

**AGENDA**  
**CITY OF ST. CHARLES**  
**SPECIAL LIQUOR CONTROL COMMISSION MEETING**

**MONDAY, APRIL 4, 2016**  
**CITY COUNCIL CHAMBERS @ 4:30 PM**  
**2 E MAIN STREET**

1. Call to Order.
2. Roll Call.
3. Motion to accept and approve the minutes of the March 21, 2016 Liquor Control Commission meeting.
4. Discussion regarding Massage Establishment Citation and Hearing Notice for Best Massage, 2774 E Main Street, St. Charles.
5. Discussion regarding Massage Establishment Citation and Hearing Notice for Lotus Spa, 1700 Lincoln Highway, St. Charles.
6. Discussion regarding Massage Establishment Citation and Hearing Notice for Main Spa, 504 E Main Street, St. Charles.
7. Other Business.
8. Public Comment
9. Executive Session (5 ILCS 120/2 (c)(4)).
10. Adjournment.

**MINUTES  
CITY OF ST. CHARLES, IL  
LIQUOR CONTROL COMMISSION MEETING  
MONDAY, MARCH 21, 2016**

**1. Opening of Meeting**

The meeting was convened by Liquor Commissioner Rogina at 4:32 p.m.

**2. Roll Call**

**Members Present:** Liquor Commissioner Rogina, Robert Gehm, Ald. Payleitner, and Chuck Amenta

**Absent:** Ald. Lewis

**Others Present:** Police Chief Keegan, Atty. John McGuirk, Mark Koenen, Tina Nilles

**3. Motion to accept and approve the minutes of the February 16, 2016 Liquor Control Commission meeting.**

Motion by Ald. Payleitner, second by Gehm to accept and approve the minutes of the February 16, 2015 Liquor Control Commission meeting.

**Voice Vote:** Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

**4. Recommendation to approve a Massage Establishment License for LeVisage Spa, LLC located at 475 Dunham Road, Ste. 2A, St. Charles.**

**Chief Keegan:** Elizabeth Feltes is the petitioner for the business LeVisage Spa. Pursuant to our ordinances we conducted a background and site inspection and her application material was very comprehensive and everything is in order. I talked to her about what the City's expectations are with massage licensing and I'm confident she can answer any questions you might have.

**Elizabeth Feltes, 475 Dunham Road, Ste. 2A, St. Charles.**

**Ald. Payleitner:** I did have a couple of questions but they've been answered regarding your services and floorplan.

**Mr. Gehm:** I compliment you on your business and information packet. It's by far one of the better ones we've seen with the layout and what your expectations are in our business community.

**Mr. Amenta:** Very comprehensive packet.

**Chrmn. Rogina:** We'll take a motion here and once approved for recommendation it will move forward tonight to our Government Operations Committee and, after approved there, it will move forward to the April 4 City Council for final approval.

Motion by Mr. Gehm, second by Ald. Payleitner to recommend approval of a Massage Establishment License for LeVisage Spa, LLC located at 475 Dunham Road, Ste. 2A, St. Charles.

**Roll Calls:** Ayes: Gehm, Payleitner, Amenta; Nays: None; Absent: Lewis. Chrmn. Rogina did not vote as Chair. **Motion carried.**

**5. Discussion regarding Tobacco Citation and Hearing Notice for STD Enterprises, Inc., d/b/a 7-Eleven.**

**Chrmn. Rogina:** Now comes the petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as following that on or about February 22, 2016, at approximately 4:40 p.m., the licensee, STD Enterprises, Inc., d/b/a 7 Eleven, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Liquor Code; the offense being sold tobacco to a minor in violation of Sections 5.16.070 and 5.16.100 of the St. Charles Municipal Code.

**Chrmn. Rogina:** You've received a copy of the complaint and form and the way this works under the Liquor code if the citation is issued, you have three choices to plead not guilty and request a hearing and we would have a hearing next month at this time. You can plead guilty and not request a hearing or you can plead guilty and make a statement for the record.

**Steve Davison, 1705 W Main Street, St. Charles:** I will plead guilty. I've been at that establishment since 1992, formerly White Hen Pantry. I put all my employees through the tobacco and liquor 7 Eleven training program before they start on the register. In this particular instance I happened to be out of town, but I let the employee go as soon as I found out he sold to a minor.

