



# Hotel Ordinance Presentation

# Defining Human Trafficking

**Sex trafficking** is the use of force, fraud, or coercion to cause a commercial sex act. **Force, fraud or coercion is not needed if it is a minor.**

**Labor Trafficking** is the use of force, fraud, or coercion to compel a person for labor or services in involuntary servitude, peonage, debt bondage, or slavery.

The difference between wage theft and labor trafficking is **freedom of movement**

Traffickers Will Lure Victims with Promises of



Protection



Home



Love



Opportunity



Adventure



The American Dream



Employment

Traffickers Will Then Use



Fear



Violence



Intimidation

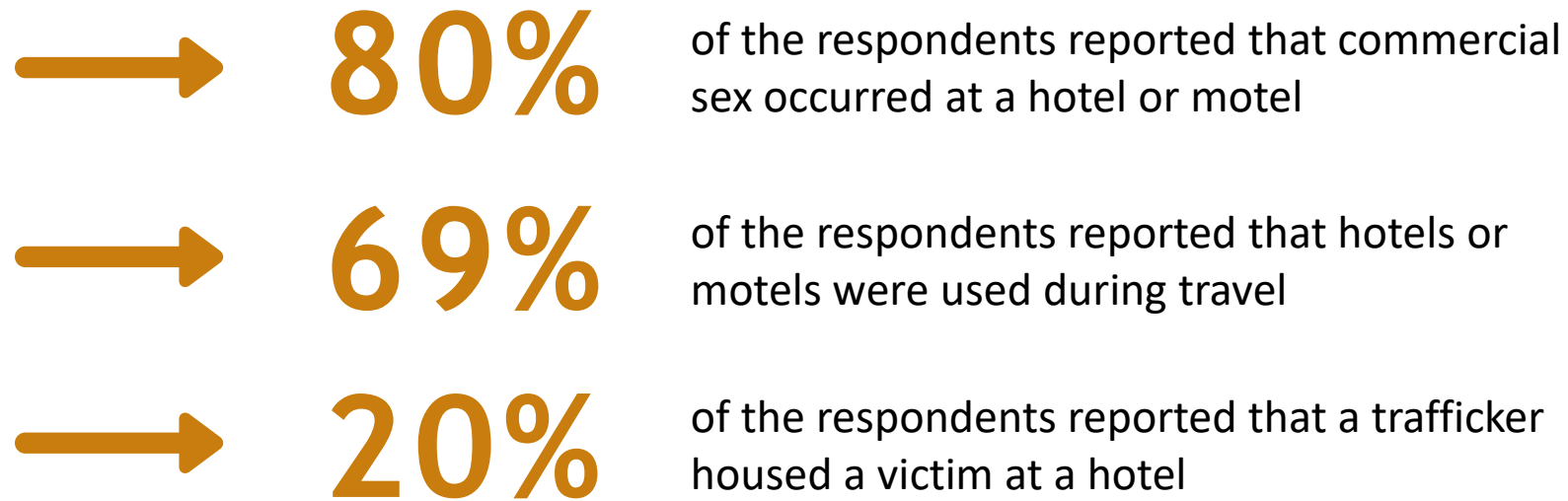


Threats

to maintain and assert control over victims to ensure compliance and meet the demand



# National Data – Sex Trafficking Survivor Survey



Potential human trafficking victims encounter the hospitality industry daily—whether they’re forced to engage in commercial sex, seeking safe refuge after fleeing their trafficker, living temporarily on-site, or being trafficked by the hotel

