

NASSAU COUNTY PO DEPARTMENT

ELIMINATION OF ILLEGAL MASSAGE PARLORS

A PROBLEM ORIENTED POLICING PROJECT ANALYSIS
PREPARED FOR THE P.E.R.F. AWARDS PROGRAM



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OVERVIEW

Nassau County has often been identified as one of the most desirable places to live and work in the country. In 1994 Nassau County residents discovered a sudden influx in criminal activity that threatened to undermine the quality of life to which they had become accustomed.

The problem was illegal massage parlors housing prostitutes and their trade. These facilities began to flourish, particularly along Nassau County's western border, adjacent to New York City. Community activist groups expressed in written correspondence the lack of police effectiveness in deterring and closing down these facilities

The Nassau County Police Department's Vice Squad was utilizing traditional investigative strategies that were generating arrests and code violations but were not closing or preventing the proliferation of these disreputable businesses. Precinct Commanders and Patrol Officers were frustrated with traditional methods and began to look for a new and innovative approach to eliminating this problem.

The Police Department's Problem Oriented Policing team (P.O.P.) analyzed the problem and initiated a non traditional approach to eliminate this problem. The Problem Oriented Policing team solicited the assistance of the Building Department, Fire Marshals office, federal, state and local agencies.

The operators of these illegal facilities were normally issued summonses for the violations, with court delays and stays these facilities were allowed to remain open, only adding to the frustration of the public and Police Department

The response initiated by the Police Department's P.O.P team was to target the owner of the properties involved and informed them of the illegal activities occurring on their property, possible violations of their leases and fire/building code violations that were present at inspections. The property owners would be issued summonses for these violations. Owners were now officially notified that non compliance would result in their arrest, fines would be levied and injunctions placed against their property.

The results of these efforts were outstanding. All the illegal massage parlors were either closed or vacated. This unique and innovative approach has helped promulgate a renewed sense of respect for the Police Department. Follow-up surveys within the neighborhoods surrounding the affected areas expressed a renewed sense of confidence in the police and government agencies to return them to the quality of life to which they had become accustomed.

SCANNING

In 1994 Nassau County Police Department's Problem Oriented Policing Team (P.O.P.) was assigned to investigate a problem that alarmed and concerned the residents, Patrol Officers, and Precinct Command Officers. The problem was the sudden influx of illegal massage parlors housing prostitutes and their trade.

Community activist groups expressed in written correspondence the lack of police effectiveness in deterring and closing down the illegal massage parlors. The community viewed traditional policing methods as not being effective, which in turn led them to become suspect of the police department's commitment in eliminating this problem that was affecting their quality of life. Residents were concerned for the safety and well being of their children, the devaluation of their properties, and the appearance that the neighborhood would allow this type of activity to exist.

The Problem Oriented Policing team used the problem solving methodology and the S.A.R.A. model (scanning, analysis, response, assessment) to approach this problem. The P.O.P. team surveyed the Vice Squad, Patrol Officers and the Crime Analyst. The P.O.P. team also accessed the case offense system and interviewed community residents surrounding these locations.

These facilities began to flourish in 1994, the owner/operators of these illegal facilities advertised in local newspapers, magazines and handed out business cards at the local gyms. They advertised massage and used other words synonymous with massage therapy. The survey revealed that these facilities were providing unlawful and unlicensed massage by unlicensed massage therapists. These "therapists" then offered sexual acts for a fee. A majority of the persons who were working at these facilities were of Korean descent.

The Police Department's Vice Squad was utilizing traditional investigative strategies that were generating arrests and code violations but were not closing or preventing the proliferation of these disreputable businesses. Arrests for prostitution and related offenses were being made. In addition, violations of the Education Law were also being charged under the sections regarding Unlicensed Massage and Unauthorized Use of a Professional Title. The Vice Squad occasionally invited the Building Department and Fire Marshals office on raids. These departments issued summonses to the prostitutes or operator of the facility.

