

## **Criminalizing Unlicensed Massage Fails to Combat Human Trafficking and Hurts Communities**

Many people believe that cracking down on unlicensed massage businesses will help stop illegal activities such as human trafficking. While this may seem like a straightforward solution, experts and professional organizations warn that criminalizing unlicensed massage often causes more harm than good. Rather than targeting traffickers, these laws frequently punish legitimate massage therapists, complicate enforcement efforts, and discourage victims from seeking help.

### **Reasons Unlicensed Massage Should Not be Criminalized**

#### **Reinforcing Stigma**

Many qualified massage therapists, especially immigrants, small business owners, and newly trained professionals face financial, language, and bureaucratic barriers to meeting licensing requirements. Criminalizing unlicensed massage unfairly targets these hardworking individuals who have no connection to trafficking.<sup>1</sup>

Asian massage workers face racialized and gendered surveillance and violence. The tragic 2021 shootings of Asian massage workers in Georgia highlighted how deeply entrenched this problem is, connecting the violence not just to anti-Asian racism but also to systemic policing and harassment of migrant massage workers. As sociologist and outreach organizer Elena Shih explains, many Asian massage parlors have long been targets of law enforcement raids under the guise of anti-trafficking efforts, which often terrorize workers who are not involved in trafficking or sex work at all.<sup>2</sup>

#### **No Evidence That Licensing Reduces Crime or Improves Public Health**

A 2020 study by Deyo, Hoarty, Norris, and Timmons analyzed decades of FBI crime data and CDC health information to determine whether stricter licensing laws reduce prostitution-related crimes or sexually transmitted infections. The study found no significant impact on either.

Instead, licensing requirements often create unnecessary obstacles for legitimate massage businesses, especially small entrepreneurs already facing financial and bureaucratic challenges. Criminalizing unlicensed massage, therefore, shuts people out of economic opportunities without making communities safer or healthier.<sup>3</sup>

#### **It Deters Victims from Seeking Help**

When unlicensed massage is criminalized, trafficking victims, many of whom are coerced or undocumented, often fear arrest, deportation, or prosecution if they come forward. This fear creates a chilling effect, making it harder for law enforcement and community organizations to identify and support survivors, while traffickers maintain control.<sup>4</sup>

Police raids and enforcement often lead to arrests, deportations, and job losses for migrant massage workers who are caught up in the criminal justice system. Many workers refuse to identify as trafficking victims to avoid lengthy legal processes and the risks of cooperation with law enforcement.<sup>5</sup> The constant threat of raids and policing makes it unsafe for workers to report abuse or unsafe conditions, further empowering traffickers.

### **Disproportionate Impact on Marginalized Communities**

Immigrant women and other vulnerable populations, often with limited English proficiency or access to resources, are disproportionately affected by strict licensing enforcement. This dynamic can blur the line between unlicensed workers and trafficking victims, leading to over-policing and social harm in marginalized communities.<sup>6</sup>

As Shih emphasizes, the policing and surveillance of Asian massage workers is racialized and gendered, making this group particularly vulnerable to systemic violence, legal harassment, and economic precarity. The enforcement tactics, rather than protecting these workers, often contribute to unsafe working environments and trauma.

### **It Actually Increases Vulnerability to Trafficking**

When law enforcement targets massage parlors for raids or shutdowns under the guise of combating trafficking, workers and even victims often end up worse off. When unlicensed massage is criminalized, workers cannot safely turn to the police if they are abused or robbed as doing so risks arrest, deportation, or stigma. A criminal record can drastically inhibit a person's ability to obtain adequate employment or housing. As police crackdowns displace them, these workers are forced into more isolated and underground settings, cut off from community networks and protections, making them more exposed to wage theft, coercion, and other forms of exploitation.<sup>7</sup>

### **What Community Stakeholders Can Do**

Rather than relying on criminal penalties for unlicensed massage, experts recommend focusing on approaches that:

- Provide education and support to legitimate massage therapists, especially small business owners and immigrants.
- Strengthen labor protections and access to resources for workers in the massage industry.
- Ensure enforcement focuses on identifying and stopping coercion and trafficking, while protecting victims and avoiding unnecessary criminalization of unlicensed workers.
- Support grassroots migrant, labor, and sex worker rights organizations that prioritize worker safety, economic security, and community-based solutions over policing and raids.

By adopting these strategies, communities can protect workers, support small businesses, and make meaningful progress against trafficking without causing unintended harm.

## References

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4. Department of Homeland Security, 2025 *What is Human Trafficking?*
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