



OFFICE OF THE DISTRICT ATTORNEY
4th JUDICIAL DISTRICT

Daniel H. May
District Attorney

Kim L. Kitchen
Assistant District Attorney

Dear Madam Chair and Members of the Committee,

I am writing today to express my support for House Bill 16-1320 concerning the Regulation of Massage Therapy. As Chief Deputy District Attorney the Fourth Judicial District, I oversee human trafficking and prostitution prosecutions in El Paso and Teller Counties. Unfortunately, my office is no stranger to these crimes.

In Colorado Springs, we have seen traffickers market their services as massage therapy. Places of prostitution, which often engage in human trafficking, are difficult to shut down. In fact, my office has repeatedly prosecuted the same offenders for the same convictions: pimping, pandering, human trafficking, and providing a place for prostitution. House Bill 16-1320 would clarify the authority of local jurisdictions to regulate massage parlors, and eliminate the current revolving door whereby a criminal business owner can simply change a name or location and continue to operate despite a conviction.

House Bill 16-1320 also will make it a misdemeanor to aid and abet unlicensed massage practice. My office can use this provision to go after the human trafficker - the root of these crimes -- without having to run a prostitution sting. Current law only allows for a misdemeanor against the person providing the unlicensed massage therapy. In my experience, this person is often the victim in a trafficking ring, and thus the bill shifts the prosecutorial focus away from victims and onto perpetrators. My office has worked to provide assistance to victims, and strongly supports this shift in focus.

A business owner engaged in trafficking and prostitution should not be allowed the appearance of legitimacy. Yet the individuals I have prosecuted twist the existing Massage Therapy regulations to avoid detection and consequence. For this reason, I believe House Bill 16-1320 will greatly benefit the state.

Sincerely,

Shannon Gerhart
Deputy District Attorney
Fourth Judicial District