



CITY OF MANITOWOC

WISCONSIN, USA
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December 2, 2019

TO: Public Safety Committee

FROM: Liz Majerus, Assistant City Attorney

RE: Ordinance to Create 14.230 (Massage Therapy Regulations)

On November 22, 2019, the Wisconsin Legislature passed 2019 WIS Act 41, which authorizes municipalities to prohibit the unlicensed practice of massage or bodywork therapy. With this new authorization, the City intends to issue citations to individuals using “massage therapy” as a cover for prostitution services, a surprisingly frequent defense claimed by both prostitution customers and prostitutes. By enacting this proposed ordinance, Council will provide our detectives another tool in their arsenal for tackling human trafficking. This ordinance broadens the penalty options available to law enforcement and allows law enforcement to investigate and cite offenders without undertaking costly night and weekend sting operations because those operating under the guise of “massage therapy” will presumably be doing so during normal business hours.

The ordinance, as currently drafted, mirrors Wis. Stat. Ch. 460 and has been approved by Detective Erik Kowalski, who oversees the City’s human trafficking investigations, and Judge Steve Olson.

Wis. Stat. § 460.15 authorizes the City to impose a forfeiture of up to \$1,000 plus costs for each violation. The City’s current forfeiture for prostitution services is \$2581 (\$2,000 + costs). Judge Olson prefers a forfeiture around \$750 + costs so that heightened penalties may be imposed if the need arises. I feel that a forfeiture of \$1,000 + costs is most appropriate because heightened penalties may be imposed by citing under the prostitution ordinance instead. We therefore defer to the Committee for setting the forfeiture amount.

I will be available during the December Public Safety Committee to address any questions Committee may have regarding this proposal.

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