CONTRADICTIONS OF CAPITAL AND LABOR: CAPITAL ACCUMULATION AND THE RACIALIZED POLICING OF ASIAN MASSAGE PARLORS IN SEATTLE'S CHINATOWN-INTERNATIONAL DISTRICT

by

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THESIS ABSTRACT

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Massage parlors in Seattle's Chinatown-International District have experienced heightened police surveillance, mobilized by legislation that increasingly regulates massage labor performed by Asian migrant women. This wave of criminalization coincides with contested and renewed investment in the neighborhood, indicating the use of policing to displace workers and create the conditions for a new spatial fix, or the production of space through capital accumulation. Through an analysis of legislative records, police reports, and media accounts, I argue that the policing of Asian massage parlors draws on a sensationalist imaginary of human trafficking that simultaneously evokes longstanding racialized tropes and furthers the racialization of Asian migrant workers. Finally, I investigate how anti-trafficking rhetoric rationalizes greater police surveillance that displaces Asian massage workers and opens new spaces for capital accumulation.

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Chapter I: Introduction

In February 2019, the Seattle Police Department (SPD) raided 9 massage parlors in Seattle's Chinatown-International District (CID), all of them staffed and owned by Asian/Asian American workers (Green, 2019). The raids resulted in the displacement of and loss of income for 26 Chinese-speaking workers (Red Canary Song et al., 2022). Cloaked in a language of salvation, the sting operation was part of a years-long campaign by SPD to ostensibly rescue massage parlor workers from the alleged dangers of sex trafficking and organized Chinese crime, evoking racialized tropes and parroting troubling perceptions that obscure the agency of workers. For the workers and local community advocates, SPD's operations in 2019 were part of a longer trend of increased criminalization of Asian massage work and sex work in the last decade, in addition to an escalation of police presence in the neighborhood (Pauly, 2021).

This wave of criminalization coincides with ongoing contestations over the CID's physical space and representations of the neighborhood, as local businesses and city planners work to make the district more amenable to investors (Chinatown-International District Coalition, 2021). The flurry of massage parlor raids—and the resulting displacement of low-income immigrant workers—can therefore be understood against a middle and upper-middle class desire to reshape the neighborhood into a site of renewed capital investment. The turn toward private investment to spur urban development in the past few decades points to the ongoing neoliberalization of Seattle's landscape, and the need to consistently turn over neighborhoods in service of resolving the crises endemic to capital.

Indeed, the current iteration of the massage parlor industry in Seattle follows decades of evolution at the convergence of crises in capital and labor. Lawmakers and local community organizers largely understand the massage parlor industry to have experienced a boom during and after the 2008 financial crisis, as property owners were more willing to rent to more informal businesses and the explosion of east Asian capital spilled over to the western United States (Wong, 2019). As such, the fluctuations of the massage parlor industry and formations of immigrant labor are tightly coupled with crises in capital accumulation that result in a what is referred to as a "spatial fix", or the production of space in service of capital—in this case, the flourishing of massage parlors in some Seattle neighborhoods, and in the Pacific Northwest, more broadly.

The concurrent patterns of policing and capital investment in Seattle's CID suggest a symbiosis between raids and a spatial fix. Further, this policing is undergirded by a strong discursive element that relies on racial and sexualized tropes to flatten the experiences of Asian massage workers into simplistic narratives of human trafficking. Drawing on frameworks of racial capitalism and spatial fixes, this research employs a discourse analysis of legislative records, police documents, and media portrayals to answer:

> ***What narratives of race and gender are used to police Asian massage parlor labor and produce new opportunities for capital accumulation in Seattle's Chinatown/International District since the Great Recession?***

I argue that the policing of Asian massage parlors draws on a sensationalist

imaginary of human trafficking that simultaneously evokes racialized tropes and furthers the racialization of Asian migrant women workers. The construction of this rhetoric rationalizes greater police surveillance that displaces Asian massage workers from the landscape, thus opening up new spaces for capital accumulation in the form of private real estate in Seattle's CID.

This thesis is structured in four parts. First, I outline my theoretical framework, drawing on David Harvey's theory of the spatial fix to understand the CID's development against a capitalist political economy. I also trace the rise of policing as a key mechanism for facilitating spatial fixes in increasingly neoliberalizing cities, in addition to historicizing the use of race to resolve crises of capital in the United States. Positioning the dynamics of capital accumulation, policing, and race in relation to each other allow for an understanding of how the racialized policing directed at Asian massage workers connect to a broader urban political economy.

Second, I contextualize my methodological approach against the historical racialization and sexualization of Asian women within practices of state-making and 20th century imperialism. These imaginaries of Asian women are decidedly discursive in their construction, with racist and sexist tropes gaining steam through their ongoing circulation in popular film, media, and conversation. Taking an approach of discourse analysis allows me to intervene in these patterns of meaning-making and power.

Third, in order to understand how racialized and gendered narratives are constructed around Asian massage labor in Seattle today, I first turn to the history of massage legislation in Seattle and Washington state. In the past 80 years, a

convergence of healthcare professionalization and moral panics around sex work has increasingly circumscribed massage within the purview of the state, creating a regulatory infrastructure that allows for the contemporary policing of Asian massage workers and their displacement from Seattle's CID. Crucially, the development of massage regulation in the last few decades allowed for a delineation between legitimate and illegitimate massage that is then mapped onto Asian massage labor through the use of anti-trafficking legislation.

Finally, I analyze legislative documents including bill reports and public hearing sessions to examine the relationship between race, policing, and capital in the context of massage labor. I find that racialized tropes surrounding crime and sex are often deployed to associate the issue of trafficking with Asian migrant workers, painting them as an inevitable threat to the community. More crucially, anti-trafficking legislation newly racializes Asian massage workers as trafficking victims as a means to resolve a contradiction between the necessity of their labor, and their perceived threat to the legitimacy and purity of the massage industry. Finally, I investigate how anti-trafficking rhetoric rationalizes greater police surveillance that has ultimately displaced Asian massage parlor workers and opened up new spaces for capital accumulation.

Chapter II: Spatial Fixes, Neoliberal Policing & Racial Capitalism

In the wake of the Great Recession, Seattle's Chinatown/International District found itself as a vessel for new businesses—massage parlors, that would take root in store lots emptied by the financial crisis. Under an economic geography framework, this remaking of the neighborhood can be understood as a spatial fix, or the production of space through the movement of capital (Harvey, 1975). Today, heightened interest in capital investment in the CID gestures at a new spatial fix that coincides with the increased policing of Asian massage parlor workers—including the nine police raids in 2019. While the empirical portion of this study focuses primarily on the racialized logics that undergird such policing, this research is informed by a body of literature that understands race and policing to be central mechanisms of capital accumulation in cities. Situating my research in this literature allows me to not only explore the racial narratives imposed upon massage workers at a more sociological scale, but also to extrapolate to how these racialized narratives may relate to a broader urban political economy.

In this chapter, I outline how these three mechanisms of capital accumulation, policing, and racialization intersect in mutually symbiotic relationships. First, I rely on David Harvey's theory of the spatial fix to explain how new landscapes are produced as resolutions to crises of capital. Second, I explore how policing has emerged as a central mechanism in facilitating these spatial fixes, particularly as neoliberalizing cities produce crises that require resolution through surveillance and management. Lastly, I outline how contradictions in capital and labor are also resolved through processes of racialization that service both the continued

circulation of capital and the United States as a racial project.

I. Spatial Fixes and the Makings of Seattle's Chinatown-International District

The theory of the "spatial fix" was developed by economic geographer David Harvey and offers an explicitly spatial intervention in understanding how capitalism produces the conditions of its existence, particularly how space is instrumentalized and produced to resolve crises in capital. As advanced by Karl Marx's theory of political economy, capitalism is marked by cycles of crisis due to its foundational operation of pursuing "accumulation for accumulation's sake, production for production's sake" (Marx, 1867, as cited in Harvey, 1975). In this process of continuous production, capitalism tends toward over-accumulation, which then undercuts a number of conditions on which capitalism depends—such as, a surplus of labor, the requisite means of production, and the existence of a market to absorb the production of commodities (Harvey, 1975). Because capitalism simultaneously produces and destroys these very conditions, it cyclically veers toward crisis. For example, by churning out commodities that exceed the market's ability to absorb them, capitalism erodes one of the key conditions of its survival, manifesting in crises such as falling rates of profit and rising rates of unemployment. In order to temporarily resolve these crises, new conditions of accumulation must be created.

Marx's emphasis was that these new planes of accumulation are achieved through the mobility of capital over space, and its increasingly ability to command space due to factors such as technological innovation. Here, David Harvey identifies a central contradiction in capital's relationship to space: in order to move capital and labor across space, it must produce "fixed and immobile spatial configurations"

(Harvey, 1985, p. 145), such as transportation systems. In other words, Harvey writes, "the ability to overcome space is predicated on the production of space" (p. 149). The "spatial fix" here, is therefore a fix (as in, remedy) to crises in capital, but also implies a fixity in space itself. As a result, physical landscapes emerge out of relations of capital and are crucial to capitalism's functioning.

In his writings, Harvey emphasized cities—and the built infrastructure within them—as key sites for the simultaneous resolution to and emergence of crises in capital (Harvey, 2013). In particular, Harvey notes urbanization as a process that is marked by the mirroring of crisis by growth elsewhere—for example, the housing collapse of the 2008 financial crisis in the United States was matched by an investment boom and growing middle class in China, prompting American cities to absorb surplus capital spilling over from across the Pacific (Harvey, 2013, p. 44). In Seattle's CID, the rise of the massage parlor industry alongside falling rents and increasing vacancy rates during and in the aftermath of the Great Recession can therefore be understood as a fixing of surplus international capital in the neighborhood. As with other conditions of capitalism, the spatial fix produces its own demise. Fixing capital into space allows for a resolution of crisis, of capital looking for somewhere to go; at the same time, it removes that particular space from the circulation of capital, thereby necessitating the destruction of "that space (and devalue much of the capital invested therein)…to make way for a new 'spatial fix'" (Harvey, 2001, p. 25). The boom of the massage parlor industry in Seattle's CID following the 2008 financial crisis, and its subsequent criminalization in recent years gestures at this cyclical pattern of spatial fixing and creative destruction, one that subjects the livelihoods of Asian American massage parlor workers to the volatility

of crisis.

II. Neoliberal Regimes and Urban Policing

Urban scholars have noted the central role that legal frameworks and criminalization play in facilitating new spatial fixes. In short, policing within the urban environment is necessary to manage capital flows even while neoliberalization ideologically champions free markets and absence of state intervention in the movement of capital. This occurred through the concurrent withdrawal of the welfare state and widespread deindustrialization in the 1970s widened socioeconomic inequality and increased the populations of those perceived as detrimental to capital accumulation and therefore necessary of policing—the unhoused, the mentally ill, and sex workers (Herbert & Beckett, 2017; Mitchell, 2011; Smith, 1996). At the same time, the neoliberal turn that championed free market ideology in both political economy and academic scholarship restructured urban landscapes and accelerated dynamics of gentrification, as policymakers increasingly understood urban revitalization as pegged to the influx of middle- and upper-class working professionals and their consumer practices (Laniyonu, 2018; Sharp, 2014). Today, these frameworks prevail in the operationalization of legislation and policing practices across the United States, and provide a lens through which to understand the simultaneous heightening of policing and gentrification in Seattle's CID. However, while these "creative class" (Florida, 2012) frameworks were profoundly influential in urban policy circles and have no doubt been integral to the expansion of police territorial power in American cities, their actual utility in explaining the mechanisms of capital accumulation and gentrification have been critiqued by geographers working within a Marxist tradition (e.g. Gilmore, 2007; Smith, 1996). In

this section, I trace the emergence of policing regimes in the context of national and global capitalist restructurings, and explore the ways in which policing and criminalization can be understood as endemic to continued capital accumulation in cities.

