

Mar 9, 2021

Dear Members of the Committee,

Thank you for letting me voice my concerns about Senate Bill 55. I am not opposed to the intention of SB55. It is well intentioned. I am opposed to it as written. It would be putting many legitimate businesses out of business that are not bad actors and providing illegal services. Creating hardship for some Ohio families.

Listening to the testimony in the 1st hearing on SB55, I think there was an impression that people performing legitimate relaxation massage services are primarily somehow skirting current laws for nefarious reasons or pulling a fast one on the system. I know 14 people near me either through a business or individually that are licensed by local municipalities and performing relation massage without any illegal activities being performed. I agree there are businesses that are providing illegal services and involved in human trafficking. If I know 14 people near me that are making their livelihood with legitimate relaxation massage businesses, I would guess statewide it would be at least be in the hundreds. Being in the massage business to do relaxation massage is used a lot more for legal massage than illegal massage services and not primarily used to provide illegal services. I'm not disagreeing that there are businesses that are bad actors in the massage business. I disagree that the primary reasons that the people not licensed by the state medical board are bad actors. The bad actors exist, but are not the primary use of non medical board massage.

Relaxation massage and licensed therapeutic massage are two totally different services. It was said in the hearing that relaxation massage providers are performing the same techniques as state licensed massage therapist. I go to both and the same techniques are not being performed at both. You would not go to a relaxation massage business for a sports injury. At times I need medical therapeutic massage. Where I go for relaxation massages they make it very clear that they do not perform medical therapeutic services. I would not go to a relaxation massage business, as I would not go to a barber or a cosmetologist for, which are exempt in this bill, for medical therapeutic massage. I am not sure what training barbers and cosmetologist have to be exempt in this bill for providing therapeutic massage services. Having barbers and cosmetologist exempt would create confusion as to who can provide licensed medical therapeutic massage. To not have confusion on what services can be provided by providers not licensed by the state medical board could be classified as non-therapeutic massage services and not called relaxation massage. This could also apply to barbers and cosmetologist who do not have medical massage training.

It would be unjust to put these law abiding people out of business that are not breaking any laws and established and made investments in their businesses under laws and local regulations that were in place when they established their businesses. They have been in business for several years. They are supporting their families, have children in college, buying homes, etc. Putting them out of business because of the bad actors could create extreme hardship for them and losing the investment they have made in their businesses and their livelihood. They have

just struggled through shutdowns because of Covid 19. Being self employed and shut down because of a new bill, they wouldn't qualify for unemployment. It would be unfair to create more hardship for these citizens. Most of them are not aware a law may be coming that would take their livelihood away. It would be quite a shock to find your businesses are becoming illegal.

I know you can't grandfather and exempt current relaxation massage businesses as a whole, because that would also exempt the bad actors. I am suggesting that the bill be amended to allow current relaxation or un-therapeutic businesses that could pass strict background checks. I have attached a copy of the city of Canton, Ohio's ordinance 114 as an example of licensing massage establishments. With this ordinance it would be nearly impossible for any business trying to be a front for human trafficking to be licensed. They would not be able to pass background checks that include two previous addresses, copy of birth certificate, proof of identification such as driver's license or social security card, previous three years of employment, previous criminal convictions, a certificate from a medical doctor, etc. This ordinance could be used as example to establish guidelines for current legitimate relaxation or non-therapeutic business and eliminate ones that are providing criminal activity. Relaxation massage and bad actors providing sexual services and involved in human trafficking are two different businesses and should not be lumped together.

Also there are multiple websites in Ohio that advertise illegal sexual services. I found ten such sites. One alone in Cleveland area had 374 ads dated Sunday, March 7, 2021. From reading news articles about bust concerning these ads. Human trafficking is involved in these. Some examples have been Operation Home Run, Operation 3rd and Goal, and Operation 4th and Goal. A concern is that with the passage of SB55 the bad actors would not go away. They would just move to these websites. The most affected would be the businesses that are not involved in criminal activity or providing illegal services.

I urge you to at least amend SB55 to not put current legitimate businesses out of business that are not involved in any criminal activity. Canton Ohio's ordinance 114 can be used as an example to make amendments to SB55. I know of one community that under its current ordinance does not license any new establishments. It would still be effective in accomplishing the bills goal of shrinking the means through which human traffickers move and prostitute men, women, and children. There is not anything additional in SB55 to stop or limit human trafficking than what is in Canton's ordinance 114.

Thank you for your time in reviewing my testimony and considering changes or amendments to SB55.

Sincerely,

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