



Office of the County Attorney

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BOARD OF COUNTY COMMISSIONERS

Business Meeting, November 7, 2023, at 10:30 a.m.

Hearing Room, 3rd Floor

Boulder County Courthouse

Re: Resolution to authorize enforcement measures against human trafficking offenses by illicit massage businesses

Staff: Michael Koertje, Assistant County Attorney

BACKGROUND:

Colorado House Bill 22-1300 established that Colorado counties could take certain measures to combat human trafficking. As codified, C.R.S. § 30-15-401.4(6)(a) provides that a board of county commissioners (BOCC) may pass a resolution to authorize law enforcement officers to follow a penalty assessment procedure for violations of specific human trafficking-related offenses by illicit massage businesses and may establish a graduated fine schedule for these penalty assessments. C.R.S. § 30-15-401.4(6)(b) provides that a BOCC may also specify in the resolution to allow a district attorney or county attorney to pursue injunctions against massage facilities that are public nuisances who engage in two or more violations. The attached proposed Resolution 2023-100 would accomplish these measures.

The Boulder County District Attorney has indicated a desire that these measures be adopted. The Boulder County Sheriff's Office has reviewed the language of the proposed resolution and has no objections. Though human trafficking offenses are already illegal pursuant to C.R.S. § 18-3-503 & 504, and local law enforcement and to a more limited extent local governments may inspect massage businesses pursuant to C.R.S. § 12-235-119, the additional measures contained in the proposed resolution will strengthen law enforcement and the County's ability to combat human trafficking.

C.R.S. § 30-15-401.4(3)(b) requires that counties that adopt a resolution consult with the cities within the county. Natalie Springett, the BOCC Chief of Staff, contacted the cities within Boulder County on October 5, 2023. The only response received was from the City of Lafayette, which expressed support for the proposed resolution.

The graduated fine schedule in the proposed resolution was copied from a Douglas County ordinance. The specific amounts could be different, so long as they do not exceed \$1000, per CRS § 30-15-402.

RECOMMENDATION:

The County Attorney's Office recommends the Board adopt the proposed Resolution 2023-100 to allow law enforcement a greater range of tools to combat human trafficking, and to allow public nuisance actions to be brought to potentially close massage facilities that engage in these activities.

Attachments

- 1) Proposed Resolution 2023-100