect.com/adult.html (Massage)	25
Yellowpages.com (Massage)	38
Yellowpages.msn.com (Massage)	4
Yp.yahoo.com (Massage)	26
<b>Total</b>	<b>460</b>

The second source of data was the licenses for the massage businesses. There were two primary searchable sources for business license information. The first one was the Clark County business license website and second was the Las Vegas business license website. The information available from the Clark County website is presented in table 2. Table 2 describes the license number, what the license numbers represent and how many were listed under the license title.

Table 2: Clark County Business Licenses

<b>License Title</b>	<b>Description</b>	<b>N</b>
Clark County 320	Reflexologist (Active/ pending/ inactive)	151
Clark County 518	Outcall massage businesses (Active/ pending/ inactive)	101
Clark County 521	Massage establishment (Active/ pending/ inactive)	145
Total		397

The next source of business license information was the Las Vegas business licenses and those numbers are presented in Table 3. This is the business licenses site for all businesses in the Las Vegas jurisdiction area<sup>2</sup>. The exact jurisdiction area for Las Vegas is presented in Figure 1. They are referred to as North Las Vegas actually contains some areas that still license either under Las Vegas or under Clark County licensing. These Northern zip codes were included in the analyses (i.e., 89143, 89131, 89130 and 89106). The areas that would be licensed under the city of North Las Vegas were not included (i.e., 89033, 89084, 89086, 89031, 89032 and 89030) as North Las Vegas, licenses are not searchable online. Only two businesses were listed in this jurisdiction and they were dropped from analyses.

<sup>2</sup> The jurisdiction was also confirmed by typing in the street number and name into <http://gisgate.co.clark.nv.us/ziploc/>.

