

ARTICLE 32

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Human trafficking in hotels, most often sex trafficking, is an international problem, and the United States is not immune. The U.S. Department of Homeland Security has an initiative to counter sex trafficking in the hotel industry (called “Blue Campaign”), as do the American Hotel and Lodging Association, several non-profits (e.g. ECPAT (End Child Prostitution and Trafficking)-USA, and the Polaris Project), and some hotel chains.

Several brochures about the problem, and combatting it, are attached.

States (including Massachusetts) have criminal laws against sex trafficking and also have civil laws that permit victims to recover monetary damages. The Massachusetts Attorney General’s office has a human trafficking division where suspected human trafficking can be reported.

Nevertheless, sex trafficking in hotels often goes unnoticed and not prosecuted, commonly because hotel staff and management are unaware of the signs of possible sex trafficking.

In 2019 a developer proposed a limited service extended stay hotel in Brookline with over 100 rooms that, when originally proposed, would have allowed electronic entry without staff present at night, daytime staff limited to between one and three persons, housekeeping staff prohibited from entering rooms unless requested by guests, a virtual offsite concierge, and staff contact with guests to be minimized. (There was also no mention of training staff to recognize signs of sex trafficking.)

Under the Article an Innholder licensee for a hotel must provide training for certain workers at the hotel in identifying signs of sex trafficking and responding appropriately to the signs. The Police Department must approve entities performing training and the training programs. Where an applicant for an Innholder license already holds an Innholder license for the same hotel and the existing license was issued after enactment of the Article (in other words, where the applicant is seeking renewal of a license issued after enactment of the Article), the applicant must report to the Police Department the workers required to be trained during the existing license period who were trained, and the workers required to be trained who were not; the Police Department may investigate the report, and the Police Department must report its concerns about the accuracy of the report and the extent of training to both the licensee and to the Select Board. It is then up to the Select Board to determine what, if anything, to do with this information from the Police Department in considering the application for renewal of the existing Innholder license. In effect, an Innholder’s license renewal is at risk if the Innholder licensee does not comply with the Article. Because the required reporting to the Police Department can only occur when a licensee already holds a license that was issued after the Article was enacted and the licensee is essentially applying for renewal of the existing license the licensee has a year before applying for renewal to provide the required training and to acquire the information needed to make the required report to the Police Department.

The Article requires hotels to prominently post and maintain anti-sex trafficking notices. The Police Department must approve the notices, and the Police Department may create its own notices hotels must post and maintain. The Police Department may enter hotels at reasonable times during hotel business hours to examine posting and maintenance of required notices and must report concerns about insufficient posting and maintenance to the Innholder licensee and to

the Select Board. In the case of this requirement, Police Department reporting is not dependent on whether the existing Innholder license was issued after the enactment of the Article or whether the existing Innholder is applying for license renewal because posting and maintaining notices should not take a year to learn and it can be quickly performed and deficiencies can be quickly remedied – and it is hoped that the notices, by themselves, may have a deterrent effect.

The Article requires that the holder of an Innholder license issued after enactment of the Article report to the Police Department rooms permitted to a registered guest for a period of five or more consecutive nights during which period the registered guest or other occupants denied hotel workers entry for at least one hundred consecutive hours, an explanation of the way the denial was made, and also actions (if any) hotel employees took with respect to the room during the period of denial. (One hundred consecutive hours is more than four full days, but a denial period may be longer). The Police Department may investigate the report, and the Police Department must report its concerns about the accuracy of the report and about what the report may imply as to facilitating sex trafficking to both the licensee and to the Select Board. It is up to the Select Board to determine what, if anything, to do with this information from the Police Department in considering the application for renewal of the existing Innholder license. Because the required reporting to the Police Department can only occur when an Innholder licensee already holds a license that was issued after the Article was enacted and the licensee is essentially applying for renewal of the existing license the licensee has a year before applying for renewal to start paying attention to information that will be needed for the report.

These requirements are intended to try to prevent sex trafficking, and inform would-be traffickers and their customers (some of whom may be Brookline residents) that hotels in Brookline are not places to do business.

To petitioners' knowledge there is no similar law in Massachusetts - either at the state level or the municipal level. Presently, 192/H2540, which addresses hotel staff training and anti-human trafficking signage, has been reported to the Massachusetts House Ways & Means Committee. A previous bill in the 2019-2020 legislative session was not enacted.

For a survey by state and municipality of anti-sex trafficking laws with respect to the hospitality industry see: ECPAT-USA – Unpacking Human Trafficking vol. 4 (See, <https://static1.squarespace.com/static/594970e91b631b3571be12e2/t/624b15373d60d55930cd1932/1649087805782/Unpacking+Human+Trafficking+Vol+4.2022.pdf>).

It should be mentioned that several large hotel chains have begun staff training. (See, <https://news.marriott.com/news/2021/07/28/marriott-international-launches-enhanced-human-trafficking-awareness-training> ; <https://ir.hilton.com/~-/media/Files/H/Hilton-Worldwide-IR-V3/committee-composition/slavery-and-trafficking-statement-2017.pdf>)

Additional material found [here](#).

ARTICLE 33

Submitted by: Nathan Shpritz

Our neighboring communities of Boston, Cambridge and Somerville have implemented new policies to support and encourage urban agriculture among their residents and businesses. The keeping of bees and hens were included in all three municipal's policies. Chickens should be discussed at greater length, but honeybees are an immediately supportable and positive addition