TDLR is aligned with initiatives by the Office of the Governor and the Office of the Attorney General to end human trafficking in Texas. TDLR created a full-time position in 2018, designating a Strategic Response Coordinator charged with educating staff and coordinating efforts among TDLR staff and other governmental agencies, and law enforcement. Here’s what the agency is doing:

- Conducting periodic, unannounced inspections of massage establishments and cosmetology salons
- Cooperating with local, state and federal law enforcement agencies by providing information about possible human trafficking situations
- Investigating violations of the Texas Occupations Code and Administrative Rules
- Training all employees to spot potential signs of human trafficking
- Creation and distribution of human trafficking awareness signs for cosmetology facilities, as currently required by state law
- Providing specialized training for all field personnel who may encounter human trafficking

For more information, please contact the TDLR Office of Strategic Communication: media.inquiries@tdlr.texas.gov.

TDLR Enforcement in Regulated Programs

Massage Therapy

Illicit massage businesses are believed to be second to escort services in the prevalence of human trafficking. Clients, students, license holders and employees are prohibited from engaging in sexual contact in a massage establishment. “Sexual contact” includes any touching of any part of the genitalia or anus; any touching of a female’s breasts without her written consent; kissing without the consent of both persons; deviate sexual intercourse, sexual contact, sexual intercourse, indecent exposure, sexual assault, prostitution, and promotions of prostitution as described in Chapters 21, 22, and 43 of the Texas Penal Code, or any offer or agreement to engage in such activities; any behavior, gesture, or expression that may reasonably be interpreted as inappropriately seductive or sexual; or inappropriate sexual comments about or to a client, including sexual comments about a person’s body.

License holders, students and employees are prohibited from practicing massage therapy in the nude or in clothing designed to gratify or arouse sexual desire in an individual.

When someone applies to be a massage therapist or to own a massage therapy establishment, TDLR examines their criminal history to see if the applicant has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for an offense under Chapter 20A, Penal Code, or Subchapter A, Chapter 43, Penal Code, or another sexual offense. TDLR also performs these checks when an applicant files a renewal application.

TDLR staff search online reviews and websites that may advertise illicit services to identify facilities and therapists that may not be in compliance with the occupations code and administrative rules.

TDLR inspectors perform unscheduled inspections at massage establishments every two years. During the inspection, inspectors check individual and facility licenses in addition to ensuring the licensees are complying with sanitation and record keeping requirements.

Here’s where you can find more info about inspections: https://www.tdlr.texas.gov/mas/masinspect.htm/
Here are some ways you can verify that a massage facility is in compliance with rules and laws:

- Verify that service providers and establishments hold the required license, which should be in public view. You can check therapist and establishment licenses online, before you visit an establishment: https://vo.licensing.tdlr.texas.gov/datamart/selSearchTypeTXRAS.do?from=loginPage
- Massage therapists must have clients complete an initial consultation document detailing the massage technique, areas of treatment and other conditions of the massage. A therapist who does not complete this paperwork with a client is not in compliance.
- Look around: are the front windows covered up? Are there an excessive number of security cameras at the location? Is the establishment open during normal business hours, or are they open really late? Are the customers mostly male?
- Once you’re inside, does it look clean? Are the linens and towels fresh? Does it look like people are living on the premises, with beds? Do you observe extra shoes, clothing, toiletries and food?
- Are the prices below industry standard for your area? If the prices are really low, it’s possible that the people doing the massages are being trafficked. Are extra tips required? Are tips required to be paid in cash?

To make a complaint against a massage establishment – licensed or unlicensed – go here: https://www.tdlr.texas.gov/complaints/. TDLR urges people to file complaints if they are aware of any issues.

Cosmetology

Industry-specific potential human trafficking indicators:

- Prices below industry standard
- Person may have little ability to speak English
- The presence of one dominating person at the facility who speaks on behalf of the workers and gives directives
- Person is using a TDLR license that does not match their personally identifying information
- Person appears to be poorly trained or unsure of their job function
- Person does not control their identifying documentation (passport, driver’s license etc.)
- Person works long hours or many days a week
- Person lives where they work or in a location determined by their employer
- Person lives with coworkers and pays rent to their employer
- Person is not free to come and go as he/she pleases

TDLR inspectors perform unscheduled inspections at cosmetology establishments every two years. During the inspection, inspectors check individual and facility licenses in addition to ensuring the licensees are complying with sanitation requirements.

It’s important to note that cosmetologists and manicurists may have a rare opportunity to interact with sex trafficking victims as traffickers want trafficking victims to receive services that enhance their physical appearance.

Labor trafficking and exploitation can happen in any industry. According to the Polaris Project, labor trafficking is known to occur in nail salons, hair salons and health spas. Though trafficking victims may interact regularly with customers, language barriers, emotional manipulation and intensive monitoring can make it difficult for them to reach out for help.

HUMAN TRAFFICKING RED FLAGS

Human Trafficking is modern-day slavery. It is the exploitation of men, women, and children for forced labor or sex by a third party for profit or gain.

**RED FLAGS FOR SEX TRAFFICKING:**
- Visible injuries: bruising, swelling, redness. Failure to make eye contact
- Overtly sexual online profile and sexually provocative pictures on the phone or online accounts
- Gang signs and/or affiliation, branding and tattoos, new high-end clothing
- Third-party control of identity documents; unable to make independent decisions
- Hotel keys, rolls of cash, multiple phones or refillable gift and credit cards
- Sexually provocative clothing inappropriate for weather or situation
- Claim of boyfriend or girlfriend relationship with an older individual

**RED FLAGS FOR LABOR TRAFFICKING:**
- Not free to come and go as the person wishes, working excessively long hours
- Living where they work or in large groups; unpaid or paid very little/paid by tips
- Transported to and from work by their employer; paying off debt to employer
- Identification and documents held by a third party
- Not allowed or able to speak for themselves; cameras in the work/living space
- Fearful of authorities and provides scripted answers to questions
- Food, hygiene and living spaces provided by the employer

Provided by Texas Department of Licensing & Regulation | TDLR Form HT0007 December 2018