**Chrmn. Rogina:** I do appreciate your honesty and sincerity of explanation. Simply put these things can happen and it did happen and you certainly have a right to explain yourself. We still respect the fact that you have been a long standing establishment in our community and for the most part things have run smoothly over there. We will go into executive session to discuss the penalties under the City ordinances. I will take their input under consideration and move forward in a positive sense. The City Council, committees and commissions are not happy about minors being served tobacco underage. A lesson is learned.

**Ald. Payleitner:** I appreciate it that you've already taken matters in hand.

6. **Other Business-** none

7. **Public Comments – none.**

8. **Executive Session (5 ILCS 120/2 (c)(4)).**

Motion by Ald. Payleitner, second by Amenta to enter into Executive Session at 4:41 to discuss tobacco violation.

**Roll Call:** Ayes: Gehm, Payleitner, Amenta; Nays: None; Absent: Lewis. Chrmn. Rogina did not vote as Chairman. **Motion Carried.**

Motion by Payleitner, second by Amenta to come out of Executive Session at 4:47.

**Voice Vote:** Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

9. **Adjournment**

Motion to adjourn by Ald. Payleitner, second by Amenta at 4:48 p.m.

**Voice Vote:** Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title: Discussion Regarding Massage Establishment Citation and Hearing Notice for Best Massage, 2774 E Main Street, St. Charles

Presenter: Mayor Rogina

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Liquor Control Commission (4/4/16)

Estimated Cost:		Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

This is a complaint of violations being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local massage establishment license or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of multiple offenses happening on or about March 15, 2016 at the establishment of Best Massage, 2774 E Main Street, St. Charles.

**Attachments:** *(please list)*

Citation and Notice of Hearing

**Recommendation / Suggested Action** *(briefly explain):*

Discussion regarding Massage Establishment Citation and Hearing Notice for Best Massage, 2774 E Main Street, St. Charles.

*For office use only:*

*Agenda Item Number: 4*

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MASSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-03  
BEST MESSAGE )

**CITATION AND NOTICE OF HEARING**

TO: BEST MESSAGE  
2774 E. Main Street  
St. Charles, IL 60174

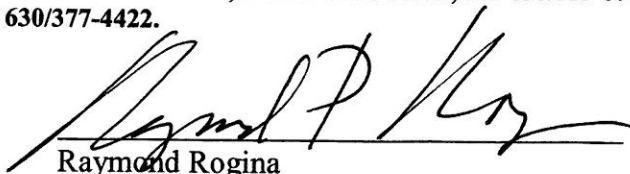
**PLEASE TAKE NOTICE THAT** on April 4, 2016 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.20.150 of the Municipal Code of the City of St. Charles.

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local massage establishment license issued to you or impose a fine upon you, or both, by reason, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

**AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.**

**YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.20.150(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.**

DATED this 2 day of March, 2016.



Raymond Rogina  
Local Liquor Control Commissioner  
City of St. Charles

cc: Mark Koenen, City Administrator  
Chief of Police, James Keegan

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: Xiaoli Hao Kendall at 10:25 am  
\_\_\_\_\_ on the 22<sup>nd</sup> day of March, 2016.

Q.P. Li #340

SUBSCRIBED AND SWORN TO  
before me this 22<sup>nd</sup> day of March, 2016.

Sara K Cass  
NOTARY PUBLIC

NOTE: I SPOKE WITH OWNER'S DAUGHTER  
Shanshan Fan and explained  
CITATION to her via Cell phone,  
owner <sup>Li</sup> Ling, not available.

Q.P. Li #340



STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MASSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-03  
Best Massage )  
2774 E. Main Street )  
St. Charles, IL 60174 )

**COMPLAINT OF VIOLATION**

**NOW COMES** the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. That on or about March 15, 2016, at approximately 12:40 p.m., the Licensee, Best Massage, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Massage Establishment Code:

**OFFENSES**

Violated Section 5.20.130(G) of the Massage Establishment Act which states:

“No person, knowingly, in a massage establishment, shall place his or her hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area of another person.”

Violated Section 5.20.130(H) of the Massage Establishment Act which states:

“No massage therapist or employee shall perform or offer or agree to perform any act, whether or not for compensation of any form, which would require the touching of the patron’s sexual or genital area.”



Violated Section 5.20.180(B)(10) of the Massage Establishment Act which states:

“The license holder permits acts of prostitution or solicitations for acts of prostitution to be performed within the premises ...”

Violated Section 5.20.130(D) of the Massage Establishment Act which states:

“No person shall advertise, promote, or refer to himself or herself as a massage therapist as herein defined without being a massage therapist as provided in this chapter or Illinois statute.”