In the late 1970s and early 1980s, urban deindustrialization across the United States coincided with a dramatic withdrawal of federal spending on social services, including public housing and mental health services (Mitchell, 2011). With this perforation of the social safety net and the retreat of industrial capital from urban cores, American cities—including Seattle—saw an increase in the visibly unhoused. Historically, the unhoused and other signs of 'disorder' such as prostitution, particularly in times of crisis, brought on new policing regimes to regulate these errant populations (Mitchell, 2011). Some urban studies and urban geography scholars have pegged heightened police presence to the desire for a kind of economic growth driven by the "creative class," a social designation created by sociologist Richard Florida to generally describe young, highly educated, middle- to upper-class individuals (Florida, 2002). Particularly notable is political scientist Elaine Sharp's development of the "postindustrial policing hypothesis," which argues that policing mechanisms increase as cities restructure in the wake of industry departure by rendering themselves more appealing to the creative class (Sharp, 2014). In particular, police strategies aimed at regulating the livelihoods of those deemed 'disorderly', such as the unhoused, proliferated following periods of economic decline and after campaigns were enacted to make the city more amenable to wealthy and professional in-movers. Further refining the geographic scope of this hypothesis, Laniyonu (2018) demonstrates how aspirations for a growing creative class also

generate spatial inequalities within urban areas themselves, with order-maintenance policing playing a key role in producing spatially differentiated patterns of gentrification across cities.

In Seattle, attempts to elevate the city's relevance in the global economy engendered new legal frameworks that augmented the territorial power of police and put mechanisms of spatial control into place (Gibson, 2004; Herbert & Beckett, 2017). Herbert and Beckett (2017) note the emergence of what they call "banishment regimes" that marked the increase in municipal power to displace the urban and racialized poor. The municipal scale of these governance regimes are notable due to their articulation at the nexus of several political economic forces. Alongside deindustrialization and retreat of the welfare state, the late 1970s also marked a series of court rulings that overturned several vagrancy and loitering laws that had for centuries targeted poor and Black individuals, arguing they "enabled unjustifiable police discretion" (Herbert & Beckett, 2017, p. 30). Faced with weakening police power to address rising visible homelessness and other forms of ostensible social disorder, states and municipalities took it upon themselves to enact increasingly specific laws as new modes of displacement and spatial control.

The territorial oversight of the Seattle police was augmented through the marriage of private property rights and criminal law; for example, criminal trespass programs enabled property owners to collaborate with police, who would arrest those who were found on private land for "no legitimate reason" (Herbert & Beckett, 2017, p. 32). This was a dramatic reduction in the criteria for arrest, as these admonishments do not require evidence of a criminal offense, as had been necessary before. Inevitably, these private property arrests spilled over onto public venues, as

"people were "routinely 'trespass admonished' from libraries and recreation centers, the public transportation system, college campuses, hospitals and religious institutions, social services agencies, and commercial establishments" (p. 32). While Herbert and Beckett (2017) focus primarily on the displacement of the unhoused, they also note the incorporation of sex workers into categories of disorder, resulting in the implementation of new policing practices that restrict the movement of those previously arrested for prostitution charges. In other cities, community organizers and researchers have found that pressures of gentrification, and the in-migration of higher-class residents have expanded the demand for policing sex work, leading to the displacement of workers to the urban fringes (Arrington et al., 2008). The regimes of policing houselessness and sex work—or labor, like massage, that is racialized and gendered as such—are therefore intertwined as twin responses to economic crisis.

However, while many of these policing practices were implemented on paper to make cities more conducive to consumption, theories that frame policing regimes as solely in service of the "creative class" fall short because they overlook the extent to which policing is thoroughly woven into the fabric of neoliberalism. Here, it is useful to differentiate between neoliberalism as ideology and what Brenner and Theodore (2002) call "actually existing neoliberalism." Neoliberalism as ideology champions the self-regulating capacities of free markets and the absence of state intervention. Policies like urban development for the creative class are neoliberal in ideology: the influx-of-creatives-as-economic-growth assumes a trickle-down effect, whereby the consumption of the well-to-do is able to uplift the conditions of the urban poor. While potent in their ability to drive urban development agendas, these

neoliberal aspirations for free-market self-regulation are not how economic relations actually function, as evidenced by increased socioeconomic stratification brought on by the withdrawal of the welfare state (Brenner & Theodore, 2002; Smith, 1996). Policing theories that respond only to neoliberalism as ideology—such as the aforementioned "postindustrial policing hypothesis"—therefore tell us little about how policing actually contributes to how capital moves through space, or in the context of this study, how policing might facilitate a spatial fix in Seattle's CID.

While neoliberalism as ideology advances the infusion of a free-market logic across all domains of life, "actually existing neoliberalism" recognizes the necessarily fraught nature of capitalist political economy: far from being self-regulating, capitalism inherently requires some regulatory regime to resolve internal crises, of which policing is one example (Brenner & Theodore, 2002). In other words, although spatial fixes resolve inherent contradictions by finding new vessels for capital, these processes are not self-determining, but rather necessarily facilitated through state regulation and infrastructure (Jessop, 1982). Neoliberalism and its regulatory landscape emerged as a response to the specific failures of the Keynesian-Fordist political economy that prevailed in the mid-late 20th century. Falling rates of profit in this industrially-oriented economy ushered in a new era of prioritizing cities as sites of capital accumulation (Logan & Molotch, 1987). At the same time, fiscal austerity was imposed upon and practiced in urban areas as a new ideological norm (Brenner & Theodore, 2002, p. 369). As a result, cities turned increasingly to public-private partnerships and instruments of finance capital to generate revenue and further urban development. The simultaneous withdrawal of social services and financialization of cities presents one of the central contradictions of neoliberalism:

the commodification of urban landscapes (i.e. the turn away from public toward private spending) is what produces populations of "disorder" that threatens continued capital accumulation. Policing has emerged as a particularly acute tool in the regulatory landscape of neoliberalism to remedy this contradiction, allowing for the removal of "disorder" and therefore continue the movement of capital across urban space (Mitchell, 2011). The concurrent private investment and the racialized policing of Asian massage workers in the CID explored later in this thesis gestures at the continued resolution of this contradiction. Ultimately, neoliberalism as ideology does radically reshape urban landscape, but these ideological underpinnings need to be understood against a longer history of managing crises immanent to capital. Policing is not merely a means by which cities attract greater investment; more than that, it is a key tool used to manage the populations of disorder and precarious livelihoods created by this very orientation toward private investment and fiscal austerity. This endemic relationship to urban neoliberalism is what allows the surveillance of massage workers to be read against spatial fixes in the CID.

III. Deployments of Race Toward Capital Accumulation

In the same way that policing regimes are central to the management of neoliberalism's excesses, the formation of racial categories and their ongoing deployment are inextricable from the movement of capital across different scales. This framework of racial capitalism, originally developed by Cedric Robinson, responds to previous Marxist theorizations that collapsed race as emerging from class conflict, and instead asserts the co-evolution of racialisms alongside a capitalist mode of production. In this section, I outline several analyses of racialization and its intersections with political economy, thus opening an understanding of how the

racialization of Asian massage workers can be tied to capital accumulation in Seattle's CID.

In her analysis of Flint crisis, Laura Pulido (2016) argues that the poisoning of the water supply was precipitated by the financialization of urban policy, not only at the expense of Black people who were deemed surplus or disposable, but through processes of racializing Flint as Black. Following the deindustrialization of, or retreat of capital from Flint, the city was subjected to an onslaught of austerity politics, wherein social services such as infrastructural management were deprioritized over capital interests. Crucially, Pulido argues, cities with majority Black populations such as Flint were disproportionately rendered disposable through these austerity measures across Michigan—in other words, the construction of Blackness as a devalued category within the United States' racial paradigm facilitated the continued accumulation of capital, primarily through the financialization of urban policy. Far from being merely a byproduct of capital greed, Pulido emphasizes that these processes of racialization are crucial to the functioning of capital itself. Here, Pulido draws from the Robinson's framework of racial capitalism, which argues that social constructions of difference, such as race, gender, and nationality, are deployed to produce—as Pulido summarizes—"a variegated landscape that cultures and capital can exploit to create enhanced power and profits" (Pulido, 2016, p. 16).

These dynamic, co-evolving structures of racialization and capitalism are reflected in the shifting modes of Asian American racialization that have been configured into the United States' racial and capitalist project. As Lisa Lowe argues in her book *Immigrant Acts*, immigrants become racialized as the state seeks to resolve the contradictions between the needs of capital, and the needs of the state. On one

hand, the developing U.S. capitalist economy in the late 19th century required a source of cheap labor, which was supplied by a Chinese immigrant population; on the other, an overabundance of this racialized labor threatened to compromise capital accumulation by white workers, in turn troubling the racialized hierarchy that undergirds the construction of the United States (Lowe, 1996, p. 13). To resolve these discrepancies between capital interests and the political project of the United States, restrictive immigration laws were enacted, beginning with the Page Act of 1875 and quickly followed by the Chinese Exclusion Act of 1882. In doing so, Lowe writes, "the state could constitute the "whiteness" of the citizenry" (p. 13) and dampen rising unrest amongst white workers who demanded these restrictions.

Racialized imaginaries of sexuality were embroiled within these constructions of whiteness and national identity, emphasizing the inextricability of race and gender. The passage of the Page Act in 1875, for example, all but banned the immigration of Chinese women to the United States, over fears that their ostensible sexual promiscuity would sully the values of the white nation-state (Luibhéid, 2002). The Page Act codified racialized and sexualized caricatures of Asian women into the country's legal apparatus. Chinese—and later, all East Asian—women were unilaterally painted as nefarious prostitutes, a trope that persists today, almost 150 years later, within popular imaginations of massage parlors staffed by Asian workers. Legislation—such as the Page Act—work within a constellation of other mechanisms, such as popular culture and media coverage, to construct a discourse that continues to reify these hypersexual and essentialist narratives about Asian women. The result of these pervasive characterizations is deadly: in the aftermath of the 2021 Atlanta spa shootings that killed eight people, six of whom were Asian

women, the gunman stated that he wanted to "eliminate the temptation" that the massage parlors presented (Chang, 2021). Extending beyond massage parlors and sex work, these narratives percolate to stereotypes about Asian women as passive and submissive, rendering us targets for violent crimes—as evidenced by the disproportionate harassment directed at women in the recent rise in anti-Asian hate crimes (Jeung et al., 2021).

In *Stranger Intimacy*, Nayan Shah (2011) explores these intertwined processes of sexualization and racialization of South Asian immigrants that emerge from tensions between labor needs and a political vision for a "republic of settled families" (p. 12). In particular, Shah analyzes the deployment of legal frameworks that suppresses deviations from normative ideas surrounding family and marriage, focusing especially on the intimate politics created through formations of immigrant labor. As had the Chinese and Japanese workers been treated in the decades prior, South Asian migrant laborers, who had come during a time of booming resource extraction industries in the West during the early 20th century, were subject to extreme hostility and violence over growing economic anxieties. These discourses, Shah argues, settled at the scale of the body, as the sexual lives of South Asian men became increasingly scrutinized. As such, Shah reveals the politics of intimacy and desire that course through the co-construction of race and the nation-state. Cast as "amoral 'roving men'" (p. 32), the transience of South Asian men was not only perceived to be a threat to white women's sexuality but also as a homosexual corruptive force for white men as well. Core to Shah's argument is this simultaneous instrumentalization of race and sexuality; sexuality and intimacy become inseparable from categories of race. As will be explored later in this thesis, this preoccupation with corporeal

realities figures strongly into the racialization of Asian massage workers—for example, in the unilateral labeling of massage workers as sex workers or a victim of trafficking. Important to note in Shah's exploration of race and capital is that the racialization of South Asian men as transient was invariably in service of capital: by discursively constructing them as transient, South Asian and other Asian migrant workers can then be easily displaced and mobilized as a fluid source of surplus labor that accompanies the mobility of capital.

The centrality of ideological frameworks within processes of racialization—such as the desired social structure of nuclear family settlement detailed in Shah's work—also emerges in Lowe's examination of racial capitalism through a genealogy of Western liberalism. In *The Intimacies of Four Continents*, Lowe (2015) argues that the rise of modern liberalism—and therefore the ideological underpinnings of capitalism—is upheld by the production and deployment of shifting racializations that structure global modes of governance. In turn, these political frameworks enable the mutually imbricated processes of capitalism, settler colonialism and enslavement. Frameworks of liberty and selfhood are used to carve a landscape of social difference, over which capital can traverse. In her excavation of the Chinese 'coolie' as a political economic figure, Lowe argues that the construction of Chinese and other Asian workers as a "free race" brought the contradiction between liberal ideals of freedom and the demands of capitalist production into alignment. In other words, by framing Chinese workers as a malleable source of free labor, capitalists were able to obscure the violations of liberal discourse embedded in enslaved Black labor, while still supplying a source of surplus labor. Important to note is the plasticity of such racializations, as Chinese workers were in one moment "celebrated as "free

labor" when arguing for importation, and in another, vilified as "like slaves" in arguments against the trade" (p. 25). These seemingly contradictory modes of racializing Asian workers as both free and enslaved labor are made commensurable by understanding racialization as tightly bound to relations of capital. Rather than being pegged to any inherent qualities of those who are racialized, race is constructed as a means to facilitate capital accumulation against imaginaries of nationhood and morality. In both Lowe and Shah's extrications of racial capitalism, aspirations constructed around racial purity and a moral order—both of which feature heavily in discourses of Asian massage labor—figure into the racializations of migrant workers that then allow them to better service the needs of capital.