Figure 1: Las Vegas Jurisdiction Boundaries

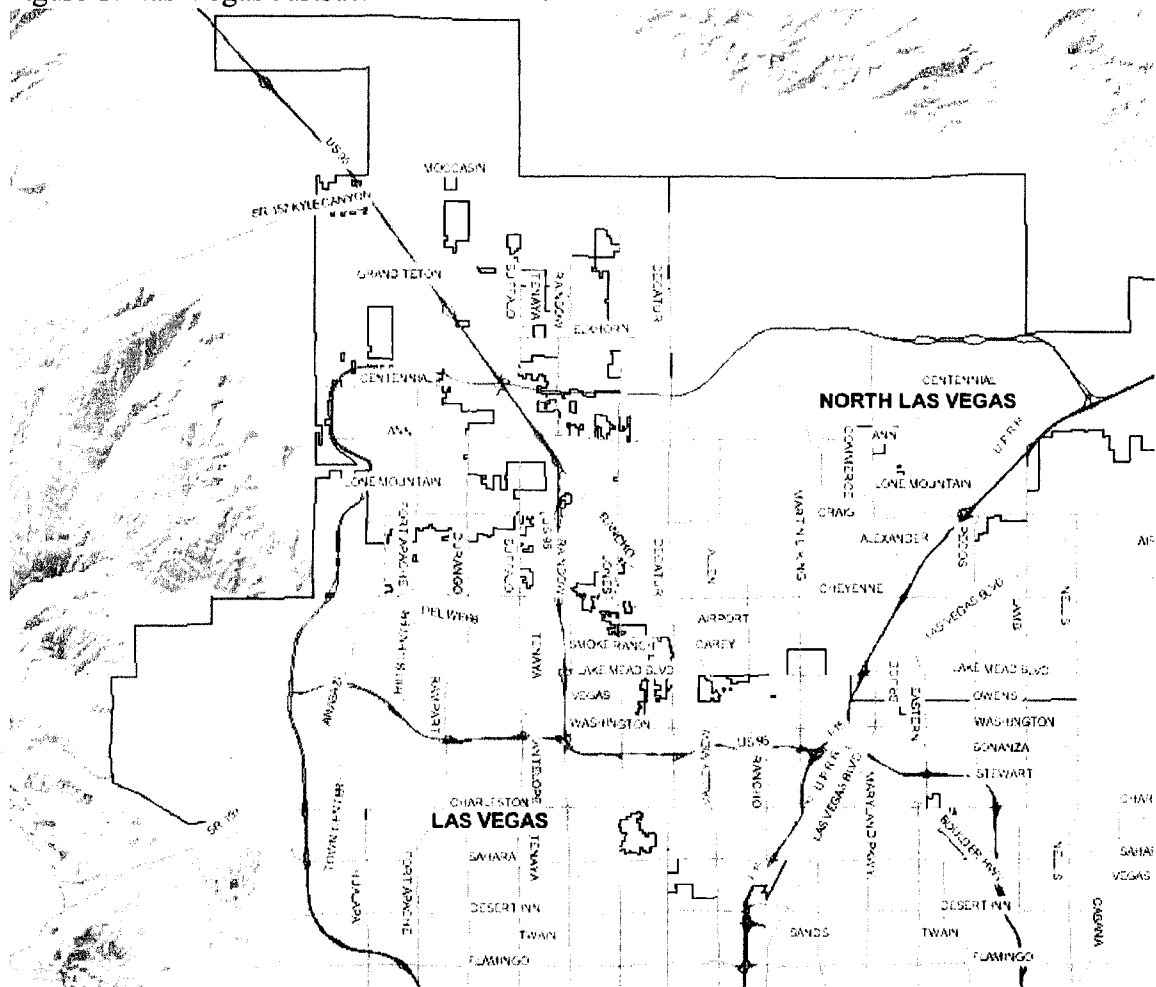


Table 3: Las Vegas Business Licenses:

<b>License Title</b>	<b>Description</b>	<b>N</b>
Las Vegas M03	Active/ pending/ inactive massage establishment	89
Las Vegas M04	Active/ pending/ inactive massage therapist/ therapy	38
Las Vegas M12	Active/ pending/ inactive independent massage therapist	1274
Las Vegas R03	Active/ pending/ inactive reflexology/ establishment	19
Las Vegas R11	Active/ pending/ inactive reflexology/ practitioner, and reflexologist	64
Total		1484

Information on the business licenses provided in Henderson and Boulder City were also not searchable by business type. There were 62 businesses with Henderson addresses and 4 in Boulder City. A total of 68 advertised businesses located in those three jurisdictions, including the two from North Las Vegas, were not included in the analyses that follow.

## CHAPTER 5

### FINDINGS

Statistical Package for the Social Sciences, also known as SPSS was used to help organize and analyze the findings in this study. There was a total of 2,341 data points including advertisements, massage and reflexology establishments, and individuals who have a massage license or a reflexology license in North Las Vegas, Las Vegas, Henderson, Boulder City, and other small cities on the outskirts of Las Vegas. The 2,341 pieces of information were grouped by overlapping addresses, business names, and phone numbers. It was surprisingly labor intensive to combine all the sources and to type up the advertisements. For analysis purposes, each business was only counted once. To identify the different unique businesses, the 2,341 data points were sorted by name, address, phone number and zip code and assigned a group number. Thus, a business with an advertisement, a current license and an expired license all at the same address, would be grouped into a single count rather than counting as three data points. Businesses that advertised in different sources for the same business were also grouped under one business name.

617 unique businesses were identified. Since licensing information in Henderson, North Las Vegas and Boulder city was unavailable, the 68 businesses located in these areas were not analyzed for compliance with licensing. This left a population of 549 massage or reflexology businesses.

The licenses analyzed were considered for status. A license was considered invalid license if it was identified as pending, denied, withdrawn, or out of business. Licenses were considered valid if they were currently active.

The number of massage and reflexology establishments that had a license but have no advertisements was 262. Out of those unadvertised massages/ reflexology businesses, only 55 % (144/262) had a valid license. The remaining 44.9% (118/262) of businesses either had licenses that were withdrawn, expired or out of business.

The major focus of these analyses was on massage and reflexology businesses that are currently advertising their services. To capture the businesses that are advertising in Las Vegas, multiple sources for advertisements were examined. Both print sources (yellow pages) and online sources were included. All advertisements were included even if they only provided a business name and phone number.