Violated Section 5.20.110(A) of the Massage Establishment Act which states:

“Supervision. A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee.”

3. On or about March 15, 2016, Best Massage was operating under a Massage License issued by the City of St. Charles.

4. That the acts detailed in Section 2 of this Complaint of Violation each are prohibited and are in violation of and contrary to Sections 5.20.130(G), 5.20.130(H), 5.20.180(B)(10) and 5.20.130(D) of the St. Charles Municipal Code.

5. That the Licensee, Best Massage, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

**WHEREFORE**, the Petitioner, James Keegan, Chief of Police requests pursuant to Section 5.20.150 of the St. Charles Municipal Code that the Local Liquor Control Commission, a/k/a the Massage Business Commission, hold a hearing on this matter and take such action against Best Massage as the Massage Business Commissioner shall deem appropriate under the circumstances.

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James Keegan  
Chief of Police  
City of St. Charles, Illinois

John M. McGuirk  
Attorney for the City of St. Charles  
Hoscheit, McGuirk, McCracken  
& Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, IL 60174  
630/513-8700

Best Massage



# Case Report Summary



Print Date/Time: 03/22/2016 09:48  
Login ID: kschult  
Case Number: 2016-00005814

ST CHARLES POLICE DEPARTMENT  
ORI Number: IL0451400

## Case

Case Number: 2016-00005814  
Location: 2774 E MAIN ST  
SAINT CHARLES, IL 60174  
Reporting Officer ID: 0048 - Lamela

Incident Type: 1505 PROSTITUTION  
Occurred From: 03/15/2016 12:40  
Occurred Thru: 03/15/2016 13:25  
Disposition:  
Disposition Date:  
Reported Date: 03/15/2016 13:34 Tuesday

## Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1505	720 ILCS 5.0/11-14	PROSTITUTION	1
2	State	5000	225 ILCS 57.0/30-B	VIOLATE MESSAGE LICENSING ACT	1

## Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	HU, XINNIAN	236 W 23RD ST		ASIAN/PACIFIC ISLANDER	FEMALE	
COMPLAINANT	1		CHICAGO, IL 60616 211 RIVERSIDE AVE SAINT CHARLES, IL 60174	(630)377-4435			50

## Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
20392 A	HU, XINNIAN	2774 E MAIN ST SAINT CHARLES, IL 60174	03/15/2016 13:58		50

## Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
03/16/2016	EVIDENCE	CURRENCY			2 - \$10 dollar bills, 1 - \$50 dollar bill	20017	1

### Chain of Custody

Date	Transaction	From	From Role	To	To Role
03/16/2016 15:26	Type: Intake	0057-Dave Ketelsen	DETECTIVE	0131-Richard Sullivan	PROPERTY OFFICER
	Code: INITIAL				
	Tag Number:	20017			
	Remarks:				

## Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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## OfficerID: alamela, Narrative

On 03/15/2016, the St. Charles Police Department conducted a Massage Establishment Compliance Check at Best Massage, located at 2774 E. Main Street in St. Charles, Illinois. [redacted] agreed to be the U/C to conduct this compliance check. [redacted]'s assignment was to enter Best Massage and request a (1) hour massage and ensure / evaluate their legal compliance. [redacted] was given \$70.00 (USC), which was photographed and recorded. Detective Ketelsen, Detective Bauwens and I conducted surveillance in the area of Best Massage.

At 1240 hours, I observed [redacted] enter Best Massage. During this time, I did not observe anyone else enter or exit the business.

At 1325 hours, I observed [redacted] exit Best Massage. [redacted] approached me in the parking lot and advised that he paid a female Asian employee \$60 (1-\$50.00 bill & 1-\$10.00) and received a massage. [redacted] informed that during the massage, the female Asian employee began touching his penis and testicles. [redacted] stated that the female Asian employee agreed to perform a sexual act (hand to penis) on him for \$60. [redacted] stated that after he agreed to receiving the sex act, he immediately got dressed and left the business. [redacted] stated that there were (2) female Asians inside of the business and that the employee wearing a black shirt and black pants provided him with the massage. [redacted] further advised that he gave the employee a \$10.00 tip.