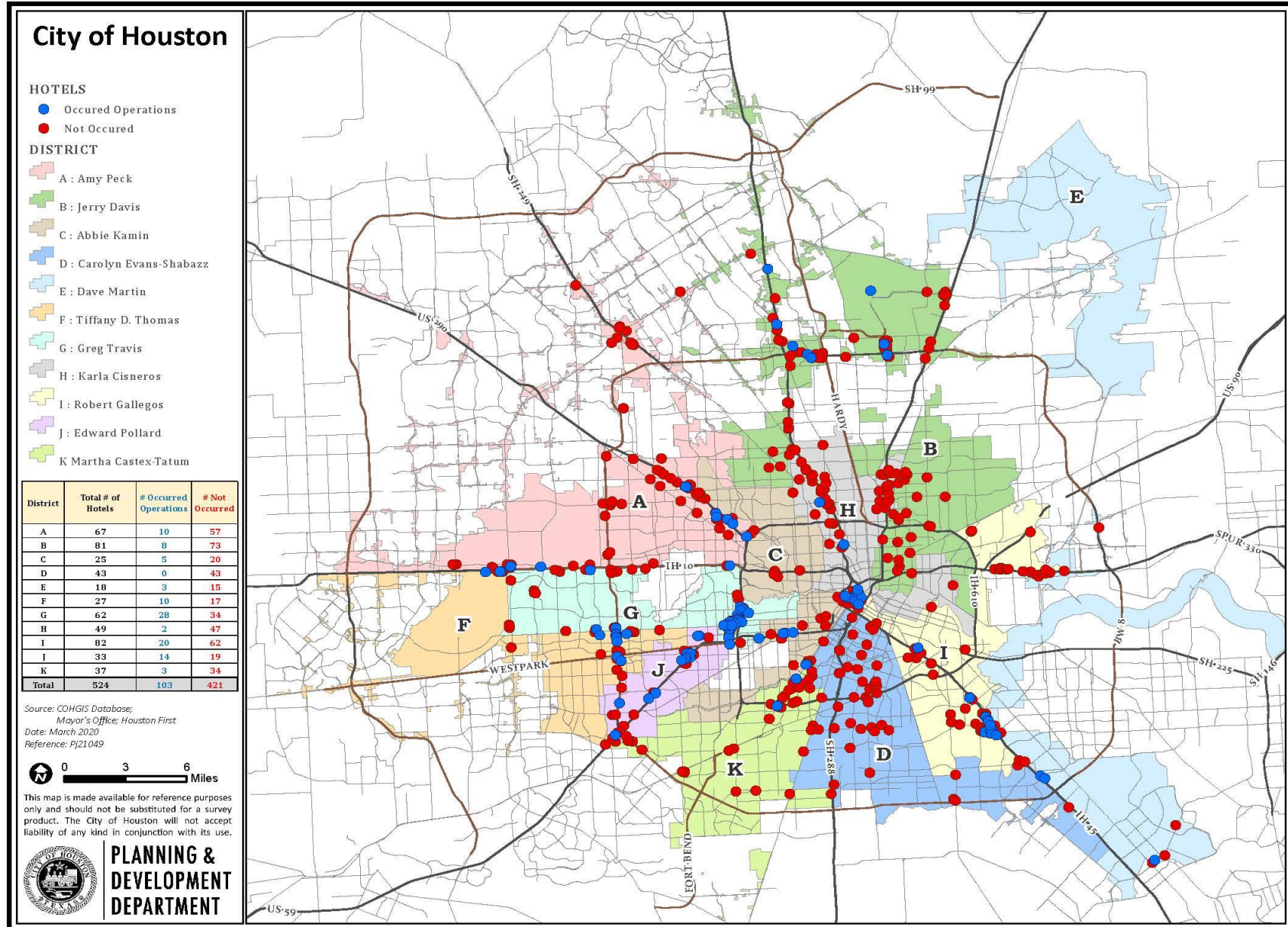
**Source:** On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking: Hotels and Motels, pg. 16, <https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking-Hotels-and-Motels.pdf> (2018).



**children  
at Risk**  
*Speaking Out + Driving Change for Children*

# Hotel vs. HPD Ops – Capacity Issue

- 524 hotels in Houston as identified by red dots
- 269 operations conducted by HPD at 116 locations over 4 years identified by blue dots
- Ops conducted through HPD connections, calls from hotels or hot spots for prostitution
- Ops resulted in 674 Vice charges and HPD encountered 74 victims