The P.O.P. team contacted the County Clerks Office and discovered the identities of the owners of the buildings and properties where the illegal massage facilities were located. The owners were contacted and interviewed. During the interviews it became apparent that the lease agreements by the owners and the tenant were fraudulent. The tenant usually stated that they were opening a massage facility or physical therapy center and the person who signed the lease was never to be seen again. This created problems with injunctions because defense attorneys claimed that leaseholders were not arrested or convicted of prostitution. Alterations done to the building also violated lease agreements and did not conform to local building, fire codes. Most of the owners of the properties were aware of the violations but did not demand compliance.

ANALYSIS

The P.O.P. team conferred with the County District Attorney's office and interviewed the agencies who were responsible for issuing injunctions or closing down these illegal facilities. Each agency had differing criteria, priorities or lack of personnel to combat the sudden influx of illegal massage parlors. Stays and delays were issued by the court or requested by defense attorneys. All the while the illegal massage parlors remained open and continued to do business. The Health Department and the State Department of Education were at odds over who had jurisdiction for closing these facilities.

Information gathered on the "therapists" revealed that most were Korean Nationals and legally entered the United States. They were either recruited or took the job because of a lack of employable skills and the lack of ability to speak and understand English. Help wanted advertisements in Korean newspapers were used to recruit these women. Undercover investigations by Vice Squad produced arrests only to have these people return to conduct business the next day.

Interviews of patrons (Johns) revealed most had found these establishments by reading newspapers, personal service advertisements, and massage therapy notices or by word of mouth.

When the scanning/analysis was completed, the P.O.P. team decided to target the owners of the property. The goal would be to eliminate all of the illegal massage parlors within its jurisdiction.

RESPONSE

After analyzing the problem the P.O.P. team considered several courses of action. They were:

Vice Squad	Continue undercover investigations
Public Health Law	Injunctions, Nuisance Statute
V.T.L. Enforcement	Patrons and Employees
Photography	Photos of patrons and employees
Media Response	Publish identification of arrested patrons, etc. Coverage of initiatives Reduce/eliminate advertising.
Immigration Naturalization Service	Cooperation
Department of Education	Licensing of massage therapists prosecution of illegal "therapists"
Fire Marshal	Code Enforcement
Building Department	Code Enforcement
District Attorney's office Complaint Bureau	Reduce plea bargaining Filing of complainants Review of existing laws
Enterprise Crime Bureau	Timely prosecution of cases Investigation of Asian organized crime activity
Internal Revenue Service	Investigation, prosecution of tax evasion statutes
Landlords	Cooperation
Landlord-Tenant Advisory Board Local court	Review lease agreements Adopt no delay, stay attitude regarding illegal massage parlors, strict enforcement of penalties
Sheriffs Department	Eviction notices, evictions

The P.O.P. team met with Immigration, Internal Revenue Service and Customs. These agencies at present could not offer any assistance. Meetings with the Building Department and the Fire Marshals Office proved to be positive.

The team contacted the owners of the properties involved and informed them of the illegal activities occurring in their buildings, possible violations of their leases and fire/building code violations that were present at the time of Vice Squad arrests. The owners were asked to cooperate with the Police Department in ridding the community of these illegal massage parlors and their prostitutes. The owners of the properties would be served summonses for these violations. By issuing the summonses to the owner they were now officially notified and subject to arrest or fines for non compliance of local ordinances. Owners were advised that if renovations were made without their consent and did not conform to code, along with the fraudulent type of business presented, this information would be enough to proceed with an eviction. When an owner was cooperative, information provided by the department of education stated that the employees and lease holder were not licensed by the state to practice massage therapy. This allowed the owner to proceed in court. Arrangements were made with the courts and the Sheriffs Department to accelerate the eviction process.

