

IN THE
COUNTY OF UTAH, STATE OF UTAH

State of Utah vs. TOMNEY, YAN Date Of Birth: 07/08/1976 376 E 60 SOUTH AMERICAN FORK. UT 84003	<h2 style="margin: 0;">Affidavit of Probable Cause</h2>
Arrestee	

On 02/04/2021 14:00 the defendant was arrested for the offense(s) of:

Offense	Date	Offense Description	Enhancement Statute	Severity	Court
1	02/04/2021	MONEY LAUNDERING	76-10-1903	F2	DST
2	02/04/2021	PATTERN OF UNLAW ACTIVITY	76-10-1603	F2	DST
3	02/04/2021	PROSTITUTION	76-10-1302	MB	DST
4	02/04/2021	UNLAWFUL/UNPROFESSIONAL CONDUCT	58-1-502	MA	DST

I believe there is probable cause to charge the defendant with these charges because:

Detectives have been investigating multiple massage parlors for human trafficking, pattern of unlawful activity, prostitution, aiding prostitution, money laundering, and multiple nuisance violations.

On 09/22/2020, American Fork Police department received an anonymous online complaint from a citizen regarding the new "Asian" massage parlor located at 376 E 60 South, American Fork. The complainant informed officers that this parlor had listings on "Rub Maps", an online website which shows where you can go to receive a "happy ending" massage. The complainant stated in his complaint that all you would need to do is send a male in the parlor, become naked, and as the masseuse begins to massage, she will touch you inappropriately. If you do not complain she will continue and even, make offers for more.

Most, if not all, Asian massage businesses operate the same. In my training and experience I have learned how these criminal organizations are operating with minimal risk to the business owner. An Asian massage parlor, herein referred to as an AMP, typically sets up operation in small strip mall areas throughout the United States. Most AMP's advertise their businesses visually by placing neon signs, window coverings with images of Asian Zen type photos, or lastly simply stating "Asian massage." The business typically applies for a business license with the local government entity within the city it is located. The names listed as owners on the applications are often difficult to understand, as Chinese names start with the last name first. This usually disassociated them from any type of driver's license database since the United States typically lists first name first, and last name last. Many applications have ownership names using out of state driver's licenses and addresses, typically tied to the southern California area.

Once the business is granted a business license, mostly because the city entity has no legal basis to deny licensure, they are able to open the store front. Most of the AMP businesses apply for a business license several times per year, only changing slightly the name variation of the business, and changing the owner's name and information. The store front itself never changes the signage, nor does it operate utilizing the new name change. This tactic is commonly used by the Asian criminal organizations to thwart law enforcement from criminal investigations.

These Asian females fall into a world of human trafficking and become victims in their own right. In the Asian culture, family honor is among the highest level of priority to these Asian female victims. The criminal organizations often threaten to contact their families and provide them with information of voluntary prostitution occurring in the United States, which is unwanted by the female victims. These Asian female victims fall deeper into the human trafficking organization living with the fear of what may happen if they deviate from the criminal organizations wishes. Some of the Asian females are forced to live in small closets or rooms within the massage business premise and given only minimal means for survival. If the Asian female victims are not living on the store premise, they often live with several other Asian women who are also victims of the human trafficking organization in apartment buildings or homes owned or rented by members of the criminal organization.

Detectives began investigating the massage parlor, which were identified as Sunflower Massage. Detectives searched the business license of Sunflower Massage parlor and found the person who applied for the business license was a specific female, and they found she is also the business owner of Relax Wood LLC (204 E 860 South, Orem), Small Rainbow (250 N Orem Boulevard, Orem), and she frequents Magic Massage (483 W 30 North, American Fork).

Detectives began following the business owner and found she travels between the 4 massage parlors.

Detectives have found through surveillance that most of the female masseurs appear to stay at the different parlors they work at. Detectives have rarely seen the female workers leave through multiple hours of surveillance, both physical and electronic.

Through my training, experience and conversations with other officers who specialize in this field, I have found that rarely if ever are the Asian females involved in being trafficked allowed to leave the business. This is done to control the female individuals and keep them involved in trafficking.

Detectives performed multiple undercover operations where officers were sent in as patrons to the different massage parlors and found each of the above listed massage parlors solicited sexual acts in exchange for payment. Detectives performed undercover operations on Sunflower Massage, Relax Wood LLC, Magic Massage, and Small Rainbow. At the undercover operations the Asian female masseur's solicited sexual activities in exchange for money, this was denied by undercover officers.

On December 14, 2020, a concerned citizen observed an older white male in a Chevrolet Truck picked up a Chinese girl from the Sunflower Massage parlor. The truck then drove to a residence located in Lindon, Utah. Detectives have observed this same Chevrolet Truck at Relax Wood LLC on multiple occasions.