# Hotel vs. HPD Ops - District Breakdown

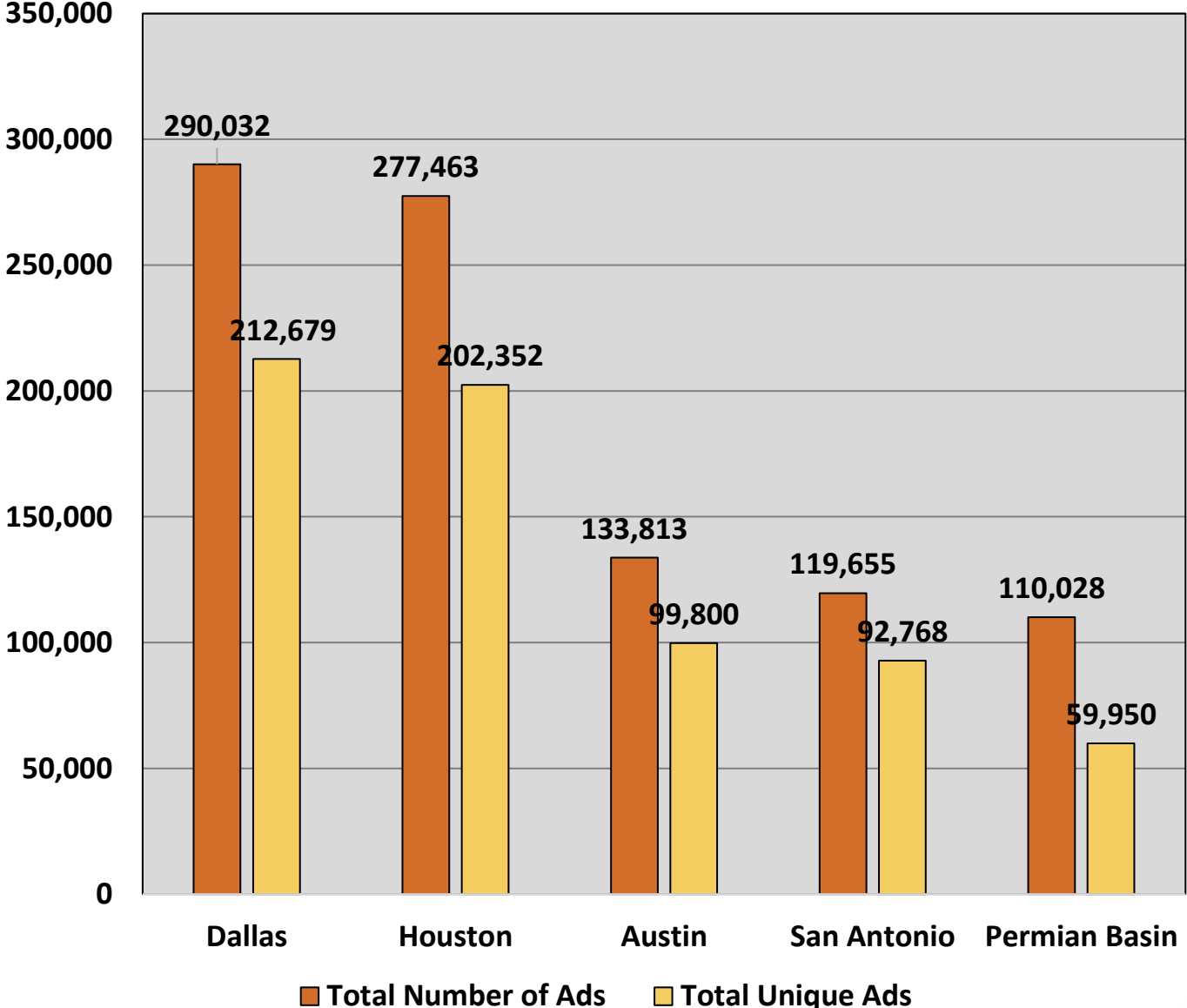
- District Breakdown shows how many operations conducted in hotels in your districts
- Demonstrates need for more eyes and ears to report trafficking if you look at the hotels that HPD may not have the capacity to reach
- If tips are accurately reported, may increase HPD efficiency

District	Total # of Hotels/Motels/Extended Stay	# Operations Occurred	# Not Occurred
A-Peck	67	10	57
B-Davis	81	8	73
C-Kamin	25	5	20
D-Evans-Shabazz	43	0	43
E-Martin	18	3	15
F-Thomas	27	10	17
G-Travis	62	28	34
H-Cisneros	49	2	47
I-Gallegos	82	20	62
J-Pollard	33	14	19
K-Castex-Tatum	37	3	34

