

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

AN 2024-09

ADVISORY NOTICE TO THE ALCOHOLIC BEVERAGE INDUSTRY REGARDING  
THE POSTING OF HUMAN TRAFFICKING SIGNS IN LICENSED ESTABLISHMENTS  
PURSUANT TO N.J.S.A. 52:17B-237.1

BY THE INTERIM DIRECTOR:

**I. Introduction.**

The purpose of this Advisory Notice is to raise awareness about the problem of human trafficking in New Jersey and inform holders of certain New Jersey alcoholic beverage licenses described below that they are required to post prescribed human trafficking public awareness signs pursuant to N.J.S.A. 52:17B-237.1.

The Division of Alcoholic Beverage Control (“Division” or “ABC”) intends to educate licensees about this law through trainings and on-site inspections of licensed premises, and will encourage affected licensees to post these signs to raise public awareness. The Division then plans to promulgate regulations requiring the posting of these signs on licensed premises, and impose penalties, such as suspension or revocation of their licenses, for those who fail to comply. The Division’s goal is to promote education and compliance first before resorting to enforcement for failure to post the signs.

It is noted, however, that if the Division identifies incidences of human trafficking occurring on a licensed premises through its inspections or public outreach, it will refer these matters to law enforcement and may take appropriate administrative enforcement action.

## II. Background.

New Jersey is committed to identifying, investigating, and prosecuting the crime of human trafficking, while simultaneously protecting the safety, security, and rights of victims.<sup>1</sup> Human trafficking – a form of modern-day slavery – is a violation of fundamental human rights and is a serious crime in New Jersey. N.J.S.A. 2C:13-8 to -12. Human trafficking is the illegal trade of persons against their will for the purposes of commercial sexual activity, including prostitution and pornography, and forced labor, including domestic servitude and migrant agricultural work.

The criminal enterprise of human trafficking is a \$150 billion per year worldwide industry, affecting 27,000,000 people and is believed to be tied with drug trafficking as the most profitable illegal enterprise in the world, even surpassing the sale of illegal weapons. It is estimated that 800,000 persons are trafficked across international borders annually. Of these victims, fifty percent are children, eighty percent are women and girls, and seven out of ten female victims are trafficked into the sex trade while the remaining are trafficked into forced labor. The average age that a girl enters the commercial sex trade is 12 to 14 years old; for boys, it is 11 to 13 years old.<sup>2</sup>

Human trafficking is known to occur in bars, restaurants, hotels, hotel rooms, nightclubs and strip clubs, and these types of establishments are subject to the Division's regulatory jurisdiction. The Division is aware that these establishments may front as legitimate public businesses that sell food and alcohol, and offer music and dancing, while exploiting

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<sup>1</sup> See N.J.S.A. 52:17B-237, Commission on Human Trafficking; N.J.S.A. 2C:13-8 to -12, Human Trafficking; Attorney General Law Enforcement Directive, No. 2012-2, Investigation of Human Trafficking; New Jersey Human Trafficking Task Force.

<sup>2</sup> New Jersey Human Trafficking Task Force, "Human Trafficking Red Flags," [https://www.nj.gov/oag/dcj/humantrafficking/downloads/NJHTTF\\_FS\\_Airline-Airport.pdf](https://www.nj.gov/oag/dcj/humantrafficking/downloads/NJHTTF_FS_Airline-Airport.pdf).

victims for sex and labor behind the scenes. In hotels, traffickers organize “in-call” and “out-call” escort services whereby victims are forced to provide commercial sex acts to “buyers” in the individual guest rooms.<sup>3</sup>

The Division is aware that human trafficking occurs on licensed premises in New Jersey. For example, in one case, a licensee forced young women and adolescent girls from a foreign country to work excessive hours, to entice patrons to consume alcohol, to engage in sex with male patrons, and to undergo abortions when they became pregnant. The victims were beaten and threatened with deportation if they failed to comply. Back in their native country, victims’ families suffered threats and physical violence. The licensee pled guilty to federal charges of harboring illegal immigrants for the purpose of commercial advantage and tax evasion.<sup>4</sup> The Division revoked the licensee’s alcoholic beverage licenses.<sup>5</sup>

