



MELISSA McKINLAY

**County Commissioner
District 6**

Palm Beach County
Board of County Commissioners

Governmental Center
301 North Olive Avenue, 12th Floor
West Palm Beach, FL 33401

Telephone: (561) 355-2206
Facsimile: (561) 355-4366
mmckinlay@pbcgov.org

Glades Office Complex
2976 State Road #15
Belle Glade, FL 33430

Telephone: (561) 996-4814
Facsimile: (561) 992-1038

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Copies to: BOCC, County Manager
County Attorney, James Harriott,
Mark Sexton, Gina Peebles

June 25, 2019

Commissioner Ken Cornell
Alachua County Board of Commissioners
12 SE 1st Street, 2nd Floor
Gainesville, FL 32601

Re: Human Trafficking Hotline Awareness Signage

Dear Commissioner ^{Ken} Cornell,

In 2015, the Florida Legislature passed a landmark human trafficking bill, HB 369 (now F.S. 787.29), that requires the Florida Department of Transportation to post the international human trafficking hotline on signs in transportation hubs across Florida (airports, ports, train and bus stations, and rest stops). The new law also requires emergency rooms to post the same signs. The language for the signs was outlined in the legislation as well as the requirement that signs be in English and Spanish. The signs must also be placed in a conspicuous location visible to the public and employees. It took effect January 1, 2016.

Language was also included that provided the option for local **County Commissions** to add an additional requirement for sign posting in strip clubs and adult entertainment establishments by allowing Counties to enforce the provision and fine violators. Adult entertainment establishments are defined in F.S. 847.001 as:

847.001 Definitions.—As used in this chapter, the term:

- (1) "Adult" means a person 18 years of age or older.
- (2) "Adult entertainment establishment" means the following terms as defined:
 - (a) "Adult bookstore" means any corporation, partnership, or business of any kind which restricts or purports to restrict admission only to adults, which has as part of its stock books, magazines, other periodicals, videos, discs, or other graphic media and which offers, sells, provides, or rents for a fee any sexually oriented material.
 - (b) "Adult theater" means an enclosed building or an enclosed space within a building used for presenting either films, live plays, dances, or other performances that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specific sexual activities for observation by patrons, and which restricts or purports to restrict admission only to adults.
 - (c) "Special Cabaret" means any business that features persons who engage in specific sexual activities for observation by patrons, and which restricts or purports to restrict admission only to adults.
 - (d) "Unlicensed massage establishment" means any business or enterprise that offers, sells, or provides, or that holds itself out as offering, selling, or providing, massages that include bathing,

physical massage, rubbing, kneading, anointing, stroking, manipulating, or other tactile stimulation of the human body by either male or female employees or attendants, by hand or by any electrical or mechanical device, on or off the premises. The term "unlicensed massage establishment" does not include an establishment licensed under s. 480.043 which routinely provides medical services by state-licensed health care practitioners and massage therapists licensed under s. 480.041.

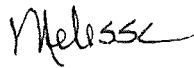
It is my understanding that your county has not yet joined the fifteen other counties throughout Florida who have passed such ordinances, and I kindly urge you to do so as soon as possible.

Human trafficking is nothing less than modern day slavery. The Legislature defines it as "transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person." It includes both sex and labor trafficking. Citizens deserve for every county to use all available resources and strategies to protect them from this scourge.

Palm Beach County was the first in the state to enact the ordinance, empowering our Code Enforcement with a new tool to help us uncover human trafficking rings. Code Enforcement has collaborated closely with our Sheriff's Office and the Department of Health to investigate and shut down multiple establishments for prostitution and human trafficking. Additionally, our Code officers and other County staff have received training to identify the signs of this horrific crime.

Again, I urge your commission to pass this ordinance to strengthen our collective efforts throughout Florida to eradicate human trafficking. Enclosed please find a copy of the Palm Beach County ordinance as well as samples of the signs we created in accordance with the statute. Additionally, please feel free to visit the Human Trafficking Prevention and Resource page we created on our County website for more information at <http://discover.pbcgov.org/publicsafety/victimservices/Pages/human-trafficking.aspx>.

Thank you,



Melissa McKinlay
Board of County Commissioners
District 6

Agenda Item #:

4F

mm / PB 7-0

Ord 2015-029

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: July 21, 2015

☐ Consent

☐ Regular

☒ Public Hearing

Department

Submitted By: COUNTY ATTORNEY

Submitted For: COUNTY ATTORNEY

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to posting of human trafficking public awareness signs; providing for definitions; providing for general requirements; providing for enforcement; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the Code of Laws and Ordinances; providing for captions; providing for applicability; and providing for an effective date.