IV. Global Imperialism, Sexuality, and Race

> *Have you lived in a house of prostitution in Hong Kong, Macao, or China? Have you engaged in prostitution in either of the above places? Are you a virtuous woman? Do you intend to live a virtuous life in the United States?*
>
> —— Interrogation questions asked of Chinese women attempting immigration to the United States, following the passage of the Page Act in 1875 (Peffer, 1986)

As briefly explored above, imaginaries of sexuality have historically been evoked within processes of racialization. In this section, I outline how these imaginaries of sexuality have mapped onto Asian women and rendered them as objects of sexual consumption. In particular, I examine the roots of these imaginaries in global projects of imperialism and capitalism. In so doing, I emphasize the explicitly gendered mode in which Asian women are racialized; narratives of race and gender are not deployed separately but rather operate together within the circulation

of global capital.

The stereotype of the hypersexual yet demure Asian woman gathered steam in the flames of 20th century U.S. war and imperialism in east and southeast Asia. Writing about instances of sexual harassment that take on expressly racialized overtones, legal scholar Sumi Cho argues that these "internationalized stereotypes…feed upon unequal power relations, military history, and uneven economic development between Asia and the United States" (Cho, 2003, p. 359). During and following the Korean War, for example, military camp towns became enduring installations on the landscape, in which a sex industry sanctioned by both Korean and United States governments blossomed. In an attempt to further nurture U.S.-Korean relations, this sanctioned system enlisted Korean women—sometimes driven by poverty—to "serve" American GIs (Moon, 1997). Later, the wars waged in southeast Asia, and in particular Vietnam, would yield similar industries.

These militarized relations were reproduced in Hollywood, with, of course, the depiction of Vietnamese sex workers in Stanley Kubrick's *Full Metal Jacket* the most notable among them. Hollywood's portrayals of rape, sexual dominance, and conquest are enmeshed in the political anxieties embedded within U.S. imperialism: "the combat film's representation of sexual violence both pre- and post-Vietnam has always thrived on its confirmation of an American hegemony predicated on the subjugation of peoples (and in particular, women) of color" (Conolly-Smith, 2013, p. 235). In turn, these women come to take on these representations, their bodies themselves becoming signifiers for conquest. In a 1990 *Gentleman's Quarterly* article titled "Oriental Girls" that celebrates the perceived merits of Asian women as lovers, the author writes cheerfully, "She's a handy victim of love or a symbol of the rape of

third world nations, a real trouper" (Rivers, 1990).

Sexualized military relations abroad began to manifest domestically in U.S. immigration policy following the Second World War, as soldiers wishing to bring their Asian wives home came up against quotas established by the Immigration Act of 1924 that restricted Asian immigration. As a result, the War Brides Act of 1945 was passed, granting admission to "alien spouses" of military personnel. Four decades later, the 1986 Immigration Marriage Fraud Amendment would be enacted, following concerns by legislators that Asian women were seducing unwitting American men to receive immigration and citizenship benefits, thus "vocaliz[ing] the pervasive assumption of Asian women's moral duplicity" — a stereotype that goes hand in hand with that of sexual promiscuity (Hwang & Parreñas, 2021, p. 573). Lisa Lowe's theory of racialization as a resolution to political and economic contradictions merits revisiting here: as the need for the U.S. to manifest global economic power produced and reinforced relationships of sexual desire, the nation as a racial state was jeopardized through the immigration of (morally duplicitous) Asian women, thus producing new discourses that reify structures of racialized misogyny.

Representations of Asian women also emerge at the convergence of grassroots politics within a system of racialized patriarchy that draws spheres of difference to pathologize resistance. In that same *GQ* article, the author writes, "She's fun you see, and so uncomplicated. She doesn't go to assertiveness-training classes, insist on being treated like a person, fret about career moves, wield her orgasm as a non-negotiable demand…She's there when you need shore leave from those angry feminist seas" (Rivers, 1990). Within dominant discourses, Asian women have come

to represent an idealized political passivity—or the ultimate rendition of the "model minority"—set up in contrast to white feminist movements and Black Americans (who are deemed by the racial state as the "problem minority"), while simultaneously obscuring decades of Asian American and women of color resistance. Of course, the construction of the "model minority" myth is itself undergirded by political economic anxieties and strategically wielded as a way to curate foreign relations and international power. Despite the vicious categorization of Japanese/Japanese Americans as alien enemies during the Second World War, an attempt to encourage Japan as a Cold War ally led to a dramatic shift in the discursive treatment of Japanese Americans; suddenly, Japanese Americans were a symbol of noble—and quiet—resilience in the wake of strife (Blakemore, 2021).

Today, pornographic preferences and lewd references to Asian women on online dating applications reflect and continue these long histories of racialized misogyny. As such, this research understands heightened criminalization of sex work to not only be pegged to dominant narratives that construct Asian women's sexuality, but also must be thought against the political economic conditions that bring these narratives to bear. This thesis extends a political-economically informed discourse analysis to the present context of massage parlors in Seattle's CID, revealing how racialized discourse mediates between broader political economic systems and spatial fixes at a more local scale.

As investigated in this chapter, policing and racialization (in addition to its gendered undercurrents) are both indispensable to the functioning of a capitalist political economy embedded in the racial project of the United States. Entering this research project with this framework allows for an understanding of how the

racialized policing of massage workers relate to the neoliberalizing landscape and urban development of Seattle.

Chapter III: Methodology

This project examines how racialized and sexualized discourses surrounding Asian women, and particularly Asian massage parlor workers, is produced through legal frameworks such as legislation and policing, drawing primarily from legislative documents, police records, and media content. Dittmer (2010) synthesizes a multi-scalar schematic of discourse analysis, calling for a close-reading of rhetoric or argument construction, an examination of the broader social context and power that the text carries and, finally, an exploration of how discourse manifests in material, real-world relations. Each of the sources employed in this project allows for an intervention at each of these scales of discourse analysis, revealing how the minutiae in legislative language enact significant change in the livelihoods of massage parlor workers and in Seattle's Chinatown/International District.

I. Legislation: Revised Code of Washington, Seattle Municipal Laws

I examined the enactment of legislation at the scale of the city and the state. Seattle's municipal codes anchor this research to its local scope, but are themselves dictated by the Revised Code of Washington (RCW)—a compilation of all Washington State laws in force. The RCW served as the basis for state-level analysis. To gather relevant legislation, I used the search terms "massage", "reflexology", "prostitution", and "business licensing" to retrieve legislation relevant to this subject. I then traced amendments to these laws since 2008. Tracking the changes in codes—and when they occurred—illuminated moments of heightened political interest in massage parlor labor, and allows for a triangulation of legislative discourse to contemporaneous political economic concerns, such as, for example moves toward

gentrification in Seattle, or new waves of immigration to the United States following de-industrialization in China.

II. Legislative Bill Reports

Legislative bill reports provided the material for a close-reading textual analysis, or an examination of the rhetoric used to propel legislative changes. Each bill that results in a change in law is accompanied by a report written by sponsoring senators or House representatives, delineating the rationale driving the amendment. Given the long history between racialized discourse and political economy discussed above, I understand these legislative bill reports to be in conversation with flows of capital and the reification of the racial state. In my close-reading analysis of these texts, I therefore ask:

1) What 'problem' is constructed by policymakers?

2) What political economic events and trends are policymakers responding to?

These reports are also often explicitly argumentative, advocating for legislation to be pulled into alignment with certain truth regimes or implicit moral codes; a clear example of this moral undercurrent is the categorization of massage parlor labor under "Crimes against Public Morals" in the Seattle municipal code. In this analysis, I did not take these categorizations or the policies themselves to be inevitable, but rather as linguistically and rhetorically constructed in ways that reflect certain values, and serve specific ends. As such, the following question also guided my analysis:

3) What tropes, persuasive techniques, and geographic imaginaries are used in these texts?

III. Police Reports

As demonstrated in my literature review, policing is a core process in furthering capital accumulation in neoliberal cities. Police reports provide glimpses into how policing interfaces with processes of racialization. I extended a close-reading textual analysis to police reports that discuss the 9 raids of CID massage parlors in 2019. Scholars have demonstrated how police discourse plays an outsized role in shaping public perceptions of social issues, and lends legitimacy to social 'problems' that the police are ostensibly responding to (e.g. Boyd & Kerr, 2016; Chermak & Weiss, 2005; Linneman & Kurtz, 2014; Liu & Blomley, 2013). Boyd & Kerr (2016), for example, explore how the Vancouver Police Department uses public reports to "reproduce negative discourses about mental illnesses and dangerousness that may contribute to further stigma and discrimination of persons with mental illness," thereby strengthening structural forms of discrimination (p. 429).

The spatiality of these narratives cannot be underestimated, as these police-produced discourses also manifest in enduring geographic imaginaries such as high crime "hot spots" and neighborhoods that represent irreconcilable difference—thereby reinforcing police activity (Linneman & Kurtz, 2014). As local business owners, neighborhood residents, and massage parlor workers all compete to shape the representation of Seattle's CID, it is clear that there is much at stake within these spatial narratives, underscoring the importance of understanding the role of the police in shaping the future of this neighborhood.

The police reports that followed the 2019 raids at CID massage parlors are primarily writeups by on-duty officers who conducted the raid, and include the nature of the charges, and also narrative text that delineates the progression of the

event. When there was a seizure of possessions, the reports contain descriptions and value of these assets. Analogous to the questions asked of the bill reports, I asked the following questions:

1) What charges are filed for each event? What is the justification used for these charges?
2) Who is considered a perpetrator? And who is considered a victim?
3) What tropes, persuasive techniques, and geographic imaginaries are used to construct the events of each raid?

IV. Media Accounts & other Auxiliary Sources

Finally, I triangulated legislative documents and police reports with media and community accounts of massage parlor labor, massage parlor raids, and gentrification. In particular, I drew on the city's largest newspaper and media source—*The Seattle Times*—and grassroots organizations including the Massage Parlor Outreach Project, and the Chinatown International-District Coalition.

Media accounts, specifically those in *The Seattle Times,* allowed me to extend this analysis to the largest scale: understanding the social and material impacts of these discourses on Seattle's CID and its residents. In addition, there exists a symbiotic relationship between the police and public media which expands the reach of narratives constructed by the police. In attempts to rally legitimacy, police strategically work the news media landscape to advance rhetoric that justifies their activity and bolsters their authority in the public eye, while news media relies heavily on police accounts for their reporting (Chermak & Weiss, 2005). The media also aims to connect police activity and accounts to the lived experiences of local

residents and the wider public. Reading police reports against broader media allowed me to contextualize police activity within these larger discourses.

The news media is itself a reflection of power, contingent upon the discourse of legislators and of the police, in addition to reflecting patterns of social inequality (van Dijk, 1995). With this in mind, I also drew on counter-narratives in auxiliary sources beyond traditional news media. These counter-narratives have been advanced by local organizers and residents who resist the impacts of these discourses. The Massage Parlor Outreach Project, and the Chinatown International-District Coalition are both grassroots organizations that work with low-income residents and workers to advocate against housing displacement, gentrification, and increased policing.

Across these sources, I am guided by the following questions:

1) What activities in the neighborhood are concurrent with legislative changes?
2) What are the political economic trends that policymakers are responding to? (paralleling legislative analysis delineated above).
3) How does the media portray the impact of these legislative changes and police activity on the neighborhood and its residents? What sources are employed, and what rhetorical strategies and claims to authority are used?
4) What problems are presented in the counter-narratives advanced by grassroots organizations in the CID?