In addition, the Division knows that there is a prevalent practice in the industry today whereby female employees are forced to solicit drinks from male patrons before being paid any wages. Most of these employees – known as “drink girls” or “agency girls” – are undocumented, forced to live in controlled housing, and speak little English. The women are frequently involved in sex trafficking and are transported between different establishments to elude discovery by law enforcement. Upon uncovering these practices on licensed premises, whether through filed complaints, or discovery during undercover operations or routine retail inspections, ABC Investigators forward the matters to the appropriate law enforcement

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<sup>3</sup> Polaris, “The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the U.S.”, <https://polarisproject.org/sites/default/files/Polaris-Typology-of-Modern-Slavery.pdf>.

<sup>4</sup> U.S. v. Medrano, No. 05-148(JAP)-01 (D.N.J. Jan. 14, 2009), see Judgment.

<sup>5</sup> Div. of A.B.C. v. Piramide Entertainment, LLC, Agency Dkt. No. S-03-31723 (see Consent Order Dec. 18, 2008).

agencies and will also take administrative enforcement action against the licensee, as necessary.

### III. N.J.S.A. 52:17B-237.1.

In 2021, the Legislature amended N.J.S.A. 52:17B-237 to require the Commission on Human Trafficking<sup>6</sup> to develop a human trafficking public awareness sign and require that it be posted at certain establishments where human trafficking is likely to occur. See P.L. 2021, c. 3, codified as N.J.S.A. 52:17B-237.1. The sign, which is available to download online here [[Human Trafficking Public Awareness signs, English and Spanish](#)], contains two 24-hour toll-free numbers: the New Jersey hotline number and the national human trafficking hotline number. The New Jersey human trafficking hotline number [855-END-NJHT (855-363-6548)] is monitored 24/7 by the Regional Operations Intelligence Center (“ROIC”) <sup>7</sup>, ensuring an immediate response to victims or informants who call the hotline.

N.J.S.A. 52:17B-237.1 requires that the signs be posted in places that are clearly conspicuous and visible to employees and the public, in various locations throughout the State. Of particular relevance to the Division, the following establishments are required to post the human trafficking awareness signs:

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<sup>6</sup> The New Jersey Commission on Human Trafficking was created by the Legislature in 2013, as part of its passage of the Human Trafficking Prevention, Protection, and Treatment Act (P.L. 2013, c.51; see N.J.S.A. 52:17B-237). The Commission, which is in the Division of Criminal Justice in the Department of Law and Public Safety, is comprised of fifteen members from the fields of law enforcement, victim assistance services, health care and child advocacy, as well as members of the general public who have experience in, or who have a specialized knowledge of, human trafficking. As required by the enabling legislation, one Commissioner is a survivor of human trafficking. The Commissioners were nominated either by the Governor, or by the Governor upon the recommendation of leading members of the Legislature.

<sup>7</sup> The Regional Operations Intelligence Center (“ROIC”) is New Jersey’s state fusion center, a joint interagency intelligence enterprise comprised of 175 personnel from various law enforcement and public safety agencies including the FBI, US Department of Homeland Security, NJ Office of Homeland Security and Preparedness, and numerous State, county and municipal agencies. <https://www.njhomelandsecurity.gov/media/podcast-roic>.

- (1) Strip clubs or sexually oriented businesses as defined in subsection a. of section 2 of P.L.1995, c.167 (2C:33-12.2), including, but not limited to, within every dressing room and within every restroom and restroom stall; . . .
- (3) Bars; . . .
- (15) All forms of public transportation, including every railroad passenger car; and
- (16) Hotels, motels, bed and breakfast establishments, campsites, and similar places of public accommodation.

[N.J.S.A. 52:17B-237.1(b)(1); -(3); -(15); and -16.]