Summary: The Board of County Commissioners, at its May 15, 2015 meeting, directed staff to prepare an ordinance pertaining to human trafficking upon passage of a state law pertaining to this subject. The new law (Ch. 2015-172), signed by the Governor on June 16, 2015, authorizes counties to enforce posting of human trafficking public awareness signs at adult entertainment and massage/bodywork establishments alerting employees and patrons to remedies and protections related to human trafficking. The law and provisions of this proposed ordinance are to become effective January 1, 2016. Countywide (JB)

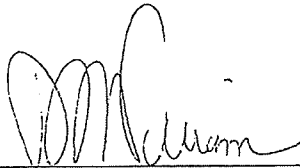
Background and Policy Issues: A new Florida law (Ch. 2015-172), to become effective January 1, 2016, authorizes counties to enforce posting of human trafficking public awareness signs at adult entertainment and massage/bodywork establishments alerting employees and patrons to remedies and protections related to human trafficking. The new law requires the employer at each of the following establishments to display public awareness signs in a conspicuous location that is clearly visible to the public and employees of the establishment:

(Background and Policy Issues continued on Page 3)

Attachments:

1. Ordinance

Recommended by: _____



Date

7/7/15

Approved by: _____

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

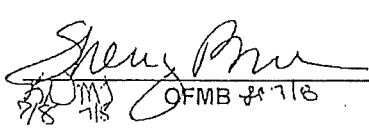
Reporting Category _____

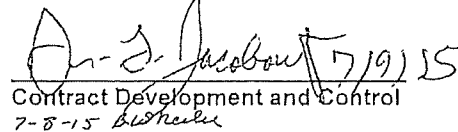
B. Recommended Sources of Funds/Summary of Fiscal Impact: It is anticipated there will be an indirect fiscal impact associated with enforcement activities intended to be accomplished by existing staff.

C. Departmental Fiscal Review: _____

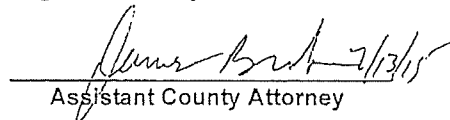
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:


 OFMB 7/18


 Contract Development and Control
 7-8-15

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

(continued from Page 1 – Background and Policy Issues)

- (a) A strip club or other adult entertainment establishment.
- (b) A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care profession regulated pursuant to Chapter 456 and defined in Section 456.001.

The law authorizes county commissions to adopt ordinances to enforce posting of human trafficking public awareness signs in the above referenced establishments and that violations related thereto are punishable only by fine. This Ordinance requires employers to display public awareness signs in conspicuous locations that are clearly visible to the public and employees at strip clubs, adult entertainment and massage/bodywork establishments. The signs provide contact information to report anyone who is being forced to engage in an activity against their will.

ORDINANCE NO. 2015-029

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PERTAINING TO POSTING OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS; PROVIDING FOR DEFINITIONS; PROVIDING FOR GENERAL REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; PROVIDING FOR APPLICABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, human trafficking is a form of modern-day slavery, which involves the exploitation of persons for commercial sex or forced labor and often subjects victims to force, fraud and coercion; and

WHEREAS, while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude and restaurant, janitorial, sweatshop factory and agricultural work; and

WHEREAS, traffickers use various techniques to instill fear in victims to keep them enslaved such as isolation, threats of imprisonment and deportation, confiscation of passports, visas or other identification documents and threats of violence toward victims or their families; and

WHEREAS, Florida law authorizes counties to enforce posting of human trafficking public awareness signs in certain establishments; and,

WHEREAS, the Board of County Commissioners finds that it will serve the public health, safety and welfare of the citizens of Palm Beach County to inform the public as to the existence of human trafficking and the reporting thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Definitions

The following words, phrases, or terms when used in this Ordinance shall, unless the content otherwise indicates, have the meanings provided below.

- A. *Adult Entertainment Establishment* means adult bookstores and theaters, special cabarets and unlicensed massage establishments regulated pursuant to Chapter 847, Florida Statutes and defined in Section 847.001, Florida Statutes, as may be amended and strip clubs.

1 B. *Bodywork Services* means services involving therapeutic touching or
2 manipulation of the body using specialized techniques.

3 C. *Business or establishment* means any place of business or any club,
4 organization, person, firm, corporation or partnership, wherein massage or
5 bodywork services are provided and such establishment is not owned by a health
6 care profession regulated pursuant to Chapter 456, Florida Statutes, and defined
7 in Section 456.001, Florida Statutes, as may be amended.

8 D. *Human trafficking* means transporting, soliciting, recruiting, harboring,
9 providing, enticing, maintaining, or obtaining another person for the purpose of
10 exploitation of that person regulated pursuant to Chapter 787, Florida Statutes,
11 and defined in Section 787.06, Florida Statutes, as may be amended.

12 E. *Massage services* means the manipulation of the soft tissues of the human
13 body with the hand, foot, arm, or elbow, whether or not such manipulation is
14 aided by hydrotherapy, including colonic irrigation, or thermal therapy; any
15 electrical or mechanical device; or the application to the human body of a
16 chemical or herbal preparation.

17 Section 2. General Requirements

18 A. The employer at each of the following establishments shall display public
19 awareness signs in a conspicuous location that is clearly visible to the public and
20 employees of the establishment:

21 (1) A strip club or other adult entertainment establishment.