Chapter IV: A Legislative History of Massage in Seattle, Washington

To understand how racialized and gendered narratives are constructed around Asian massage labor in Seattle today, I first turn to the history of massage legislation in Seattle and Washington state. In the past 80 years, a convergence of healthcare professionalization and moral panics around sex work has increasingly circumscribed massage within the purview of the state, creating a regulatory infrastructure that allows for the contemporary policing of Asian massage workers and their displacement from Seattle's CID. In this chapter, I provide an overview of how legislation surrounding massage practices have evolved in Seattle and Washington state, and how they reflect socially contingent moral codes and public fears around massage practice (see Appendix A for list of all massage-related bills in Washington state, and Appendix B for a summary of all changes in legislation). In particular, I demonstrate how the regulation of massage work creates spaces of legitimate versus illegitimate labor, with the intent of targeting practitioners suspected of sex work. As will be explored in the following chapter, these demarcations of illegitimacy are then racially mapped onto Asian massage parlor workers, rendering them a new target for police enforcement.

I. 1940-1975: Local Legislation of Massage

In 1975, the Washington state Board of Massage was created, beginning state-wide regulation of massage work. However, the regulation of massage in Washington state originated at a more local scale. Specifically, in the 1940s, Seattle passed ordinances that required massage practitioners to obtain licensing. These early efforts

were largely motivated by a need to curtail sexual labor that was associated with massage parlors. Citing the need to stop the use of the term 'massage parlors' for "houses of immoral purposes," this first ordinance mandated that every massage practitioner pass examination and be licensed by the city (Crew, 1943, p. 2). Massage work has experienced enduring elisions with sex work; as such, state surveillance of sex work bleeds onto the surveillance of massage labor. However, as in the case of the contemporary policing of Asian massage labor, suspicions of sex work is often colored by social hierarchies that identify who is valued and who should be outcast. Luibheíd (2002) traces the emergence of sex work as a social category distinct from the working class. As shifting social codes placed certain social groups at the bottom of the hierarchy—such as poor women, immigrant women and/or women of color—the label of "prostitute" then was deployed to signify the value of these groups. The arbitrary nature with which early massage regulation withdrew licenses hints at the social contingency of these new laws: many massage parlors were denied licenses because they "did not have male assistants in the establishments" ("Massage Parlor Denied License", 1942, p. 2).

II. 1975-1990: The Professionalization of Massage in Washington State

By the time the Washington State Board of Massage was created in 1975, legal enforcement of massage parlors in Seattle had reached a fever pitch. Numerous high-profile police raids targeted massage parlors with the goal of eliminating sex work ("Masseuse Convicted Of Lewd Conduct", 1970). As mentioned above, oversight of massage practices at the state level coincided with an upswell of national interest in alternative health practices, necessitating the regulation of massage at scales beyond municipalities to protect what the state viewed as "legitimate" massage labor.

Between 1980 and 1985, Washington state doubled the number of massage licenses issued from 135 to 287 (Cronin, 1985). With the establishment of the Board, the state legislature prohibited the practice of massage in the state without a license and initiated state-wide standards for the examination of massage practitioners that persist today. Notable in the initial regulation of massage is the inclusion of a clause that requires the board to provide alternate modes of examination for those who do not read or speak English, gesturing at the makeup of the industry at the time. As will be discussed later, this requirement for non-English examination formats would later be revoked in 2012 in response to the proliferation of Asian massage parlors, indicating the reactionary volatility of massage legislation to contemporaneous sociopolitical anxieties.

These early attempts at legislating massage practice at the state level defined massage broadly, and sought to carve out massage as a separate practice from other medical practices such as "cosmetology, barbering, physical therapy, osteopathy and surgery," defining it as a "treatment of the superficial parts of the body" (1975 1st ex.s. c 280 § 1., p. 1203). Over the following decades the Board of Massage would come to circumscribe massage more heavily under increasingly specific definitions. For example, a decade after massage was initially defined by the state legislature, a 1987 Senate Bill redefined massage therapy to specify particular techniques such as "effleurage, petrissage, tapotement, tapping" (1987 c 443 § 2, p. 1899), in addition to placing additional barriers to licensing in the form of educational requirements ("successful completion of a course of study in an approved massage program or approved apprentice" (p. 1902)). The professionalization of massage and the increasing specificity with which it is regulated creates more stringent boundaries

over what is considered legitimate massage—lawmakers and media alike used this illegitimate/legitimate dichotomy to explain the motive behind these bills. As in earlier phases of regulating massages, illegitimacy is synonymous with sex work, and these pieces of legislation were enacted to "suppress prostitution" (Burt, 1975).

III. 1990s: Sex, Massage and Policing

The 1990s ushered in increased media attention surrounding alleged sex work at Washington massage parlors, bringing on a new wave of legislation that sought to increase oversight of massage businesses and workers through accusations of prostitution. In addition, massage policy in the 90s is indicative of the ways in which police narratives precipitate new legislative infrastructure that in turn increase police power. In the early 90s, the Seattle Times paid particular attention to massage parlors in Federal Way, Washington—an at-the-time newly incorporated city south of Seattle. Federal Way police argued that the proliferation of massage parlors that trafficked in sex work stemmed from a state law that prohibited municipalities from levying more licensing fees against massage therapists than other health practitioners (Bartley, 1994); in 1995, the governor of Washington vetoed this prohibition, maintaining that the increase in revenue will allow for cities and counties to offset costs of regulating massage practice (1995 c 353 § 2, p. 8).

The 1995 bill also imposed fines and criminal punishment on massage therapists who are charged with violating prostitution related RCWs, in addition to automatically revoking their licenses. This bill marked the first initiative at the state-level that explicitly brought sex and massage work together, and was broadly endorsed by professional massage organizations that sought to distance themselves

from sex work. Revenue collected from these fines were directed toward a "prostitution prevention and intervention program," which sought to establish pathways out of sex work including "counseling, parenting, housing relief, education, and vocational training" (1995 c 353 § 7, p. 5). As allowed for by the passage of this bill, those who completed the program or had convictions overturned, were reinstated with their licenses. However, in the next year, the state legislature decided that completion of such a program was no longer acceptable as a means for license reinstatement, reifying punitive attitudes toward sex work in the state.

IV. 2010s-Present: Moral Panic of Human Trafficking

Beginning in the 2010s, the moral panic surrounding massage labor turned toward a widespread fear of human trafficking, as state legislature simultaneously doubled down on reflexology, currently defined by Washington state law as "a healthcare service that is limited to applying alternating pressure with thumb and finger techniques to reflexive areas of the lower one-third of the extremities, feet, hands, and outer ears" (2012 c 137 § 3, p. 3). Most notable in this decade was House Bill 6103, passed in 2012, which had a main stated goal of providing more support for state investigations of human trafficking, particularly at massage parlors. However, little of the bill outlines measures to crack down on human trafficking explicitly; rather, the majority of the bill is dedicated to incorporating reflexology into a tightly woven web of regulation. HB 6103 prohibits massage practitioners from marketing themselves as reflexologists without a massage license or a reflexology certification, and creates a new channel for those who just practice reflexology to be certified separately. The acute regulation of reflexology, and its coincidence with fears of human trafficking constitutes a core element of the racialized policing of

massage work, and will be the main subject of analysis in the following chapter.

V. Conclusion

Increased regulation of massage therapy over the 20th century allowed for a demarcation between so-called legitimate and illegitimate forms of massage. This distinction was made through initiatives to professionalize the massage industry through increased licensing and education requirements, in an attempt to distance the practice from assumptions of sex work. As those with resources to meet these requirements become labeled as professional, increased scrutiny befell those considered to be illegitimate massage workers, a label more likely pegged to poor workers of color. As Dobson (2005) argues, these professional organizations invariably privilege white and relatively more affluent massage work: "Who gets to be a professional massage therapist, who is allowed to practice without added surveillance and suspicion is a gendered, raced, and classed phenomenon" (p. 16).

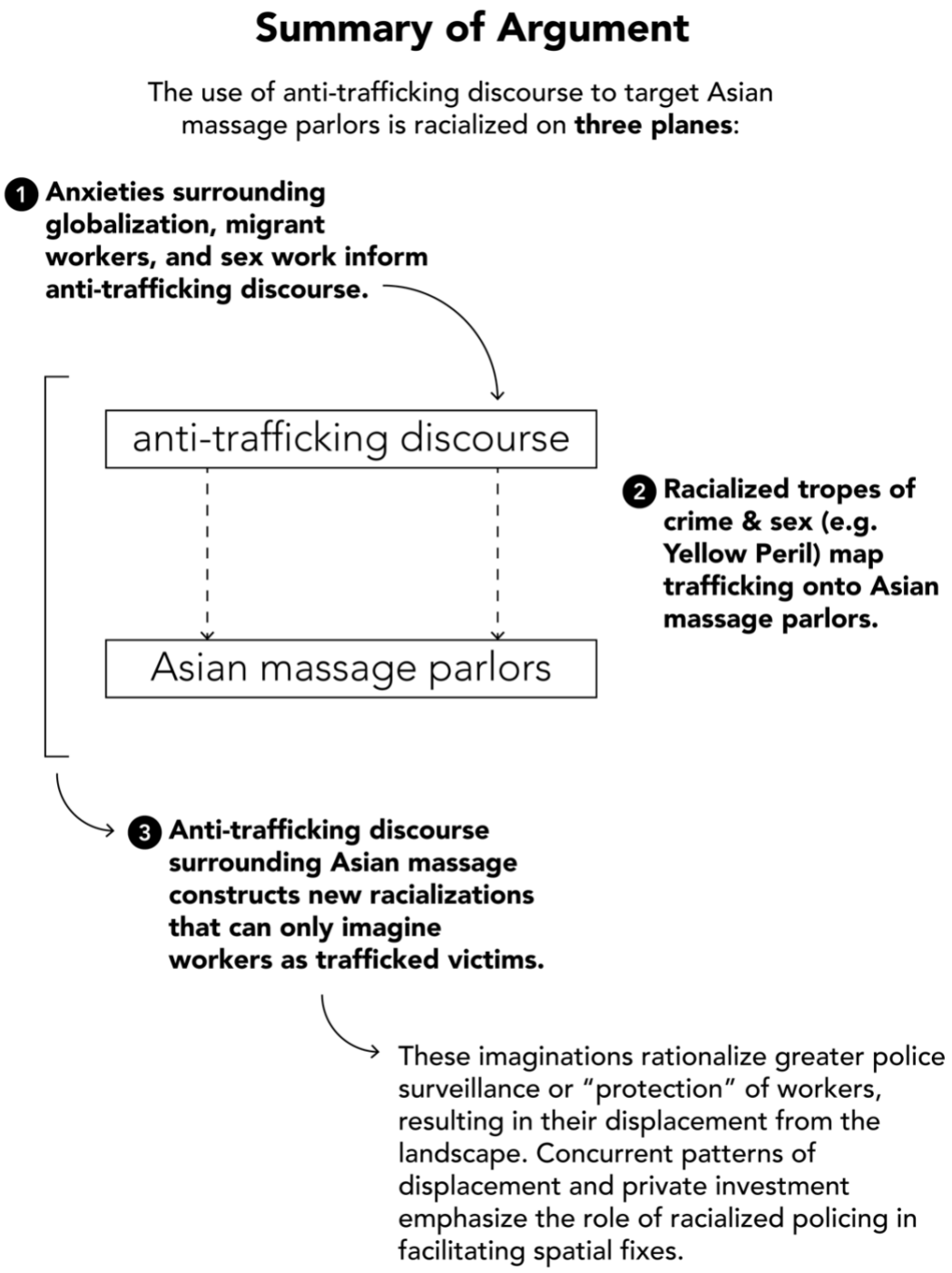
Chapter V: Anti-Trafficking Discourse and the Racialization of Asian Massage Parlor Labor

By carving out spaces of legitimacy and illegitimacy, legal frameworks that regulate and police massage work open up opportunities for these designations to be overlaid with raced and gendered meaning. In this chapter, I explore how this illegitimacy has been written onto Asian massage workers in the last 10 years and construct them as a target of racialized policing through the use of anti-trafficking legislation. In 2012, Washington state enacted a series of new massage licensing and inspection laws in an attempt to combat the human trafficking that was suspected of massage establishments staffed by Asian workers. The use of anti-trafficking discourse to target Asian massage parlors is racialized on multiple planes, summarized in Figure 1. First, as a discourse mobilized by fears of globalization, anti-trafficking rhetoric is undergirded by a desire to shelter a place from the corruptions ostensibly brought on by global circulations of capital and labor. Invariably, migration and sex are embedded in these fears, with anti-trafficking legislation used to police sex work and the immigrant women who are associated with sexual labor due to their societal status. Second, through a review of legislative session recordings and a close reading of media coverage, I explore the racialized tropes that create these associations between sex work, crime, and Asian massage workers, which have historical roots in the imaginary of an Asian existential threat to the United States. Third, a new process of racialization emerges through the construction of Asian massage workers as passive subjects to be rescued, leading to calls for their displacement. Finally, I argue that the nature of anti-trafficking discourse hews closely to a neoliberal regime of policing and displacement, thus enabling renewed

capital accumulation—or a spatial fix—in Seattle's CID.

