

Senate Judiciary Committee  
200 E. Colfax Ave.  
Denver, CO 80202  
RE: HB16-1320 Letter from Stephanie Benitez

April 25, 2016

Dear Madam Chair and Members of the Committee,

I am writing to express my support for HB16-1320. As a Special Agent with the FBI, I have worked human trafficking cases for over 10 years in Los Angeles, Washington-DC and in the beautiful state of Colorado. I am a member of the Colorado Trafficking and Organized Crime Coalition (CTOCC) which is a task force composed of approximately 25 different local, state, and federal departments. CTOCC investigates predicated venues of human trafficking including Massage Parlors. Since my time with CTOCC, I have been directly involved with the investigation of over 50 illicit massage parlors throughout the state including those in Grand Junction, Colorado Springs, Fort Collins and the greater Denver Metro area. Despite our efforts to investigate these fronts for illicit sex, these businesses (linked to human trafficking) continue to flourish beyond law enforcement's capabilities and resources. When I arrived in Colorado in 2012, our access to open source information revealed approximately 107 illicit massage parlors across the state. When HB16-1320 was introduced last month, that number had risen to 337 suspected illicit massage parlors.

I can tell you that in my experience with numerous federal and state violations I have worked since starting by law enforcement career in 2002, investigating and charging human trafficking is the most challenging. For that reason, law enforcement often has to rely on other violations and regulations to tackle this emergent problem. The proposed bill is not an overhaul of the prior law but provides clarification to investigators and closes loopholes. It also addresses some of the challenges we have found when investigating these businesses.

There are many reasons this bill will support law enforcement efforts to fight human trafficking. I will focus on three components.

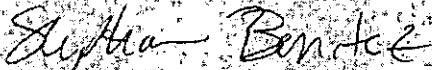
First, several types of massage are currently exempted from regulation such as massaging of the feet. This bill moves those exemptions from law into a more flexible regulation that can be amended when an exemption is exploited. I have personally executed search warrants on massage parlors that were marketed as "foot spas." I recall my first federal search warrant I executed in Colorado was located in Jefferson County and was the busiest illicit sex businesses in the state servicing over 30 men a day with sexual services. Its name: Happy Feet.

Second, current law allows for the denial of a license for prostitution related offense. This bill expands the list of denial criteria to include human trafficking related offenses and good moral character. In my experience, it is not atypical to arrest individuals working within massage parlors that have criminal histories originally charged with trafficking, pimping, prostitution but pled down to lesser charges such as business violations or deferred sentences. Currently DORA does not have the ability to deny a license for that type of history. This bill would change that and allow for denial of a license to lesser known charges associated with human trafficking.

Third, this bill makes it a class 2 misdemeanor for aiding and abetting unlicensed practice, with grounds for an arrest. When I first started examining massage parlors it reminded me of working takeover bank robbery crews in Los Angeles. Law Enforcement is trained to identify and arrest the subjects committing the robbery but the real problem were the organizers that were located far from the bank and infrequently pursued. Likewise, this new law would assist law enforcement with identifying the traffickers and owners disguised as "managers" and "cleaning ladies" that may or may not be on the premises as opposed to the working girls committing acts of prostitution. While we still will have the burden to secure enough evidence for the arrest, I believe this component of the bill is most significant as it shifts the focus on the problem from potential victims to the controllers and perpetrators. Ultimately, this is where our hopes are aimed; to use multiple tools, tactics and laws to identify these modern day slave owners.

For these reasons, I believe HB16-1320 would benefit the efforts of law enforcement to identify and arrest human traffickers that shamelessly hide behind their victims and the massage therapy profession.

Sincerely,



Stephanie Benitez  
Special Agent  
Federal Bureau of Investigation