After grouping duplicate ads, and examining matches by business name, address and phone number, 281 unique businesses were identified as currently advertising. Out of the 281 businesses with advertisements, only 31.9% (90/281) were validly licensed massages/ reflexology establishments. Over 59% (166/281) had at least one advertisement but did not have a license to operate. Another 8.5% (25/281) had advertisements, but had an invalid license. Table 4 presents specific information on the different categories of advertising and non-advertising businesses by licensing status.

Table 4: Advertisements and licenses in Las Vegas and Clark County

<b>Group Number</b>	<b>Group Description</b>	<b>N</b>
1	Advertised and valid license	90
2	No advertisements but valid license	145
3	Advertised but no license	166
4	Advertised but invalid license	25
5	No advertisements and invalid license	117
6	Others	6
Total		549

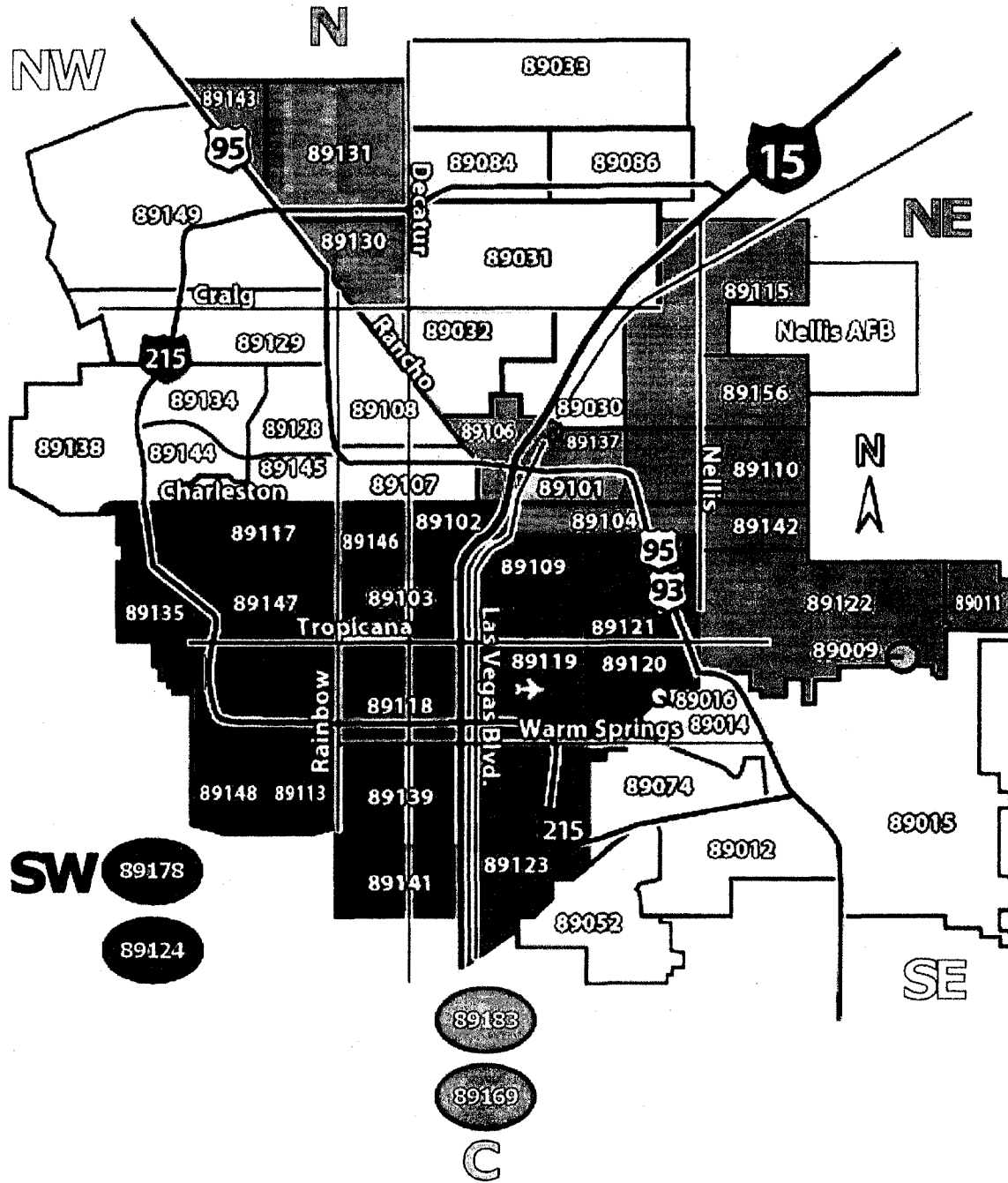
The next step was to consider where these licensed and unlicensed businesses were located in the Clark County area. Businesses were grouped by area in Table 5. These areas are marked visually in Figure 2. The Las Vegas map starts from the Central part of town, going clockwise to the Southeast side part of town. Table 5 and Figure 2 do not show any calculations of massage or reflexology businesses.