Figure 1

Summary of argument



I. Rhetorical Flexibility of Anti-Trafficking Discourse: Moral Panics & the Policing of Sex Work and Migration

Trafficking gained a large presence in the public imaginary during the late 20th century, catalyzed by overlapping fears of globalization, migration, and sex work (Milivojevic & Pickering, 2013; Kotiswaran, 2021). As a discourse that is animated more by these fears than material relations of exploitation, anti-trafficking legislation has emerged as a rhetorically flexible tool that is used to police sex work and migration. This broader context sheds light on how anti-trafficking has then evolved into an acutely racialized way of policing massage workers in Seattle's CID.

International attention to human trafficking was catalyzed by the 2000 United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, propelling the issue into public imaginaries (Milivojevic & Pickering, 2013). This increased discussion of trafficking in the public sphere precipitated a wave of legislative interventions, beginning with international and federal anti-trafficking law and then individual state laws that attempted to combat trafficking at a more regional level. Washington responded to this climate with particular fervor, passing a string of laws in 2002 and 2003 that increased policing capabilities and developed punitive measures to address what was perceived to be crime "of epidemic proportions" (2005 c 358 § 2). The role of perception in catalyzing this legal response is central to understanding how anti-trafficking legislation is mobilized to police massage workers. By the admission of legislators themselves, attempts to quantify human and labor trafficking are far from precise: in the analysis for Senate Bill 6330, legislative staff claimed that between 100,000 to 300,000 girls were being trafficked (Washington State Senate, 2010). While forced

labor and sex certainly exist, scholars have noted how the paucity of data and the sensationalist imagery surrounding trafficking have contributed to a moral panic that elude reality, and easily allow for public understandings of the issue to hew closely to existing racialized and gendered biases (Kotiswaran, 2021; Yea, 2021).

One key rhetorical fuel for anti-trafficking legislation are anxieties of how increased globalization create demands for cheap labor and sex markets. Following the first wave of legislation in the early 2000s, Washington legislators returned to the issue in 2010, citing the Vancouver Olympic Games and other international sporting events as sites where sex trafficking might flourish. Particular attention is also drawn to the connective infrastructure that allegedly makes Washington state particularly vulnerable to the fallout of these global flows: in both early-2000s and 2010s legislation, "Washington's I-5 corridor" is repeatedly referenced as the crux of trafficking. As a corollary, anti-trafficking legislation is also bulwarked by rhetoric that casts rural, "American girls" as vulnerable to be ensnared in these schemes (Washington State Senate, 2010). This duality between a vulnerable domestic core and a threatening scourge of global capitalism has been critiqued by geographers and legal scholars who argue that anti-trafficking discourse has been weaponized to address fears that a national core is contaminated by migration patterns from the Global South (Milivojevic & Pickering, 2013; Wong, 2006).

Sex is no doubt entwined in these narratives of migration, forming another discursive pillar of anti-trafficking legislation that isolates sex work for increased surveillance. Washington legislation and anti-trafficking marketing materials (posters, campaigns, etc.) draw a distinct difference between labor and sex trafficking, echoing global anti-trafficking discourses that emphasize the particular moral deviance of sex

work. Kotiswaran (2021) argues that this distinction, alongside sensationalist imagery that constructs the violence of sex trafficking, exceptionalizes sex work from the typical concerns of labor movements such as long work hours and uncertain pay. In other words, as opposed to beckoning for increased labor protections, anti-trafficking discourse further stigmatizes the bodies of the supposed trafficking victims and calls for increased punitive measures directed at them. Undoubtedly, who is perceived to participate in sex work is colored by migration and shifts in global political economy that bring poor immigrant women to the core of surveillance (Wong, 2006). Indeed, as I explore in my analysis of police records below, anti-trafficking operations performed by the Seattle Police Department result not in trafficking charges but in prostitution charges at Asian massage parlors, highlighting the elisions constructed between sex work, migration and human trafficking.

Anti-trafficking legislation was again operationalized along these axes of sex and migration with the passage of Washington House Bill 6103, which placed anti-trafficking measures on a collision course with Asian massage labor. Driven in part by a xenophobic distaste for increased Asian immigration in Washington, House Bill 6103 attempted to "protect the public health and safety from the harms of human trafficking" (Engrossed Substitute Senate Bill Report, file: 6103-S.E SBR HA 12.pdf) by licensing reflexology — a type of massage that focuses on nerve centers in the hands and feet. This legislation was shaped by the voices of mostly White reflexology practitioners who sought to carve out a distinction between their professional practice, and that of Asian massage businesses who were then cast as illicit—echoing the last century of massage industry development, which professionalized White

labor and cast others as illegal and sexual. Furthermore, the conflation between sex and Asian massage labor reifies centuries-long stereotypes that have racialized Asian women against the national project of the United States. I will explore these modes of racialization in the following section.

II. House Bill 6103: Anti-Trafficking Legislation & the Racialized Policing of Asian Massage Workers

The main action of Washington House Bill 6103 in 2012 was to authorize the licensing of reflexologists, requiring practitioners to undergo a sanctioned reflexology course and apply for an official state license. Although this new requirement at first glance appears to be a banal regulation of a health profession, the use of massage licensing to police sex work in the last century—as explored in the previous chapter—hints at the targeted use of reflexology licensing to open up new spaces for surveillance. Indeed, as I explore in this section, the use of reflexology licensing as a means to combat the seemingly unrelated issue of human trafficking hinges upon the racialized construction of Asian massage parlors as rampant sites of crime as opposed to businesses where one might receive proper massage services. The intersection of anti-trafficking discourse with massage legislation thus exploits demarcations of legitimacy and illegitimacy embedded in the legal frameworks of massage labor, with the result of mobilizing state and police surveillance against Asian massage workers.

Extending the rise of anti-trafficking rhetoric in the early 2000s, anti-trafficking legislation directed at Asian massage parlors beginning in 2012 with House Bill 6103 demonstrates an anxiety toward global movements, in particular the apparent rise in Asian immigration to Washington state. Alongside this undercurrent of migration

anxieties, anti-trafficking rhetoric at this time also drew on racialized tropes relating to crime and sex that rationalized the mapping of this human trafficking moral panic onto Asian massage parlors. Altogether, the racial overtones and logic of this legislation rationalized the enactment of licensing regulations that isolated Asian massage workers as a new space of enforcement and surveillance.

Although the language of House Bill 6103 and Senate Bill 6014 itself does not reference Asian massage parlors, discussions surrounding the bill rhetorically associate these spaces with sites of illicit activity, identifying Asian massage parlors as the problem to be solved. The main issue that both bills aimed to remedy is the use of reflexology as a "front for unlicensed massage or other illicit activity (Washington State Legislature, 2012, 29:15). Both bills respond to the apparent rise in these illicit massage businesses in the 13 years since reflexology was ruled exempt from licensing in 1999. Legislators argue that the previous ability for reflexologists to operate without a license created a loophole for sex workers and human traffickers to use "reflexology" as a cover for sexual establishments. During public hearings and senate testimonials, Asian foot spas and massage parlors are frequently provided as examples of these illicit businesses. In a Senate hearing, Department of Health officer Karen Jensen testified in approval of the bills: "Advertisements of these activities are common. A colleague recently sent me a photo of a storefront advertising Asian foot massage with a photo of a full body massage on the front of building." (Washington State Legislature, 2012, 30:23). In another instance, Senator Karen Keiser remarks upon the linguistic differences that distinguish the practitioners at the heart of these bills: "many of the individuals who are in this field come from a culture from the Asian countries, and may not be able to communicate

fully with our current website or current materials" (31:20).

In addition to these rhetorical sleights of hand that identify Asian massage parlors as sites of criminal activity, the discourse surrounding these bills is also racialized through the construction of Asian workers as the ever-sinister and yet culturally incompatible and ignorant immigrant. In one public testimony, Bellevue Massage School owner James Schmidt argues that the issue of human trafficking stems from the different morals that Asian immigrant workers have: "The main problem here is the fact that what's caused this has been the recession, and the fact that there's cultural differences in the Asian community. They have different laws, and lack a lot of laws. They don't understand the laws. And the communication—a lot of them don't speak English." (Washington State Legislature, 2012, 24:35) The crime of trafficking is discursively bound to the perceived foreign character of immigrant workers, as though a fundamentally incommensurate moral regime governs these massage workers. On the contrary, immigrant massage workers come from countries that are equally, if not more punitive, of sex work; in the case of China—into which imaginaries of Asia and massage workers are often collapsed—anti-trafficking discourses are analogously wielded to criminalize and surveil sex work (Ling, 2018). Cultural difference is echoed throughout efforts to address human trafficking through the regulation of massage work, such as Senator Keiser's remarks above regarding "a culture from the Asian countries." In addition, following the police raids in CID, the *Seattle Times*—relying primarily on police interviews—reported that the raids required "different tactics, due to language and cultural barriers" (Green, 2019). These tactics involved dispatching undercover detectives as customers to elicit criminal activity — a strategy that has been used time and time

again as a method of entrapping and punishing those suspected of sex work. The raids of the 1970s explored in the previous chapter, for example, used the same tactics to shut down massage parlors in Seattle (e.g. MacLeod, 1978). Despite the commonplace nature of these tactics, they were nonetheless cast as unique, with the effect of exceptionalizing the perceived cultural difference of Asian massage workers.

As the imagined difference of Asian massage workers is cemented in public discourse, parallel imagery paints Asian immigrant workers as an omnipresent criminal threat, reflecting enduring tropes of Asian immigrants as dangers to U.S. national security. After highlighting the apparent inability for Asian massage parlor workers to understand massage legislation due to their linguistic and cultural difference, Bellevue Massage School owner James Schmidt suggests that any degree of regulating massage work would not resolve the issue of human trafficking in the state: Asian workers would simply find another loophole to engage in criminal activity. "We're accepting these people into the United States. 40% of Bellevue is minority, and we're not helping them. They're just going to jump into the other somatic practitioner places," Schmidt said, referring to another unlicensed domain of massage work (24:10). The construction of Asian immigrant workers as simultaneously too culturally ignorant to understand the law, while also having such clarity as to continuously find loopholes through the same legal system suggests an inevitability of crime. This double bind of cultural ignorance and criminal intent evokes a century-old trope of the Yellow Peril. The Yellow Peril imaginary dates back to the 19th century and responded to growing anxieties over the economic dominance of Asian countries (Tchen & Yeats, 2014). Conjured during other moments of crisis—such as during COVID-19 pandemic (Zarni, 2022)—the Yellow

Peril metaphor casts the figure of the Asian foreigner as a perpetual threat to the Western world. The use of this imagery reifies the racialization of Asian immigrants, heightening attention on Asian subjects, as evidenced by the suspicion-fueled violence in the policing of Asian massage workers' livelihoods.

Police narratives further these racialized imaginaries of crime and Asian immigration through the use of sensationalist imagery. In an interview with the *Seattle Times*, Sergeant Tom Umporowicz said, "This is Chinese organized crime, plain and simple," with the article itself tying the Asian massage parlors to a "sophisticated criminal network" (Green, 2019). The parroting of police narratives in the media transport them for public consumption, as news media plays a central role in constructing geographic imaginaries (Anderson, 1983; Graziano, 2009). The majority of coverage surrounding massage licensing and police raids draws heavily on police interviews and the perspectives of those with legislative power. In the main *Seattle Times* news story surrounding the 11 Seattle massage parlor raids in 2019, for example, 70% of the story drew on one police officer's perspective, 25% on another two officers, and finally, the last sentence was dedicated to a community liaison, who was nonetheless still sympathetic to the policing of massage parlors (Green, 2019). In other stories on the raids, police statements are used as the main window into the spaces of massage parlors (e.g. Bey, 2019; Chan, 2019; McNamara, 2019). Both police and news media have long enjoyed this symbiotic relationship, allowing for the public promotion of organizational legitimacy on the part of police, and easy access to crime stories by the media (Chermak & Weiss, 2005).