Through my training, experience and communications with other officers, I found it is not uncommon for trafficked girls to be dropped off and picked up by someone other than the business owner. This is done in an attempt to thwart law enforcement investigations and keep other members of the organization "clean".

Detectives have performed multiple "john stops" on customers as they are leaving massage parlors. On all of these stops the male customers have all acknowledge there are "happy endings" offered to customers.

Detectives began reviewing a website which reviews Asian Massage Parlors that offer sexual services to patrons, which they found to be a website designed to leave reviews on various massage parlors which offer happy ending services. Through reviewing multiple reviews on Magic Massage, Relax Wood, and Small Rainbow Massage it was found multiple individuals left reviews in which it was found if you offer a big enough tip you can receive hand jobs, blow jobs and on some cases even sex.

On February 1, 2021 detectives were performing physical surveillance on the Relax Wood LLC and observed two females exit Relax Wood LLC and enter a white Mercedes. The white Mercedes then traveled from Relax Wood LLC to the residence in Lindon. One of the females exited the vehicle and entered the Lindon residence, the other stayed in the vehicle and left the area. An undercover officer who previously performed an undercover investigation at the massage parlor earlier that day observed the driver was one of the females who provided a massage, and solicited sexual acts was driving the white Mercedes then traveled to Small Rainbow Massage located at 250 North Orem Boulevard without making any stops along the way.

Through my training and experience I have found that most organizations will have some sort of headquarters which holds money, transaction books, files, passports, identifications, and other valuable items.

On February 4th, 2021, Officers with the American Fork Police Department and other local and federal law enforcement served a search warrant at a massage parlor in American Fork. When officers entered the business, a female was the only working employee. The female was later identified as Yan Tomney. There was a male in the massage parlor that was currently receiving massage services as he was lying face down on a massage table without any clothes on. Officers were able to secure the business and the two individuals and start a search of the building.

A Sergeant and other federal agents interviewed the male in the parlor. Post Miranda, the male admitted to finding the massage parlor on dark web sites and communicating with a contact number with price and services provided. The male admitted to agreeing on a \$60.00 purchase for a massage and a "happy ending". The male then admitted to law enforcement that during the massage, an agreement between Yan for a blow job for \$140.00 was conducted. The female masseuse took her clothing off and some touching between the two occurred. After Yan had her clothes off, she then got on top of the male. Yan was on top of the male when officers and agents served their search warrant. While talking to the male in the massage room, there was a pair of pink women's panties on the massage table that we were told by the male belonged to Yan.

Yan informed detectives she arrived in Utah in January 2021. Yan was in the process of purchasing the Sunflower massage parlor from another individual who is involved in human trafficking. Yan was paying cash to the other individual to purchase massage parlor, she was paying with money which was earned throughout the month. Yan is the only employee who works at Sunflower massage, and this business has been there for some time as an established business.

On January 13, 2021 officers performed an undercover operation at Sunflower massage. When the undercover officer entered the massage parlor they were greeted by a female (later identified as Yan Tomney). Yan took the undercover officer to a massage room and provided a massage in this room. While in this room massaging the undercover officer, Yan informed the undercover multiple things. Yan told the officer she arrived in Utah from Boise Idaho in January and was asked to come here, Yan would not tell the officer who asked her to come here. Yan then solicited sexual acts in exchange for money, the undercover officer refused this and left the parlor.

Yan does not have a business license to perform massages.

Detectives located large amounts of cash during the search warrant. Through my training, experience, and talking to other officers I have found this consistent with the operations of illegal massage parlors engaged in unlawful activities.

Further, pursuant to Utah Code § 77-20-1(2), I request that the Defendant be detained. I make this request on the following grounds.

The defendant is charged with a felony and there is substantial evidence supporting the charge and clear and convincing evidence that the defendant would constitute a substantial danger to any other individual or to the community or is likely to flee the jurisdiction of the court, if released on bail. The defendant is not a citizen of the United States.

By submitting this affidavit, I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

/S/ Lott, Shawn E

Officer Name: AFSELOTT - Shawn E Lott

A sworn officer with: UT0250100 - American Fork PD

Agency Case 21AF00967

Probable Cause Entered: 02/04/2021 22:53

Probable Cause ID: 159377

Suggested Bail Amount:

SUBMISSION IDENTIFICATION INFORMATION

Booking Agency: Utah County Sheriff Office

Agency Inmate ID: 401949

Arrest Date/Time: 02/04/2021 14:00

Booking Agency ORI: UT0250000

OTN: 60808672

SID: NONE

FBI ID: 83772EH1