Table 5: Las Vegas Map Areas

<b>Region Number</b>	<b>Location</b>	<b>Color</b>
1	Central	Purple
2	Southwest	Red
3	Northwest	Yellow
4	North	Blue
4	North (North Las Vegas not included)	Gray
5	Northeast	Green
6	Southeast (Henderson and Boulder city not included)	Gray

Figure 2: Region Map



It is interesting to find that the majority of massage and reflexology establishments that provide address information are located in the Southwest region with 176 establishments. Second most populous is the Northwest side of town with 89 businesses. The third most populous area is the Central part of town with 85 businesses advertising in that region. The concentration among businesses providing address information can be found in Table 6.

**Table 6: Concentration of Massage and Reflexology Businesses by Region**

<b>Region Number</b>	<b>Location</b>	<b>N</b>
1	Central	85
2	Southwest	176
3	Northwest	89
4	North	17
5	Northeast	38
0	Missing	144
<b>Total</b>		<b>549</b>

Note: Missing signifies businesses that did not have a license and no address was provided in the advertising.

Another interesting issue with these businesses was the frequency that establishments were relying on business licenses dedicated individuals only. For example, the City M12 license is an individual license. Eighteen percent (16 businesses) of the businesses were actually operating under this M12 license. The city licensing

office confirmed that it is inappropriate for business establishments to rely on an individual license like M12. However, because the licensing description is not obvious like the M04 individual category; these 16 businesses were considered suspicious but not invalid. Other businesses were only licensed under the other individual masseuse licenses (e.g., M04) or individual reflexologist licenses (R11, County 320). These businesses were included in the invalid license category in Table 7.

Table 8 lists the top 10 zip codes where massage and reflexology parlors are located in the Las Vegas valley. Table 8 was organized by region number then by the amount of establishments in that particular region. Ranking zip codes by most populated area for massage and reflexology establishments was the first step to identifying whether or not there was a geographic pattern to the concentration of businesses. After categorizing the top 10 zip codes from the greatest amount of massage and reflexology parlors to the least, it appeared that zip codes do have a correlation to the amount of parlors in that particular zip code and region. It is a common belief, that the Southwest region of Las Vegas has the most massage and reflexology parlors. The results, confirmed the perception. The zip codes with the two highest concentrations of massage businesses were both in the Southwest area (89102 that contained 50 businesses and 89103 had 45). The third highest count was in the Central area (89119 with 25 businesses). Among the ten zip codes with the highest counts, 40% of those businesses were located in the Southwest area (140/262).

Table 7: Individual Licenses in Group 4

<b>Group</b>	<b>Description</b>	<b>% (n)</b>
(1) Ad and valid license	Total	89
	Appropriate business license	82% (73)
	Questionable license (M12 individual license)	18% (16)
(2) No Ad but license	Total	145
	Appropriate business license	52% (75)
	Questionable (M12 individual license)	46% (66)
	Business license expired, individual license valid	1% (2)
	2 <sup>nd</sup> business license at same address	1% (2)
(3) Ad but not licensed	Total	166
(4) Ad but invalid license	Total	25
	No business license, individual license only	36% (12)
	Invalid license	28% (7)
	Temporary business license and Ad	8% (2)
	Pending business license and Ad	8% (2)
	Reflexology license pending, no business license and Ad	8% (2)
	Individual out of business and Ad	8% (2)
Withdrawn license with Ad	4% (1)	