In response to police raids, massage labor organizers have contested these extreme claims of crime, used to justify the police violence of "rescuing" massage

workers from trafficking. Oral histories of massage workers, for example, continuously reinforce the agency of massage and sex labor; while instances of violence such as sexual assault and low wages are occurrences at massage parlors staffed by Asian workers, community organizers across the United States, including in Seattle, have reiterated the anomalous nature of trafficking or coerced sex activities that occupy the public imaginary of massage labor (Lam, 2018; Red Canary Song et al. 2022).

The myopic focus on anti-trafficking violence also furthers the racialization of Asian women massage workers by leveling an existing apparatus of policing sex work, thereby uniformly constructing Asian massage parlors as sites of sexual activity and evoking tropes that have long cast Asian women as passive objects of desire. As mentioned previously, anti-trafficking discourse emerged as a response to fears of sex work and moral corruption; these associations between trafficking and sex occupy a large place in public imaginaries, fueled by popular films such as *Taken,* and the onslaught of public campaigns against sex trafficking in the early 2000s (Yea, 2021). By singling out Asian massage parlors in this attack on massage-related human trafficking, these legal tools overwrite the labor of Asian massage workers as illegitimate sex work. At the same time, the imaginary of coerced sex in anti-trafficking discourse removes the subjectivity of this sex work and transforms Asian massage workers into imagined objects of sexual consumption.

III: Racial Capitalism and the Construction of the Asian Trafficking Victim

While the mapping of human trafficking onto the spaces of Asian massage parlors is rationalized through the use of racialized imagery, anti-trafficking discourse

itself operates as a new mode of racialization that constructs Asian migrant massage workers against the imagery of the imagined trafficked victim — hapless and desperate for rescue. This humanitarian framework is embedded in a neoliberal politics that can only imagine the low-income labor performed by migrants within a sensationalist narrative of trafficking and abuse, obscuring the global political economic relations that scaffold migration. By understanding this migration not against its structural origins, but rather as a deviation from a political and moral order, anti-trafficking discourse is able to enclose the wide and nuanced experiences of migrants into a singular imaginary of trafficking that calls for rescue and displacement interventions—such as the police raids at Seattle's massage parlors. In this section, I draw on Lisa Lowe's theorization of racial capitalism to argue that anti-trafficking discourse resolves a central contradiction between migrant labor and imaginaries of the state: while the vagaries of global capitalism bring Asian massage labor to Seattle, fears that this labor will corrupt racialized hierarchies and imagined notions of purity facilitate increased surveillance and displacement of workers. As a result, new spaces emerge for capital accumulation in Seattle's CID.

A statement from Washington State Senator Karen Keiser neatly models this process of racialization and displacement. "It would be of concern to me if I was working in an area of a profession that was becoming tainted. It seems to me that's what's happening with reflexology—that it's becoming linked with prostitution and human trafficking. And I don't know that I'd wanted to be in that business until we clean it up." (Washington State Legislature, 2012, 27:00) A kind of purity within the massage industry—shaped largely by the testimonies of White massage practitioners—is evoked; it is implied to be corrupted by Asian massage parlor

workers; trafficking and sex work is rhetorically employed to make sense of this corruption; finally, a strategy of removal ("clean it up") is advanced.

As explored in the previous section, Asian massage parlor workers have emphasized the agency at the center of their work, drawing on a milieu of personal and financial reasons to work in this industry (Lam, 2018). However, anti-trafficking discourse papers over these nuances by uniformly constructing massage workers as trafficking victims. Newspaper headlines regarding Asian massage parlor raids read, "26 Women Freed in Massage Seattle Massage Parlor Bust" (McNamara, 2019) or "26 women rescued at Seattle massage parlors in human trafficking bust" (Bey, 2019). Police narratives frequently suggest that migrant workers were "lured to this country" (Green, 2019). This rhetorical flattening of anti-trafficking discourse has emerged as the main mechanism to police sex work, particularly migrant sexual labor, in the last two decades. Andrijasevic and Mai (2016) note that the primacy of anti-trafficking discourse can be pegged to the "globalization of neoliberal politics" (p. 1), wherein political economic relations are only understood within a framework of individualized human rights. Although migrant sexual labor is at times undergirded by conditions of economic precarity brought on by the impacts of global neoliberalism, anti-trafficking marks this labor instead as a gross violation of human rights, and as "bringing social, moral, and physical decay into the body of a nation" (Holzberg et al., 2021, p. 1495). In other words, migrant sexual labor becomes a deviation from an otherwise seamless political and moral order, as opposed to emerging out of global relations of capital from which countries in the global North benefit. Migrant sexual labor is therefore constructed as an aberration to the nation state that should be eradicated. Although not all massage workers

provide sexual services, the racialized associations constructed between trafficking, sex work and Asian massage parlors transport this imagery and modes of regulation onto these spaces.

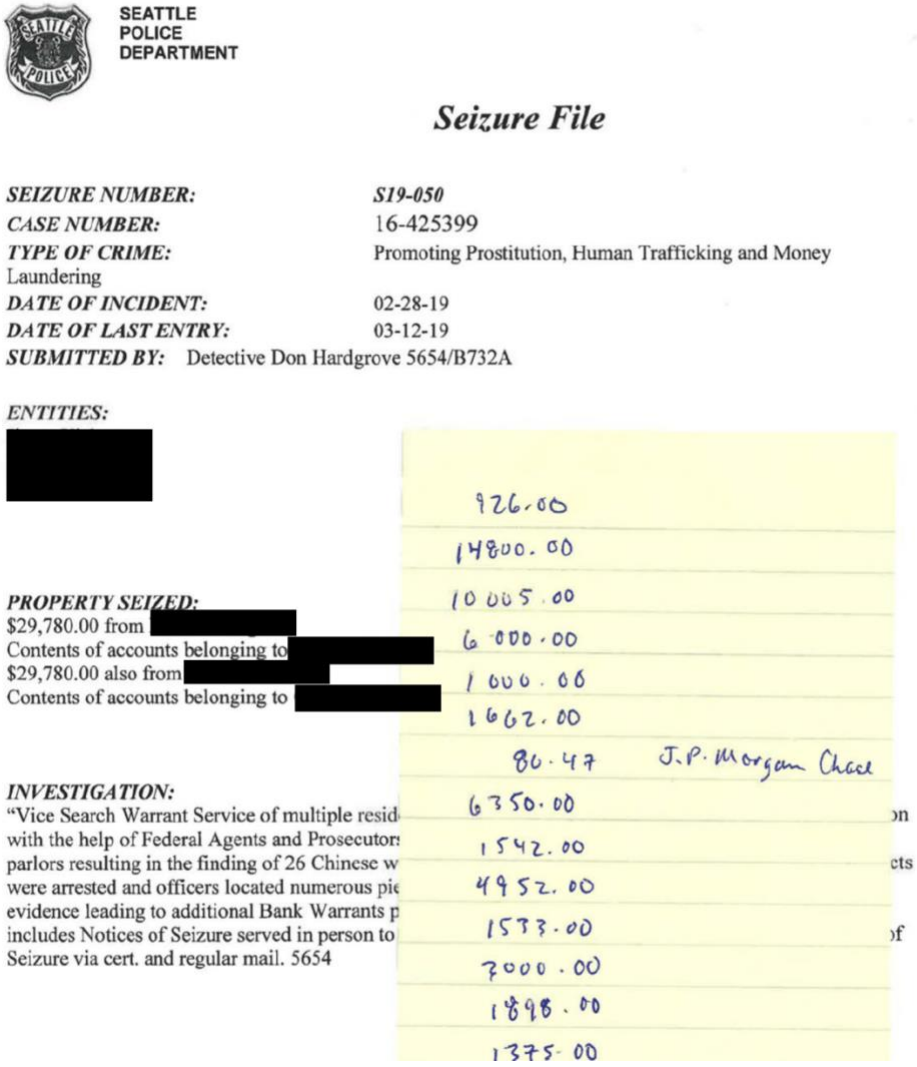
The exceptionalization of migrant labor as a threat to moral and political order scaffolds much of restrictive immigration policy in the United States. As Lisa Lowe argues in *Immigrant Acts,* as Chinese migrant labor expanded in the late 19th century and early 20th century to meet the demands of capital, it was simultaneously racialized as an alien threat — something that violated imaginaries of the western United States' landscape, as opposed to being endemic to frontier expansion. As a result of this alien racialization, an onslaught of restrictive immigration law was enacted to severely curtail Chinese immigration and surveil existing migrant populations for the first half of the 20th century.

Analogously, in the case of Asian massage parlors in Seattle, anti-trafficking discourse creates the conditions for eradicative measures—or, as Yea (2021) articulates, a regime of "carceral protectionism." Carceral protectionism calls for greater police intervention and surveillance with the goal of removing the human rights aberration of trafficking and extending ostensible safety to an imagined helpless victim. The discursive construction of Asian massage parlor workers as lacking in agency and culturally confused rationalizes the use of "statist and non-government institutions oriented to protecting (female) victims" (Yea, 2021, p. 2021). Although relations of violence undoubtedly exist within the massage industry—such as instances of sexual assault by clients, or long working hours (Lam, 2018)—anti-trafficking discourse obscures these quotidian labor conditions in favor of the sensationalist crime of trafficking. By misplacing the violence experienced by

massage workers, the solutions precipitated by anti-trafficking discourse do not bolster worker safety but rather "rescues"—or displaces—them from their spaces. Kotiswaran (2021) articulates this as "redemptive capitalism," which "aims to solve the problem of sex trafficking rather than address poor labor conditions within post-Fordist working arrangements, but in the process extends its surveillance over sex work" (p. 55). Indeed, this assumed innocence and helplessness of massage parlor workers rationalizes police "rescues" at a mere surface level; after the raids occur, new modes of surveillance and criminalization of massage workers toggle back to an understanding of migrant workers as criminals. In police reports following Seattle's massage parlor raids, a number of massage workers were levied charges of prostitution with others fearing deportation (Hardgrove, 2019; Strabuk, 2019). In her research on the policing of massage workers in Rhode Island and New York, Shih (2021) calls this use of anti-trafficking discourse as a means of border enforcement the "trafficking deportation pipeline," a common tactic to curtail the presence of Asian migrant workers under the guise of eradicating the threat of human trafficking. The punitive nature of this pipeline augment the precarity of workers' livelihoods. Deportation is one threat; in Seattle's police raids, thousands of dollars in assets were seized, in effect dissolving the financial security of workers (e.g. Hardgrove, 2019, see also Figure 4).

Figure 2

Example of Seattle Police Department seizure file



SEATTLE POLICE DEPARTMENT

Seizure File

SEIZURE NUMBER: *S19-050*
CASE NUMBER: 16-425399
TYPE OF CRIME: Promoting Prostitution, Human Trafficking and Money Laundering
DATE OF INCIDENT: 02-28-19
DATE OF LAST ENTRY: 03-12-19
SUBMITTED BY: Detective Don Hardgrove 5654/B732A

ENTITIES:
[redacted]

PROPERTY SEIZED:
$29,780.00 from [redacted]
Contents of accounts belonging to [redacted]
$29,780.00 also from [redacted]
Contents of accounts belonging to [redacted]

INVESTIGATION:
"Vice Search Warrant Service of multiple resid[redacted]on with the help of Federal Agents and Prosecutors[redacted] parlors resulting in the finding of 26 Chinese w[redacted]cts were arrested and officers located numerous pie[redacted] evidence leading to additional Bank Warrants p[redacted] includes Notices of Seizure served in person to [redacted]of Seizure via cert. and regular mail. 5654

926.00
14800.00
10005.00
6000.00
1000.00
1662.00
80.47 J.P. Morgan Chase
6350.00
1542.00
4952.00
1573.00
7000.00
1898.00
1375.00

Note. Names redacted for privacy by Kaijing Janice Chen.