22 (2) A business or establishment that offers massage or bodywork services for
23 compensation that is not owned by a health care profession regulated pursuant to
24 Chapter 456, Florida Statutes, and defined in Section 456.001, Florida Statutes.
25

26 B. The required public awareness sign must be at least 8.5 inches by 11 inches in
27 size, must be printed in at least a 16-point type, and must state substantially the
28 following in English, Creole and Spanish:
29

30 "If you or someone you know is being forced to engage in an activity and cannot
31 leave—whether it is prostitution, housework, farm work, factory work, retail work,
32 restaurant work, or any other activity—call the National Human Trafficking Resource
33 Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and

1 services. Victims of slavery and human trafficking are protected under United States
2 and Florida law." Posted Pursuant to Section 787.29, Florida Statutes and Palm
3 Beach County Code Section (Insert Section #)

4 **Section 3. Enforcement**

5 It is unlawful to violate any provisions of this Ordinance and any violation hereof
6 shall be deemed a noncriminal violation, punishable by a fine only as provided in
7 Section 775.083, Florida Statutes.

8 **Section 4. Severability**

9 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance
10 is for any reason held by a Court of competent jurisdiction to be unconstitutional,
11 inoperative, or void, such holding shall not affect the remainder of this Ordinance.

12 **Section 5. Repeal of Laws in Conflict**

13 All local laws and ordinances in conflict with any provisions of this Ordinance
14 are hereby repealed to the extent of such conflict.

15 **Section 6. Inclusion in the Code of Laws and Ordinances**

16 The provisions of this Ordinance shall become and be made a part of the Palm
17 Beach County Code. The sections of this Ordinance may be renumbered or re-
18 lettered to accomplish such, and the word "ordinance" may be changed to "section,"
19 "article," or other appropriate word.

20 **Section 7. Captions**

21 The captions, section headings, and section designations used in this
22 Ordinance are for convenience only and shall have no effect on the interpretation of
23 the provisions of this Ordinance.

24 **Section 8. Applicability**

25 All provisions of this Ordinance shall apply to the unincorporated areas of Palm
26 Beach County, Florida, and to all municipalities within Palm Beach County that elect to
27 have the provisions of this Ordinance apply within their respective jurisdictions.

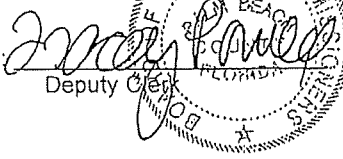
28 **Section 9. Effective Date**

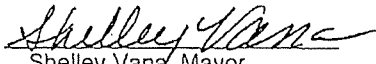
29 The provisions of this Ordinance shall become effective on January 1, 2016.

1 APPROVED and ADOPTED by the Board of County Commissioners of Palm
2 Beach County, Florida, on the 21st day of July, 2015.

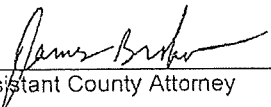
3
4 SHARON R. BOCK
5 CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

6
7
8 By: 
9 Deputy Clerk

By: 
Shelley Vana, Mayor

10
11
12
13 APPROVED AS TO FORM
14 AND LEGAL SUFFICIENCY

15
16
17 By: 
18 Assistant County Attorney
19

20
21 Filed with the Department of State on the 27 day of July, 2015.

be free

If you or someone you know is being forced to engage in an activity and cannot leave: Whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity — Call the **NATIONAL HUMAN TRAFFICKING RESOURCE CENTER** at **1-888-373-7888** or **text INFO** or **HELP** to **233-733** to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.

ANONYMOUS AND CONFIDENTIAL

señore

Si a usted, o alguien que conoce, lo están forzando a hacer algo y no lo dejan ir: Ya sea prostitución, trabajo doméstico, agrícola, de fábrica, en una tienda, restaurante o cualquier otra actividad — Llame al **CENTRO NACIONAL DE RECURSOS CONTRA LA TRATA DE PERSONAS** al **1-888-373-7888** o **envíe un mensaje de texto** al **233-733** con la palabra **INFO** o **HELP** para tener acceso a asistencia y servicios. Las víctimas de esclavitud y tráfico de personas están protegidas por las leyes de los Estados Unidos y Florida.

ANÓNIMO Y CONFIDENCIAL

Si oumenm oswa yon moun ou konnen gen moun kap fòse l pou lfè yon bagay epi li pa kapap sòti ladann bagay sa a: Ke se pwositisyon, travay nan kay, travay nan jaden, travay nan faktori, travay nan kote kap vann an detay, travay restoran, oswa ankenn lòt bagay — Rele the **SANT RESOUS NASYONAL POU EDE MOUN KE YAP FÒSE FÈ TRAVAY LI PA VLE FÈ** nan **1-888-373-7888** oswa **tèks INFO** oswa **HELP** nan **233-733** pou jwen èd ak lòt bagay ou bezwen. Gen pwoteksyon sou lwa etazini ak nan Florid pou moun ki viktim esklavag ak moun yap fòse fè travay yo pa vle fè.

ANONIM AK KONFIDANSYÈL

1-888-373-7888 text BEEFREE (233-733)



Posted pursuant to Palm Beach County Ordinance 2015-029 and s. 787.29 F.S.