Table 8: Concentrations of Massage and Reflexology Businesses by Zip code

Zip Code	Area	N
89119	1- Central	25
89109	1- Central	18
89121	1- Central	20
89102	2- Southwest	50
89103	2- Southwest	45
89117	2- Southwest	22
89146	2- Southwest	23
89128	3- Northwest	20
89108	3- Northwest	18
89104	5- Northeast	21

Note: A complete listing of all zip codes with massage businesses can be found in

Appendix

Businesses advertising were considered by area to see if particular areas had a higher concentration of unlicensed businesses. The counts of licensed and unlicensed advertising businesses in each area are presented in Table 9. An ANOVA was conducted to see if the area was related to the types of advertised businesses. The result was significant ( $F = 3.70 (4, 155), p < .007$ ). Post hoc analyses indicated that the Central area varied significantly in its licensing type from the Southwest, North and Northeast areas. The Central area had the highest percentage of its businesses licensed (81%). The Southwest, North, and Northeast areas, however, did not vary significantly from each

other. Table 9 presents the percentages of businesses licensed. This analysis is of limited value or could be inaccurate, as many of the advertised and unlicensed businesses did not have an address and could not be grouped into an area (n=125). Group 1 (advertising and a valid license or questionable M12 licenses) was the licensed category. Group 3 (advertising with no license) and group 4 (advertising with an invalid license) were combined into the unlicensed category.

Table 9: Licensed vs. Unlicensed

<b>Regions</b>	<b>N</b>	<b>Licensed</b>	<b>Unlicensed</b>
1- Central <sup>1</sup>	55	81%	19%
2- Southwest	133	56%	44%
3- Northwest	67	59%	41%
4- North	16	17%	83%
5- Northeast	31	35%	65%
0- Missing Address	125	2%	98%
Total	427		

<sup>1</sup> Post hoc analysis indicates that the Central region differed significantly from the Southwest, North, and Northeast areas. Those areas did not vary from each other.

Another area considered was the name used in these massage businesses. Going through the list of 549 listed unique businesses, they were included into the count if they contained Asian themed words in their business name; “Oriental,” “Japanese,” “Thai,” “Far East,” or “Asian” were counted. These results are presented in Table 10. Out of

549 businesses from all regions, only 103 parlors had used an Asian word or an Asian themed word in their business name. It was interesting to have found that massage and reflexology establishments that were categorized as Group 4 (advertised but invalid license) had the highest concentration of Asian themed names at 40%. The group that was advertising and had a valid license had the second highest concentration at 34.4%.

Table 10: Percentage of Businesses Referencing Asian Words

<b>Group</b>	<b>N</b>	<b>%</b>
1. Licensed with an advertisement	31	30.1%
2. Licensed but not advertising	8	7.8%
3. Advertising but unlicensed	40	38.8%
4. Advertising but invalid license	10	9.7%
5. No advertising and invalid license	14	13.6%
<b>Total</b>	<b>103</b>	



## CHAPTER 6

### DISCUSSION

By looking at how many massage businesses have sexualized or Asian themed names are operating without licenses openly in Las Vegas. It is easy to see why Las Vegas Police Department states that it is hard to estimate how large the human trafficking problem is in Las Vegas. After compiling a list of massage and reflexology businesses (active or inactive), with individuals listed as massage therapist or reflexologist (active or inactive), the results are surprising. The analyses suggested that nearly 70% of the businesses advertising in Clark County and Las Vegas are not validly licensed.

Nevada has unique factors that might make it a hot spot for human trafficking. Las Vegas' human trafficking and commercial sexual exploitation problems are unique due to the city's culture and environmental conditions, which create specific risk factors. Specifically Nevada's 24-hour culture, billboards advertising strip clubs and sexual innuendos create a unique environment. The local phone books have nearly 200 pages of advertisements for "entertainers." In addition, after comparing unlicensed and licensed massage parlors in Clark County and Las Vegas, businesses advertising in Las Vegas appear to be poorly regulated by the City of Las Vegas and Clark County.