The very nature of anti-trafficking discourse therefore creates the conditions for violent displacement and police surveillance, continuing an ongoing trajectory of neoliberalizing the urban landscape. As explored early in this thesis, the withdrawal of the welfare state and global neoliberalization has created increasing precarity of

labor conditions, migration and symbols of poverty on the urban landscape. And yet, the products of this very political economy are then constructed as aberrations to the city, creating the conditions for their policing and eradication. In this chapter, I've shown how the issue of sex trafficking has been mapped onto Asian massage parlors through the use of racialized tropes such as the Yellow Peril and imaginaries of Asian women as objects of sexual consumption and in need of salvation. As a result, policing regimes have pursued Asian massage parlors, initiating a new phase of racialization that heralds increased displacement and precarity.

These regimes of displacement unfold against a surge of capital investment in the neighborhood. In late February 2019—just a week before the massage parlor raids—Chinatown International District's first luxury high rise broke ground to the sound of protesting activists and elders who raised concerns of community erosion and gentrification (Ng, 2019). Backed by Taiwanese real estate developer Da Li Development USA, the CID's first high rise heralded a new era of heightened development pressures, with an eye toward reforming what Da Li chairman and founder called "the [neighborhood's] image of being old, dirty, and poor" (Ng, 2019). In the years since, a new spatial fix has ossified in the CID, more than two dozen development projects have been approved in the CID. This wave of development is catalyzed by new upzoning regulations that allow private companies to build higher rise properties in exchange for a nominal fee or for including low-income units (Beekman, 2019). Outsourcing the issue of affordable housing to the private market is emblematic of another form of neoliberal urban governance, as cities increasingly turn to public-private partnerships to spur capital accumulation (Hackworth, 2011; Logan & Molotch, 2007). Concurrent patterns of investment and

the racialized policing explored in this thesis gesture at the relationship between spatial fixes and policing in Seattle's CID, altogether symptomatic of an urban landscape increasingly shaped by logics of capital and precarity.

Chapter VI: Conclusion

What narratives of race and gender are used to police Asian massage parlor labor and produce new opportunities for capital accumulation in Seattle's Chinatown/International District since the Great Recession?

The evolution of massage legislation over the past century has created discourses of legitimacy/illegitimacy that invite increased policing. In the case of Asian massage parlors, these boundaries of legitimacy and illegitimacy have taken on racialized meanings as anti-trafficking discourse is mobilized to carve out massage workers as a new object of surveillance. These racialized undercurrents take on multiple forms. First, in emerging out of anxieties toward globalization and migration, anti-trafficking discourse is at its core driven by a racial logic that upholds imaginaries of national borders, and who belongs within them. Second, the use of anti-trafficking rhetoric to target Asian massage parlors relies on the use of enduring racialized tropes that associate Asian migrant labor with abject moral corruption. Finally, anti-trafficking massage legislation advances a new mode of racialization that constructs Asian massage workers as helpless trafficking victims. As a result, the structural conditions of their labor are overlooked in favor of sensationalist and flattening narratives that call for the workers' removal from the landscape. Massage parlor raids in Seattle's CID are emblematic of this forced removal and displacement. Within a neoliberal urban political economy, displacement and the renewed circulation of capital exist in symbiosis, with new investments filling in the spaces left by those removed.

This research opens initial insight into how dynamics of race, surveillance, and

capital intersect to remake the CID. Legislative texts form the core of this study, and allow for an understanding of how legal systems uphold border imaginaries and facilitate renewed circulations of capital. However, although this research is informed by my informal conversations with massage workers and community organizers, it is limited by its focus on legislative texts in lieu of an interview or ethnographic study. Future research, enabled by greater time and resources, should triangulate the legislative histories and dynamics I have outlined here with the experiences of massage workers. Doing so would allow for a stronger contestation of state narratives surrounding sex work and racialized massage labor, in addition to underscoring the agency and faceted experiences of Asian migrant labor. Further, a more ethnographic approach could better situate the growth of massage labor in Washington against the 2008 financial crisis, and therefore underscore the relations of capital that undergird massage labor and Asian immigration.

Although the regulation of Asian massage parlor through the lens of anti-trafficking gained footing almost a decade ago, its impacts still resonate today. Recent police raids in other municipal areas such as Renton, Kent and Federal Way continue to overlook the quotidian violences faced by massage workers—such as armed robberies, sexual assault, and poor labor conditions (Lam, 2018)—in favor of popular imaginaries of human trafficking. The persistence of these trafficking narratives is enabled by the predominance of White massage workers in the legislative process, who label themselves as professional while casting others as illegitimate. Future interventions to disrupt these narratives could possibly include the mobilization of Asian massage parlor workers to contribute additional voices to the development of new state legislation. In addition, political education and

community safety programs such as those provided by Seattle's Massage Parlor Outreach Program empower workers to not only participate in the legal system, but imagine systems of safety that fall outside a regime of carceral protectionism and increased police surveillance. In contesting these racialized narratives, these community efforts stand to disrupt the nexus of policing, racialization, and capital accumulation. There is much to gain. As relations of surveillance, capital, and race hack at longstanding communities in the CID, reasserting the faceted experiences of migrant workers strengthens relationships with place by rejecting the narratives that displace them—thus preserving a neighborhood that might yet remain a small respite from the harsh realities of an increasingly neoliberalized urban landscape.

Appendix A: List of Massage-Related Bills in Washington State

Year	Chapter	Document	Title	URL
1975	280	HOUSE BILL 774	MASSAGE BUSINESS	https://leg.wa.gov/CodeReviser/documents/sessionlaw/1975ex1c280.pdf?cite=1975%201st%20ex.s.%20c%20280%20%C2%A7%204
1979	158	HOUSE BILL 840	DEPARTMENT OF LICENSING-STATUTORY DEVOLUTION	https://leg.wa.gov/CodeReviser/documents/sessionlaw/1979c158.pdf?cite=1979%20c%20158%20%C2%A7%2074
1984	279	SUBSTITUTE HOUSE BILL 1178	HEALTH AND HEALTH-RELATED PROFESSIONS AND BUSINESSES—CONSOLIDATION OF DISCIPLINARY PROCEDURES	https://leg.wa.gov/CodeReviser/documents/sessionlaw/1984c279.pdf?cite=1984%20c%20279%20%C2%A7%2056
	287	HOUSE BILL 1159	BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES—COMPENSATION UNIFORMITY	https://leg.wa.gov/CodeReviser/documents/sessionlaw/1984c287.pdf?cite=1984%20c%20287%20%C2%A7%2053
1987	443	ENGROSSED SUBSTITUTE SENATE BILL 5299	MASSAGE THERAPY	https://leg.wa.gov/CodeReviser/documents/sessionlaw/1987c443.pdf?cite=1987%20c%20443%20%C2%A7%202
1991	3	HOUSE BILL 1115	HEALTH DEPARTMENT--REVISION OF STATUTORY REFERENCES AFFECTED BY CREATION OF DEPARTMENT	https://lawfilesext.leg.wa.gov/biennium/1991-92/Pdf/Bills/Session%20Laws/House/1115.SL.pdf?cite=1991%20c%203%20%C2%A7%20252
	182	SUBSTITUTE HOUSE BILL	MASSAGE PRACTITIONERS--LOCAL REGULATION OF STATE LICENSED	https://lawfilesext.leg.wa.gov/biennium/1991-92/Pdf/Bills/Session%20Laws/House/1911-

		1911	PRACTITIONERS	S.SL.pdf?cite=1991%20c%20182%20%C2%A7%203
1993	167	HOUSE BILL 1292	UNEMPLOYMENT COMPENSATION--MASSAGE PRACTITIONERS--EMPLOYMENT DEFINED	https://lawfilesext.leg.wa.gov/biennium/1993-94/Pdf/Bills/Session%20Laws/House/1292.SL.pdf?cite=1993%20c%20167%20%C2%A7%201
1994	3	SUBSTITUTE SENATE BILL 6073	UNEMPLOYMENT COMPENSATION--REVISIONS RELATING TO EXTENDED BENEFITS, BASE YEAR, AND THE MASSAGE THERAPIST EXEMPTION	https://lawfilesext.leg.wa.gov/biennium/1993-94/Pdf/Bills/Session%20Laws/Senate/6073-S.SL.pdf?cite=1994%20c%203%20%C2%A7%202
	228	SUBSTITUTE HOUSE BILL 2424	MASSAGE PRACTITIONERS--STANDARD INDUSTRIAL CLASSIFICATION	https://lawfilesext.leg.wa.gov/biennium/1993-94/Pdf/Bills/Session%20Laws/House/2424-S.SL.pdf?cite=1994%20c%20228%20%C2%A7%201
1995	198	SUBSTITUTE SENATE BILL 5308	EXAMINATIONS USED IN THE CREDENTIALING OF HEALTH CARE PROFESSIONALS	https://lawfilesext.leg.wa.gov/biennium/1995-96/Pdf/Bills/Session%20Laws/Senate/5308-S.SL.pdf?cite=1995%20c%20198%20%C2%A7%2017
	353	SUBSTITUTE HOUSE BILL 1387	MASSAGE PRACTITIONER LICENSING	https://lawfilesext.leg.wa.gov/biennium/1995-96/Pdf/Bills/Session%20Laws/House/1387-S.SL.pdf?cite=1995%20c%20353%20%C2%A7%201
1996	154	SENATE BILL 6138	MASSAGE PRACTITIONERS--LICENSE REVOCATION	https://lawfilesext.leg.wa.gov/biennium/1995-96/Pdf/Bills/Session%20Laws/Senate/6138.SL.pdf?cite=1996%20c%20154%20%C2%A7%201

1997	297	SUBSTITUTE HOUSE BILL 1875	UPDATING TERMINOLOGY RELATING TO MASSAGE PRACTITIONERS	https://lawfilesext.leg.wa.gov/biennium/1997-98/Pdf/Bills/Session%20Laws/House/1875-S.SL.pdf?cite=1997%20c%20297%20%C2%A7%202
2001	297	SUBSTITUTE SENATE BILL 5621	ANIMAL MASSAGE	https://lawfilesext.leg.wa.gov/biennium/2001-02/Pdf/Bills/Session%20Laws/Senate/5621-S.SL.pdf?cite=2001%20c%20297%20%C2%A7%202
2002	277	SENATE BILL 6698	MASSAGE PRACTITIONERS--REFLEXOLOGY EXEMPTION	https://lawfilesext.leg.wa.gov/biennium/2001-02/Pdf/Bills/Session%20Laws/Senate/6698.SL.pdf?cite=2002%20c%20277%20%C2%A7%201
2007	165	HOUSE BILL 1341	MASSAGE--REGULATION	https://lawfilesext.leg.wa.gov/biennium/2007-08/Pdf/Bills/Session%20Laws/House/1341.SL.pdf?cite=2007%20c%20165%20%C2%A7%202
	272	SUBSTITUTE HOUSE BILL 1397	MASSAGE THERAPY--INTRAORAL MASSAGE	https://lawfilesext.leg.wa.gov/biennium/2007-08/Pdf/Bills/Session%20Laws/House/1397-S.SL.pdf?cite=2007%20c%20272%20%C2%A7%201
2008	25	SUBSTITUTE HOUSE BILL 2859	MASSAGE PRACTITIONERS--LICENSING	https://lawfilesext.leg.wa.gov/biennium/2007-08/Pdf/Bills/Session%20Laws/House/2859-S.SL.pdf?cite=2008%20c%2025%20%C2%A7%201
2011	223	SUBSTITUTE HOUSE BILL 1133	MASSAGE PRACTITIONERS--DISPLAY OF LICENSES	https://lawfilesext.leg.wa.gov/biennium/2011-12/Pdf/Bills/Session%20Laws/House/1133-S.SL.pdf?cite=2011%20c%20223%20%C2%A7