# Local Ad Volume Data – Other Texas Cities

Range: May 1, 2019 – February 13, 2020

- C@R is tracking commercial sex ads across 4 online sites in Texas
- Houston has had 277,463 total ads over an 8 month period; 202,352 of the ads are unique
- These ads for illegal commercial sex are often posted by traffickers
- They offer indoor prostitution services as opposed to outdoor/street level prostitution
- Indoor prostitution frequently occurs at or in hotels or motels
- We are second to Dallas in number of ads



# Case Study - HSI vs. Patel – New Orleans

- HSI prosecuted case under TVPA –defendant plead guilty to knowingly benefitting from “participating in a venture that engaged in trafficking crimes”
- Defendant motelier charged traffickers higher rates and would open the back gate to allow customers entry
- Defendant knew trafficker physically assaulted the victims, including a brutal beating of one with a large piece of wood while she screamed
- The defendant also saw the damage to the motel room including a broken toilet, a damaged sink and blood on the walls
- The defendant agreed not to call the police after being paid



The screenshot shows a news article from the Department of Justice. The header includes the Department of Justice logo and the text "THE UNITED STATES DEPARTMENT OF JUSTICE". The article title is "Louisiana Motel Owner Pleads Guilty in Sex Trafficking Case". The sub-headline is "Sex Trafficking Scheme Used Threats, Violence and Coercion to Compel Women into Prostitution in New Orleans and Elsewhere". The article text states: "Today, a motel owner pleaded guilty to financially benefiting from a sex trafficking scheme operated out of the Riviera Motel in New Orleans in which multiple adult women were compelled to engage in prostitution, announced head of the Civil Rights Division Principal Deputy Assistant Attorney General Vanita Gupta and U.S. Attorney Kenneth Allen Polite Jr. of the Eastern District of Louisiana. Kanubhai Patel, also known as Mr. Kenny and Pop, 74, of Kenner, Louisiana, pleaded guilty to one count of benefitting financially from trafficking in persons." The article also includes quotes from Principal Deputy Assistant Attorney General Gupta and Special Agent in Charge Michael Anderson of the FBI's New Orleans Office.

# Case Study - Plainfield Inn - Houston

- In a Chapter 125 nuisance and abatement suit, the State cited that from May 2014 through April 2016 there were over 400 calls for service to HPD at the Plainfield Inn, located off of the Bissonnet “track” which is known for street-level prostitution
- Calls for prostitution arrests, drug offenses, weapons offenses, armed robberies, and theft on premises
- A private civil suit was filed in 2017 by a victim’s mother after her minor daughter was found dead and was sex trafficked out of the Plainfield Inn
- The plaintiffs alleged traffickers used the Plainfield Inn as their base of operations and defendants tolerated these activities to acquire a steady stream of income
- **Petitions stated that had the hotel employees been trained, the minor victim may have been rescued**

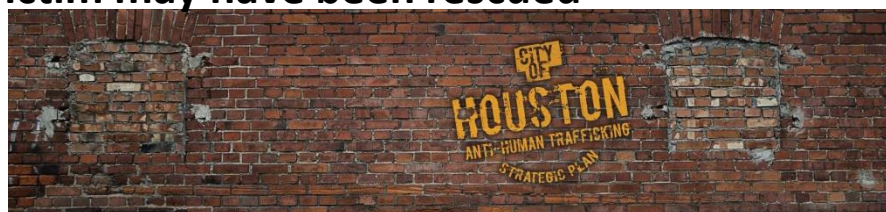
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CIVIL PRACTICE AND REMEDIES CODE

TITLE 6. MISCELLANEOUS PROVISIONS

CHAPTER 125. COMMON AND PUBLIC NUISANCES

SUBCHAPTER A. SUIT TO ABATE CERTAIN COMMON NUISANCES

Sec. 125.001. DEFINITIONS. In this chapter:
(1) "Common nuisance" is a nuisance described by Section
125.0015.
(1-a) "Computer network" means the interconnection of two or
more computers or computer systems by satellite, microwave, line, or
other communication medium with the capability to transmit information
between the computers.
(2) "Public nuisance" is a nuisance described by Section
125.062 or 125.063.
(3) "Multiunit residential property" means improved real
property with at least three dwelling units, including an apartment
building, condominium, hotel, or motel. The term does not include a
single-family home or duplex.
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# Case Study - Local Editorial and WSJ Article