Many of these establishments hold the following types of liquor licenses, and are under ABC's jurisdiction: Plenary ("33") and Seasonal ("34") Retail Consumption License; Plenary Retail Consumption with Broad Package Privilege License ("32"); Hotel/Motel License ("36"); Special Concessionaire Permit ("14"); Club License ("31"); and Retail Transit License ("13").

Through compliance inspections and other types of investigations, the Division oversees the activities occurring at these licensed premises and is well positioned to inform licensees of their obligations under N.J.S.A. 52:17B-237.1. While the Division initially intends to increase awareness of this law through outreach and its continued training efforts to municipal clerks and staff, police chiefs, detectives, ABC investigators and staff, and current licensees, the Division intends to promulgate regulations requiring the posting of these signs pursuant to its authority in N.J.S.A. 33:1-39. The Division will then enforce these regulations against non-compliant licensees, including the imposition of presumptive penalties for failure to post the human trafficking awareness signs.

#### IV. Director's Authority.

It is the Director's duty to supervise the manufacture, distribution and sale of alcoholic beverages in a manner that fulfills the public policies and legislative purposes of the Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 to -5.5, and N.J.A.C. 13:2-1.1 to -44.1 (collectively, "ABC Act"), namely, "to strictly regulate alcoholic beverages to protect the health, safety and welfare of the people of this State." N.J.S.A. 33:1-3.1(b)(1). In addition, the Division has the authority "to protect against the infiltration of the alcoholic beverage industry by persons with known criminal records, habits or associations." See N.J.S.A. 33:1-3.1(b)(5).

The Director has broad authority to make rules and regulations to ensure proper regulation and control of the alcoholic beverage industry across a wide range of subjects that include, in pertinent part: inspections and investigations, prostitution, solicitation, criminals, control of signs, employment of illegal or unlawful immigrants, minors, standards of decency, and "such other matters whatsoever as are or may become necessary in the fair, impartial, stringent and comprehensive" administration of Division rules and regulations. See N.J.S.A. 33:1-39. The ABC Act – remedial in nature – is intended to be liberally construed. See N.J.S.A. 33:1-73. Using this broad authority, the Division intends to promulgate regulations requiring that the licensees defined in N.J.S.A. 52:17B-237.1 post the required human trafficking awareness signs, and will be setting forth presumptive penalties for failure to do so. Circus Liquors, Inc. v. Middletown, 199 N.J. 1, 12-13 (2009).

In addition, it is well known that engaging in human trafficking on a licensed premises is a crime and is also a violation of the ABC Act, regardless of the licensee's knowledge, presence or participation. See N.J.S.A. 2C:13-8 and -9; N.J.A.C. 13:2-23.5(a) and (c); and 13:2-23.28 (a) and (c); See also Div. of Alcoholic Beverage Control v. Maynards, Inc., 192 N.J. 158, 178 ("It has been consistently held that liquor licensees are strictly liable for illicit drug

transactions within the licensed premises, whether committed by the licensees themselves, their employees or by others.”) If the crime of human trafficking is occurring on a licensed premises, the Division will refer the matter to appropriate law enforcement agencies, and may also take administrative enforcement action against the licensee, as necessary.

**V. Conclusion.**

Combating human trafficking is everyone’s responsibility. The State law mandating the posting of a human trafficking hotline and awareness-raising sign in designated establishments can make a marked contribution to this fight. As noted in this Advisory Notice, the Division and ABC Investigators will continue educating licensees about the requirement to post the human trafficking public awareness signs, followed by the promulgation of a regulation requiring such postings. Once a regulation is promulgated, the Division will enforce it against licensees required to post the signs.

This Advisory Notice does not impose any new or additional requirements that are not required by statute or regulation and does not establish any rights or obligations for any person. This document does not provide legal advice beyond the ABC Act and should not be treated as providing legal advice beyond the ABC Act.

Questions about this Advisory Notice should be directed to DAG Amy Beth Cohn at [amy.beth.cohn@njoag.gov](mailto:amy.beth.cohn@njoag.gov), or 609-376-9672.



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KIRSTIN L. KRUEGER  
INTERIM DIRECTOR

DATE: November 22, 2024  
KLK/APW/ABC

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