It was important to examine which areas of Clark County had the most licensed and unlicensed massage and reflexology establishments. The majority of licensed massage and reflexology parlors are located in the Central region. Second is the

Northwest region and third is the Southwest area for concentrations of licensed businesses. This suggests that the Central area is being better regulated than other places. It is important to keep in mind that the Southwest area is the most populated area for advertised establishments and yet they are only third for prevalence of valid licenses.

The North side of town has the highest percentage for unlicensed businesses (83%) but they had the smallest amount of massage and reflexology establishments compared to all other regions. The second highest percentage of unlicensed businesses was the Northeast area at 65%, but again they only had 31 businesses. The third highest percentage of unlicensed establishments was in the Southwest region at 44%, but that was a substantial number, when you consider that 133 businesses were identified as located there.

The majority of the massage and reflexology establishments are mostly concentrated in the Southwest region of Las Vegas. There are a few possible explanations as to why businesses are primarily located in the Southwest area. The Southwest region has concentrated populations of Asians, Asian stores and supermarkets. If a tourist were to come to Las Vegas and wanted an Asian massage, it would be convenient to have Asian massage and reflexology businesses around that area. In addition, it is where the market for Asian themed products and services are located. Perhaps opening a massage and reflexology business is logical because they are more likely to get more business because it is where their market tends to congregate.

Furthermore, Las Vegas' Chinatown in the Southwest is relatively close to the Las Vegas Strip so it is convenient to travel from one of the biggest tourist attractions in United States to Chinatown. The area surrounding Chinatown also has a very high

concentration of sexually oriented businesses including strip clubs, adult novelty stores and adult bookstores.

Another possible explanation for the concentration in the Southwest area could be the fact that it is a newer suburb that is growing at a rapid pace. The majority of the Southwest jurisdiction is not in the Las Vegas licensing area but in the Clark County licensing jurisdiction. Perhaps there is a difference in enforcement between these two jurisdictions.

There is a popular belief that there is an abundance of massage and reflexology businesses using an Asian themed word in their business name. Results show that majority of massage and reflexology advertisements do not use Asian themed words. Just under 1 in every 5 businesses used an Asian themed name. It was interesting to find, that within that group nearly half (50/103) of those establishments were not validly licensed (no license or invalid license). . Massage/reflexology establishments that are properly licensed and are using Asian theme words represents 31%. The remaining 24% were not advertising.

When you compare the Asian themes in business names across licensing categories, one-third (31/90) of the advertised and licensed businesses used Asian themed names. Among licensed businesses that were not advertising only 5.5% (8/145) had Asian themed words. The prevalence of Asian themed words was higher again for advertised but unlicensed (24% or 40/166) or not validly licensed businesses (40% or 10/25).

Money is the inspiration for why these illegal organizations exist and will continue to exist; from opening illegal massage and reflexology parlors to human

trafficking. Human trafficking is considered to be one of the fastest growing forms of national and international commerce and crime (Schauer & Wheaton, 2006). People are tempted to come to the United States because it is often viewed as the place for a better quality of life, more opportunities and for their children to have a chance at a good future. Characteristics that push traffickers to make the move to United States, but they do not take a step back to consider that they may end up becoming a victim of risky and/ or life threatening situations. Farley (2007) states that Las Vegas is a hotspot for international sex business that brings in roughly \$6 billion dollars a year. The high quantity of massage businesses advertising and operating in Las Vegas is part of this huge industry.

Las Vegas Now's news reporter Edward Lawrence, reported that Metro's VICE unit states minors who are involved in sex trafficking are put into massage parlors, casinos or are out on the streets. Last year 157 children were identified as being trafficked into Las Vegas. Women and children have a better chance of being rescued by law enforcement if the City of Las Vegas and Clark County have better regulation policies and send out more business license enforcers to check properly licensed parlors, masseuses and reflexologists. It is critical for law enforcement to be able to recognize victim and non-victim "masseuses" and "reflexologists." By educating officers and having them experience encounters with victim and non-victim, it will help them differentiate between the two. Due to the State of Nevada's 2008 budget cut, it appears to be highly unlikely that the City of Las Vegas or Clark County will hire more employees to check for properly licensed businesses, masseuses and reflexologists. If the city and county cannot find more money to hire employees, it is unlikely that enforcement will increase.