- Chronicle Op-Ed reports several local chain hotels are subjects of litigation because trafficking occurred on-site and they did not report to law enforcement, promote staff awareness, or take substantive proactive steps to prevent it
- “[...] a 15-year-old high school student identified as Jane Doe #6 says she was trafficked at the Comfort Inn and sold to buyers for more than a week
- Wall Street Journal reported that over 40 lawsuits have been filed nationwide against hotel chains on 3/5/2020
- This ordinance will empower employees and protect victims from exploitation through increased reporting
- We cannot wait for litigation to change hotels’ behavior, the risks are too great.



HOUSTON★CHRONICLE

OPINION // EDITORIALS

## Hotels are hubs for sex trafficking. There are ways to fight it. [Editorial]

| Jan. 7, 2020

...ay is touted on [one travel website](#) for its prime location, just minutes from the world famous Galleria Shopping Mall and a diverse variety of elegant cuisines.” On another, it boasts a “sparkling outdoor pool.”

But in a lawsuit filed against the hotel’s parent company, Choice Hotels International, in late December, a sex-trafficking survivor — identified as Jane Doe #6 — says she was trafficked at the Comfort Inn in 2016 by a pimp, who sold her there to johns for more than a week. She was a 15-year-old high school student.

Choice Hotels failed to alert authorities, intervene or take steps to improve awareness of sex trafficking, the lawsuit alleges. “This failure lead to Jane Doe’s continued sexual exploitation and sexual assault while Choice Hotels turned a blind eye to the plague of human trafficking and the sexual exploitation of minors at their location.”

Two other lawsuits, accusing Hilton Worldwide Holdings, Inc. and Wyndham Hotels and Resorts, Inc. of not doing enough to prevent sex trafficking at their franchises, were also filed by women identified by police as trafficking victims at Houston hotels owned by the chains.



# Purpose of Proposed Ordinance

- Adopting the hotel ordinance is a proactive approach and is consistent with the city’s comprehensive muni-response to human trafficking; increasing victim identification
- Survivor study, Polaris data, HPD capacity vs. number of hotels, number of online sex ads in Houston, the case studies, Chronicle editorial and WSJ article all demonstrate the need
- Hotel employees have a vantage point to identify potential human trafficking victims
- Best way to leverage ARA to assist HPD in additional ways to increase tips

Sex Trafficking Vulnerabilities of Hotels
Escort Services
Online Solicitation
Outdoor Solicitation



Labor Trafficking Vulnerabilities of Hotels
Travelling Sales Crews
Hospitality
Commercial Cleaning Services

