




County of Fairfax, Virginia

MEMORANDUM

DATE: February 11, 2022

TO: Board of Supervisors

FROM: Bryan J. Hill
County Executive 

SUBJECT: Human Trafficking/Illicit Massage Businesses

On March 10, 2020, Supervisor Pat Herry, jointly with Supervisor Alcorn and Supervisor Lusk, introduced a board matter directing this office to develop a plan to address illicit massage businesses (IMBs) and to evaluate possible changes to relevant County ordinances. This is an update on the County's efforts, including ongoing coordination with non-profit and law enforcement partners, to address IMBs in Fairfax County.

Timeline:

- Human Trafficking and IMBs have been a topic since 2014
- Supervisor Herry's Board Matter (attached) – March 10, 2020
 - COVID delayed additional attention/action
- Northern Virginia Human Trafficking Initiative (Faith-Based) pushes for movement on IMB's – Early September 2020
- Deputy County Executive Dave Rohrer solicited agency heads for workgroup representation – September 24, 2020

During Q1 2021, the Fairfax County Police Department's (FCPD) Major Crimes Bureau Missing and Exploited Person Squad (Detective Katherine Wears and Christopher Rekas) partnered with the Fire and Rescue Department's (FRD) Office of the Fire Marshal (Lt. Dave Lauler) to inspect approximately 10% of the identified IMB's that operate in Fairfax County (~120)

During the inspections, violations of the Virginia Statewide Fire Prevention Code were observed and cited. This resulted in approximately:

- 7 Notices of Violation
- 2 Individual Summonses
- 11 Virginia Corporate Summonses

Addressing license and permit violations was not the primary focus of the detectives. The detectives' attention was on establishing a dialogue with the employees and customers at each business. Their efforts centered around identifying victims of human trafficking and educating the community on services available to support them.

Key Points:

- Massage Licensure is a function of the Virginia Board of Nursing
- Deficiencies exist in the local ordinance (Chapter 28) and administrative processes
- There is no investigator (position vacant for 3+ years) in the agency where the ordinance currently resides, the Department of Cable and Consumer Services (DCCS)

Recommendations:

- Strengthen the Fairfax County Ordinance: Chapter 28.1 can be viewed [here](#)
 - A robust ordinance that addresses the physical establishment and licensing requirements for establishment owners is necessary to effect change
- Recommend the ordinance reside in an agency with inspection authority
 - Massage is an allied health profession, therefore the ordinance and primary inspection responsibility for establishments should probably reside in the Health Department
- A coordinated/collaborative approach to year-round inspections of IMBs by various agencies with authority to inspect (FCPD, FRD, Health, & DCCS) will likely curb illicit activity
 - Observed concerns or indicators of Human Trafficking (sex or labor) activities associated with a “Bawdy Place” or other criminal activity should be referred to the appropriate entity within the FCPD for further investigation

Attachment: Supervisor Herrity’s March 10, 2020 Board Matter

cc: Rachel O’Dwyer Flynn, Deputy County Executive
Christina Jackson, Chief Financial Officer
Christopher Leonard, Deputy County Executive
Ellicia Seard-McCormick, Deputy County Executive
Chief Kevin Davis, Fairfax County Police Department
Chief John Butler, Fairfax County Fire and Rescue Department
Dr. Gloria Addo-Ayensu, Director, Health Department
Rebecca Makely, Acting Director, Department of Cable and Consumer Services
Jill Cooper, Director, Clerk Services