				%201
2012	137	ENGROSSED SUBSTITUTE SENATE BILL 6103	REFLEXOLOGY AND MASSAGE THERAPY	https://lawfilesext.leg.wa.gov/biennium/2011-12/Pdf/Bills/Session%20Laws/Senate/6103-S.SL.pdf?cite=2012%20c%20137%20%C2%A7%203
2015	18	SUBSTITUTE HOUSE BILL 1252	MASSAGE THERAPY--REFLEXOLOGY--UNLICENSED PRACTICE	https://lawfilesext.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1252-S.SL.pdf?cite=2015%20c%2018%20%C2%A7%201
2016	41	SUBSTITUTE HOUSE BILL 2425	MASSAGE PRACTITIONERS--RENAMING AS MASSAGE THERAPISTS	https://lawfilesext.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2425-S.SL.pdf?cite=2016%20c%2041%20%C2%A7%201
	53	HOUSE BILL 2781	MASSAGE THERAPIST EDUCATION--TRANSFER PROGRAMS	https://lawfilesext.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2781.SL.pdf?cite=2016%20c%2053%20%C2%A7%204
	81	SECOND ENGROSSED SUBSTITUTE HOUSE BILL 1553	CRIMINAL HISTORY--EMPLOYMENT, LICENSING, AND HOUSING--CERTIFICATES OF RESTORATION OF OPPORTUNITY	http://lawfilesext.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1553-S.SL.pdf?cite=2016%20c%2081%20%C2%A7%2011
2017	77	SUBSTITUTE HOUSE BILL 1189	MASSAGE THERAPY EXEMPTIONS--SOMATIC EDUCATION	http://lawfilesext.leg.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/House/1189-S.SL.pdf?cite=2017%20c%2077%20%C2%A7%201

	209	ENGROSSED HOUSE BILL 2005	MUNICIPAL BUSINESS LICENSING--STATE PARTNERSHIP--TAX APPORTIONMENT	http://lawfilesext.leg.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/House/2005.SL.pdf?cite=2017%20c%20209%20%C2%A7%201
2020	295	SUBSTITUTE SENATE BILL 5097	MASSAGE THERAPISTS AND REFLEXOLOGISTS--PHOTO IDENTIFICATION	http://lawfilesext.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/Senate/5097-S.SL.pdf?cite=2020%20c%20295%20%C2%A7%201
2022	217	ENGROSSED SUBSTITUTE HOUSE BILL 1881	BIRTH DOULAS	https://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1881-S.SL.pdf
	240	SUBSTITUTE SENATE BILL 5753	HEALTH PROFESSIONS BOARDS AND COMMISSIONS—MODIFICATION	https://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/Senate/5753-S.SL.pdf

Appendix B: Summary of Massage Legislation in Washington

1975 **The Washington Board of Massage is created.**

- defines massage: "the treatment of the superficial parts of the body, with or without the aid of soaps, oils, or lotions, by rubbing, touching, stroking, tapping, and kneading, provided no attempt be made to adjust or manipulate the articulations of the spine"
- massage business: "operation of a business where massages are given"
- the board:
    - 3 members, appointed by governor, a term of three years each
    - each member must have at least "three years experience in the practice of massage immediately preceding their appointment and shall be actively engaged in the practice of massage during their incumbency"
    - role of the board is to oversee the licensing of a "massage operator" (their language), determine the nature of examination, conduct examinations, and determine who successfully passes examination"
- massage does not appear to include those who practice "medicine, surgery, drugless therapy, cosmetology, barbering, physical therapy, osteopathy, osteopathy and surgery, chiropractic, podiatry, nursing, or persons working under prescription, supervision, or direction of any such person"
- licenses can only be issued to those over 18 years of age and "who has furnished satisfactory proof of their good character and health" (p.1205)
- "the board shall give an appropriate alternate form of examination for persons who cannot read or speak English to determine equivalent competency"
- prohibits the practice of massage without a license

1979

- minor changes in language (e.g. director of motor vehicles to director of licensing)

1984 **Washington Legislature seeks to standardize "disciplinary procedures" for health workers.**

- "…by providing a uniform disciplinary act with standardized procedures for the enforcement of laws the purpose of which is to assure the public of the adequacy of professional competence and conduct in the healing arts" (p. 1514)
- also adds public members to the board
- enforces oversight over:
    - "dispensing opticians"

- "drugless healers"
- midwives
- ocularists
- psychologists
- massage operators and businesses
- dental hygienists

- punitive measures include:
  - revocation of license
  - suspension of the license for a fixed or indefinite term
  - restriction or limitation on the license holder's practice
  - establishment of a requirement that the license holder satisfactorily complete a specific program of remedial education or treatment
  - monitoring of license holder's practice by a supervisor approved by the disciplining authority
  - censure or reprimand
  - …etc
  - "Practice of a profession specified in section 4 of this act without a license, unless otherwise exempted by law, constitutes a gross misdemeanor" (p. 1524).

1984

- Minor changes.

1987

State legislature further defines massage therapy.

- "a health care service involving the external manipulation or pressure of soft tissue for therapeutic purposes. Massage therapy includes massage techniques such as methods of effleurage, petrissage, tapotement, tapping, compressions, vibration, friction, nerve stokes, and Swedish gymnastics or movements either by manual means, as they relate to massage, with or without the aids of superficial heat, cold, water, lubricants, or salts. Massage therapy does not include diagnosis or attempts to adjust or manipulate any articulations of the body or spine or mobilization of these articulations by the use of a thrusting force." (1899)
- redefines who qualifies as representing themselves as a massage practitioner: "massage, massage practitioner, massage therapist, massage therapy, therapeutic massage, massage technician, massage technology, massagist, masseur, masseuse, myotherapist or myotherapy, touch therapist, **reflexologist, acupressurist,** body therapy or body therapist, or any derivation of those terms that implies a massage technique or method" (p. 1890)

	• mandates formal education in massage: "successful completion of a course of study in an approved massage program or approved apprenticeship program" (p. 1902) • board of massage increases by 1 • adds consumer member, who "does not derive his or her livelihood by providing health care services or massage therapy and is not a licensed health professional" (p. (1903) • determines examination parameters • requires completion of a course of study in an approved massage program, or of an apprenticeship program established by the bard
1991	**Washington State Department of Health created 2 years prior; minor language changes (e.g. director -> secretary) to bring RCWs into alignment with new department.**
1991	**State legislature clarifies local government regulation of state licensed massage practitioners** • state licensed massage practitioner seeking a city, county, or town license must provide verification of state massage license • same with business owners
1993	**Defines "employment" for unemployment compensation for massage workers.** • massage worker not employed if they have to pay owner of business facilities and they receive no compensation for their work
1994	**Outlines details of unemployment benefits**
1994	**Recategorizes massage practitioners as health practitioners for tax purposes. Tax liability and licensing requirements not impacted.**
1995	**Includes advertising acupressure services/designating oneself as an acupressurist as falling under representing oneself as a massage therapist (which means anybody who advertises them as such are also subject to the licensing requirements). (Chapter 198)**

Sec. 15. RCW 18.108.030 and 1987 c 443 s 1
read as follows:

(1) No person may practice or represent him
massage practitioner without first applying for a
department a license to practice.

(2) A person represents himself or her
practitioner when the person adopts or uses
description of services that incorporates one or
terms or designations: Massage, massage p
therapist, massage therapy, therapeutic massage
massage technology, massagist, masseur, masseu
myotherapy, touch therapist, reflexologist,
acupressurist, body therapy or body therapist,
those terms that implies a massage technique or

Levies fines against those charged with violating various RCWs relating to prostitution, and instates legislature that revokes licenses against those with prostitution-related charges. (Chapter 353)

- license is automatically revoked if secretary of massage board receive documentation of prostitution-related convictions, even if conviction is under appeal
- if final appellate decision overturns the conviction, license will be reinstated
- completion of prostitition prevention and intervention program also allows license to be reinstated
- no license may be granted any person who has been convicted of violating prostitution-related RCWsrw
- also establishes a grant program to "enhance funding for prostitution prevention and intervention services" including "counseling, parenting, housing relief, education and vocational training, that: comprehensively address the problems of persons who are prostitutions and enhance the ability of persons to leave or avoid prostitution"
- look up the following RCWs:
    - 9.68A.100 ($250 fee)
    - 9A.88.010, 9A.88.030, 9A.88.090 ($50)
    - 9A.88.080, 9A.88.070 ($300)

1996

Removes prostitution prevention and intervention program as a qualifier for reinstating license. License can only be reinstated if the conviction is overturned.

1997	**Changes definition of massage therapy.** (2) "Massage" and "massage therapy" mean a involving the external manipulation or pressure therapeutic purposes. Massage therapy includes (such as ((~~methods of effleurage, petrissage, ta~~ compressions, ((~~vibration,~~)) friction, ((~~nerve s~~ gymnastics or movements ((~~either by manual mean massage~~)), gliding, kneading, shaking, and facial stretching, with or without the aids of superfici lubricants, or salts. Massage therapy does not attempts to adjust or manipulate any articulations or mobilization of these articulations by the use nor does it include genital manipulation.
2001	**Introduces animal massage**
2002	**Exempts reflexology from massage licensing.** • "For purposes of this chapter, the practice of reflexology is limited to the hands, feet, and outer ears. The services provided by those who limit their practice to reflexology are not designated or implied to be massage or massage therapy."
2007	**legislation authorizes taxes to be levied against all businesses at a local level, and that licensed massage practitioners "should be treated the same as other health professionals" under local government — "additional registrations or licenses regulating massage or massage practitioners are not authorized" (Chapter 165)** **Defines intraoral massage and details licensing requirements. (Chapter 272)** • intraoral massage: "manipulation or pressure of soft tissue inside the mouth or oral cavity for therapeutic purposes" • licensed massage practitioner must additionally apply for an endorsement to perform intraoral massage after completion of training
2008	**Adds continuing massage education as a prerequisite for license renewal.** • also adds a few lines about obtaining an inactive credential and getting reinstated

2011	**Stipulates that a massage practitioner's name and license must "conspicuously appear on all of the massage practitioner's advertisements"**
2012	**New act to provide support for state investigations of human trafficking and "other illicit activity". *[Is this the first mention of human trafficking in legislation?]* Incorporates reflexology back under the definition of massage.** • previous exemption of those who limit their practice to reflexology from massage licensing is removed from the legislation (see 2002) • reflexologists go through a separate certification process • you are a massage practitioner if you are licensed under this chapter • you are a reflexologist if you are certified under this chapter • you are a massage practitioner if you say you use reflexology, unless you're a certified reflexologist…in which case you are a certified reflexologist • you can't practice reflexology or represent yourself as a reflexologist unless you are certified as a reflexologist OR licensed as a massage practitioner • you represent yourself as a reflexologist if you use the following terms: "reflexologist, reflexology, foot pressure therapy"....etc. ——but if you are a licensed massage practitioner, you can also use these terms (b) A person certified as a reflexologist may nc title or description of services, including advertising, that incorporates one or more of the designations: Massage, masseuse, massager, ma myotherapist or myotherapy, touch therapist, body the or any derivation of those terms that implies a ma therapy unless the person is also licensed under massage practitioner. • also removes requirement that the state provides examination for those who cannot speak or read English • if you practice reflexology as a licensed massage practitioners for at least 5 years before 2012, or have completed a course in reflexology, then the secretary can certify you as reflexologist without examination • can transfer certification / licensure at the discretion of the secretary • authorizes inspections by secretary or authorized representative of massage and reflexology businesses without notice during

	business hours; if denied access, secretary of board can apply for a warrant to authorize access
2015	**Enacts penalties on owners of massage businesses or reflexology businesses if they "with knowledge or criminal negligence allows or permits the unlicensed practice of massage therapy or reflexology" — guilty of misdemeanor**
2016	**Renames massage practitioners as massage therapists (Ch. 41)** **Further defines parameters for transferring licensure. (Ch. 53)** • for establishing "transfer programs" from schools that have not been previously approved by the board — "prior education" includes accreditation from national, state authorities **Aims to reduce barriers to employment for those with criminal histories. (Ch. 81)** • "certificates of restoration" — "offer potential public and private employers or housing providers concrete and objective information about an individual under consideration for an opportunity" • who can apply? — one year passed since probation sentence, or having received a deferred sentence or other noncustodial sentencing for a misdemeanor or gross misdemeanor offense; 18 months from total or partial confinement from a Washington prison or jail or juvenile facility… and a bunch of other requirements • offers an out from the restrictive criminal history requirements enacted in 1995
2017	**Defines somatic education (those in a somatic education program do not have to be licensed to practice massage). (Ch. 77)** **Aims to "improve business climate by simplifying the administration of general business licenses" (Ch. 209)** • differentiates regulatory business license from general business license — massage parlors must acquire additional "regulatory business license" • cities must partner with department of revenue to have licenses issued

2020	**Requires massage therapists to have government-issued photo identification on them at all times, and have it available for inspection by "city, county, or state law enforcement or department personnel at all times"**
2022	**Creates new health profession for birth doulas (Ch. 217)** **Increases number of board members on Washington state board of massage, and updates requirements on who can serve on the board (Ch. 240)**

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