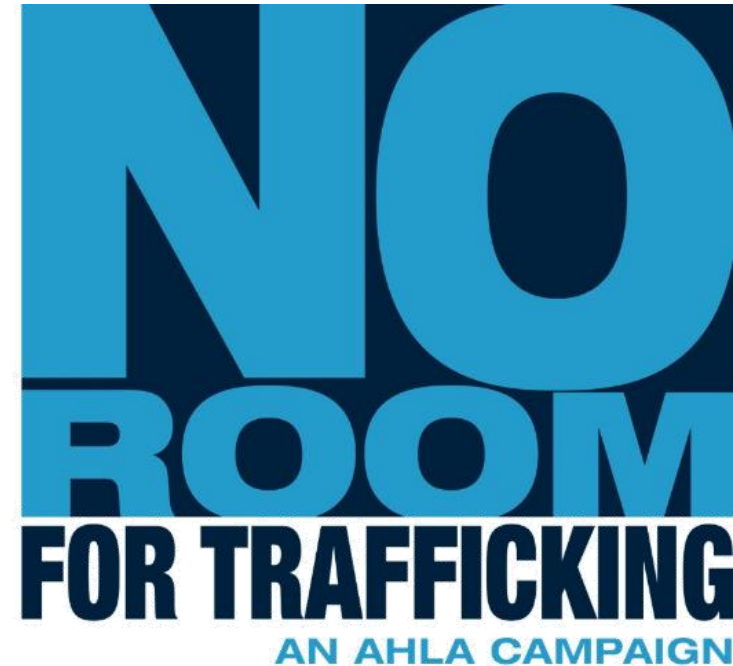


# Industry Trends

- AHLA has model legislation they are proposing
- Indication of industry recognizing the increased risk landscape for hotels/motels
- Proposed ordinance encompasses many of AHLA's recommended provisions
- Does more to hold hoteliers accountable by instituting a monetary fine and tracking federal law in keeping the "should have known" requirement

"Through vigilance, training and commitment to prioritizing the prevention of human trafficking, the hotel industry will continue to play an instrumental role in ending the scourge of this modern-day form of slavery"

- Chip Rogers, AHLA President & CEO



# Proposed Hotel Ordinance Language

## Training

**Hotels must provide human trafficking training; certification of training required**

- Hotel operators must provide training to each employee on how to identify human trafficking activities and victims, and how to safely report
- Training has a 20 minute minimum, train new hires within 30 days
- The training must include:
  - A general overview on human trafficking, definitions under federal law, information on how to identify individuals at risk of human trafficking, the difference between sex and labor trafficking within the hotel industry, the contact information on how to report to the National Human Trafficking Hotline and local law enforcement
- Free online training available in English, Spanish and 15 other languages
- Free in-person training available in English and Spanish





# Proposed Hotel Ordinance Language

## Certification & Records

**Hotels must provide human trafficking training; certification of training required**

- A hotel operator must certify to the director annually that all employees have completed the required human trafficking training starting 3/31/2021
- A hotel operator must keep sufficient records to verify that all employees have in fact completed the training
- Records must be produced within 72 hours of a request by ARA/HPD
- ARA will collect certifications and enforce the ordinance by issuing citations for violations
- HPD will also be able to issue citations if needed



# Proposed Hotel Ordinance Language

## Sign Posting

### Display of Hotline Information and No Retaliation

- The following information must be displayed for employees in English and Spanish and in 10% of languages spoken by employees; city mandated sign will state:
  - Employees of the hotel receive annual human trafficking training
  - Common indicators for both sex and labor trafficking specific to hotels
  - Call the HPD Human Trafficking Unit 718.308.8600, the National Human Trafficking Hotline at 1.888.373.7888 and if someone is in imminent danger, call 911, anonymous tips to HPD are possible
  - The National Human Trafficking Hotline is toll-free and available 24/7, can assist callers in over 200 languages, reports can be made anonymously also.
  - The ordinance does include a no retaliation clause to protect reporting employees



# Proposed Hotel Ordinance Language

## Penalties

### Penalty

- Each violation is punishable by a fine of \$100 for first offense, \$500 for future offenses
- Each day a violation continues constitutes a separate offense
- 4 possible violations: don't train and/or certify, failure to turn records over in 72 hours, no sign posting and no employee retaliation
- There is a 30 day period to cure violations

### Scenario - Extreme

- A hotel is in violation for 30 days after the 30 day cure period for each of the 4 offenses
- 1 day x 1st fine (\$100) x 4 violations = \$400 + 29 days x 2<sup>nd</sup> fine (\$500) x 4 violations=\$58,000 for a total of \$58,400 in fines in just one month if a hotel fails to cure and ARA/HPD cites all daily.



# Proposed Hotel Ordinance Language

## Cost to City and Conclusion

- Costs below are built into existing approved budgets
- \$27,000 for one time ARA/HITS development
- ARA will allocate enforcement staff with a base annual salary of \$51,000
- A portion of the salary will go toward enforcing this ordinance
- 25% of time = \$12,750
- One time sign translation cost of \$861 for 6 languages
- Estimated total cost = \$40,611 year 1, ongoing annual cost of \$12,750
- ROI, for \$40,000 the city will have 80,000 additional eyes and ears empowered to report
- Only the 2nd city in U.S. to require trafficking training after Baltimore, they are implementing their 2015 ordinance now





# Hotel Ordinance

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