A legitimate business could be providing “happy ending” services for their clientele for more money. Therefore, not only business licenses need to be checked, but also the registration and working conditions for the employees must be checked. It is extremely time consuming to look into employees for each business but this will help with finding victims of sex trafficking and punish business owners. This challenge needs to be overcome to enforce against properly licensed employees who are going beyond acceptable behavior and offering prohibited “happy endings.” Monitoring the behavior of individual licensee is the mandate of the Nevada licensing board for massage therapist. This group is currently lobbying for greater enforcement laws against therapists who engage in sexual activities outside the acceptable massage activities.

#### Limitations

One major limitation of this research was that it could not tie human trafficking into current business practices in Las Vegas. Although LVMPD reports finding trafficked women working in massage parlors, it was not possible in this research project to go into every massage or reflexology parlor to check the immigration status of their employees. This type of future research has to occur with the assistance of law enforcement or licensing enforcement agencies.

This research also did not explore the licensing issues for businesses located in Henderson, Boulder City and North Las Vegas. These jurisdictions do not list businesses by license category. Only 11% of the advertised businesses, however, were in these jurisdictions.

## Conclusion

The widespread lack of enforcement and licensing among advertised massage and reflexology businesses might be sending a message to traffickers or people who want to operate illegal brothels in massage businesses is that they welcome is to set up a shop and they do not even have to worry about getting a business license. Clark County as a whole should be concerned about the number of unlicensed or improperly licensed businesses.

If even the most basic business requirement of an appropriate establishment license to go with your storefront business and yellow page ad is not enforced, it is one less obstacle for the traffickers who offer “new girls every week” to satisfy the hundreds of thousands of consumers of sexual services arriving in Las Vegas every year.

This high supply of sexualized services in Las Vegas must be tied to a high demand for trafficked women and children. The unchecked, blatant sexualized advertisements for massage parlors are only fuel on the fire in Las Vegas. Slowing the spread of these businesses might slow the volume of women and children entering prostitution in Las Vegas. A change can be made and the only way to do it is to take one-step at a time. The first step is to start properly regulating massage and reflexology parlors.

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APPENDIX

SAMPLE YELLOW PAGE MASSAGE ADVERTISEMENTS

1372 MASSAGE

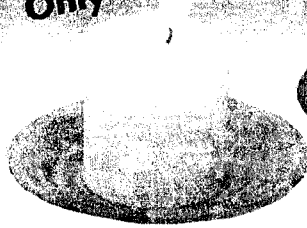
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**Our Job Is To Pamper You  
Make You Feel Good  
From Head to Toe**

**Outcall  
Only**



**We Will Appease  
All Your Needs**

**Deep Tissue • Swedish  
Shiatsu • Therapeutic  
Relaxing Full Body**

**Complete Body  
Shower Rubdown**

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No Like... No Pay!  
No Rush Sessions!  
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• Nikki

• Adriana

• Alissa

• Monica

• Miranda

Enjoy the most therapeutic massage  
designed to soothe and pamper your tense  
muscles and awaken all your senses...

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**FULL SERVICE BODY SHOWER RUBDOWN**  
*Hot Oil Body Pampering*

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 Hot Oil Rubdown  
 24/7 Hotel Outcall Only

**TOTAL RELAXATION IN 20 MINUTES OR LESS**

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 Massage In Vegas*

\* Relaxing \*  
 \* Deep Tissue \* Swedish \*

**Full Service  
 Reasonable Rates**

Complete Body Connection  
 Full Service Massage

Hotel Only 24/7



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 FULL SERVICE

*Mandi & Demi*

Female Therapists  
 Full Service Massage • Therapeutic or Deep Tissue  
 24 Hours • Direct To You

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**Magic Hands Rubdown**  
 With Laurie - Not An Agency  
 Full Body Massage  
 Hot Oil • Deep Tissue  
 24 Hours - Hotel Outcall Only

**737-7382**

VITA

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