When an owner was uncooperative, the P.O.P. team met with Fire Marshals and Building Inspectors. After Vice Squad raids, the P.O.P. team conducted follow up investigations regarding building and fire code violations, if violations were present summonses were issued to the owners of the property. The violations ranged from \$250.00 to \$1000.00 a day. Fire code violations ranged from a warning to \$5000.00. In most cases these penalties were much stiffer than the penalties being imposed on their tenants. Other business property owned by lethargic owners was inspected and appropriate enforcement action was taken for code violations. Follow up inspections continued until compliance was achieved or an eviction was completed. If an illegal massage parlor was located with several other lawful businesses, these establishments were also inspected for code compliance and if violations were observed, summonses were issued. This resulted in additional pressure being placed on the landlord.

We conferred with the District Attorney's Complaint Bureau and requested that complaints be filed against the owners for Permitting Prostitution and Criminal Nuisance 2nd degree. These charges were made possible by issuing the summonses to the property owners and informing them of the illegal activity being conducted on their property. The property owners' failure to proceed with an eviction would result in their arrest. This course of action proved to be more effective and resulted in faster evictions.

Mortgage lenders were notified of code violations and the illegal activities occurring on the property. They were asked to contact the mortgagee and request they comply with existing laws and ordinances. The banks were notified of a possibly embarrassing situation, if after Vice Squad raids, the arrests of the prostitutes, property owners and mortgage lenders names were published by the public information officer or researched by newspaper staff writers.

While the foregoing business related activities were taking place, strong V.T.L. enforcement, field interviews and D.W.I, inspections were directed at the patrons and employees of the establishments.

The P.O.P. team contacted the local newspapers and solicited their cooperation in identifying these massage parlors to the public and possibly releasing the names of patrons and prostitutes. Newsday was contacted regarding advertisements in their classified section for these illegal massage parlors, this prompted Newsday to alter its ad policy that now requires that they conduct a background check of the business placing the advertisements. Newsday no longer publishes these locations. We contacted local gyms and requested they remove the business cards from their bulletin boards, they did.

A local radio station interviewed the County Executive and a Precinct Commander regarding the influx of illegal massage parlors and the communities concern. This interview disclosed to the public the police department's resolve to addressing this problem.

The P.O.P. team contacted the town attorney to research the feasibility of enacting a new town ordinance combining Education law, Business law, Tax law and local ordinances. If the criteria required was not met prior to opening, then these facilities would be illegal. This would allow the town to temporarily close a facility until the proper documentation was provided or verified using telephonic communications. Any person attempting to do business could be arrested based on this ordinance. At present this ordinance is being researched.

Vice Squad personnel were made available to testify at eviction or injunction proceedings.

ASSESSMENT

The cooperation of local agencies, the District Attorneys office and the N. Y.S. Department of Education resulted in a unique and innovative approach. This approach resulted in all illegal massage parlors being closed or vacated.

Compliance was achieved by issuing the owners of the properties involved summonses and informing them of possible arrest for maintaining an illegal massage parlor/prostitution premise. The effectiveness of civil penalties and fines was realized.

When the court issued evictions and the Sheriff posted the location, the illegal massage parlors vacated the premise prior to physical eviction. Other local illegal massage parlors in the area also vacated their premises.

During the assessment phase we recontacted the I.R.S. based on information extracted from the landlords. It was discovered that a subject previously arrested for promoting prostitution was operating or paying the rent on other locations located in Nassau and Suffolk county. This information along with bank names and account numbers was given to the I.R.S. Criminal Investigations Division who are making inquiries into tax evasion charges.

This approach allowed the officers an opportunity to work closely with other federal, state, and local agencies. They discovered the benefits and limitations each agency has to offer.

The success of this approach was acknowledged by the community, county residents and local government officials in written correspondence and interviews. Residents expressed a renewed sense of confidence in the Police Department and government agencies, returning them to the quality of life to which they had become accustomed.

The Police Department notified neighboring police agencies for possible displacement activity.

MAINTENANCE

The Police Department conducts periodic reviews of the local newspapers, magazines, gyms' advertisements and interviews residents for information on these types of facilities. Intelligence information gathered by police personnel reveal no illegal massage parlors. Open lines of communication are routinely maintained between resident groups and business associations.