Detective Ketelsen, Detective Bauwens, [redacted] and I then entered the business. We were met by the female Asian employee now known as Xinnian Hu. Xinnian Hu was wearing all black clothing. The other female Asian was wearing a blue flowered shirt. [redacted] immediately advised that Xinnian Hu was the employee who provided him with the massage and agreed to perform a sexual act on him. Xinnian Hu did not speak English and only spoke Mandarin Chinese. I asked the other female employee (unknown name) to contact the business owner and she made contact with the owner's daughter, [redacted] who speaks English. I spoke with [redacted] and informed her of this incident. I asked [redacted] to translate to Xinnian that she was under arrest for prostitution. I asked [redacted] if Xinnian was a licensed Massage Therapist and she stated that she was not. [redacted] informed Xinnian that she was under arrest and stated that she would come to the police department to pick her up. Detective Ketelsen was able to retrieve the \$70.00 that [redacted] paid for the massage and tip. (\$50.00 S/N: JK 20234457 A, \$10.00 S/N: ID 63241250 A, \$10.00 S/N: JA 53789127 A)

Xinnian was taken into custody and transported to the St. Charles Police Department. I contacted Language Line and I was informed that they did not have a Mandarin Chinese interpreter on duty. I was unable to interview Xinnian. Xinnian was processed and charged with Prostitution. I logged onto the Illinois Department of Financial & Professional Regulations. I ran Xinnian to check for a Massage Therapist License which came back "No Record". (See attached IDFPR Document) Xinnian was then charged with Violating the Massage Act / License Required. Xinnian posted \$150.00 bond and paid \$50.00 for the processing fee. Xinnian was issued a court date of 04/21/2016 at 0900 hours at the Kane County Branch Court. (See [redacted]'s Supplementary Report and Detective Ketelsen's Supplementary Report) This case is cleared by adult arrest.

NOTE: This was the first arrest at this location.

Cleared by Adult Arrest  
DL#340  
JLG315



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title: Discussion Regarding Massage Establishment Citation and Hearing Notice for Lotus Spa, 1700 Lincoln Highway, St. Charles

Presenter: Mayor Rogina

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Liquor Control Commission (4/4/16)

Estimated Cost:		Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

This is a complaint of violations being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local massage establishment license or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of offenses happening on or about March 15, 2016 at the establishment of Lotus Spa, 1700 Lincoln Highway, St. Charles.

On March 28, 2016 Lotus Spa business establishment is closed. Owner came in and rescinded her massage establishment license and had a note from Shodeen stating that she turned in her keys. She also submitted an arraignment form pleading guilty – not requesting a hearing.

**Attachments:** *(please list)*

Citation and Notice of Hearing

**Recommendation / Suggested Action** *(briefly explain):*

Discussion regarding Massage Establishment Citation and Hearing Notice for Lotus Spa, 1700 Lincoln Highway, St. Charles.

*For office use only:* Agenda Item Number: 5

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MESSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-04  
LOTUS SPA )

**CITATION AND NOTICE OF HEARING**

TO: LOTUS SPA  
1700 Lincoln Highway  
St. Charles, IL 60174

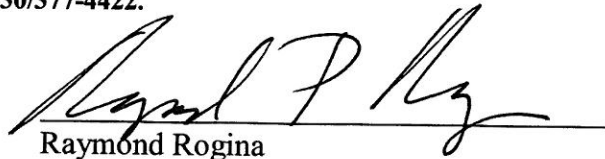
**PLEASE TAKE NOTICE THAT** on April 4, 2016 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.20.150 of the Municipal Code of the City of St. Charles.

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local massage establishment license issued to you or impose a fine upon you, or both, by reason, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

**AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.**

**YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.20.150(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.**

DATED this 21 day of March, 2016.

  
Raymond Rogina  
Local Liquor Control Commissioner  
City of St. Charles

cc: Mark Koenen, City Administrator  
Chief of Police, James Keegan

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: Ferdinand Swartz at 10:40 am  
\_\_\_\_\_ on the 22 day of March, 2016.

Al P. J. #340

SUBSCRIBED AND SWORN TO  
before me this 22<sup>nd</sup> day of March, 2016.

Sara K. Cass  
NOTARY PUBLIC



STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MASSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-04  
Lotus Spa )  
1700 Lincoln Highway )  
St. Charles, IL 60174 )

**COMPLAINT OF VIOLATION**

**NOW COMES** the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.
2. That on or about March 15, 2016, at approximately 4:13 p.m., the Licensee, Lotus Spa, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Massage Establishment Code:

**OFFENSE**

Violated Section 5.20.130(D) of the Massage Establishment Act which states:

“No person shall advertise, promote, or refer to himself or herself as a massage therapist as herein defined without being a massage therapist as provided in this chapter or Illinois statute.”

Violated Section 5.20.110(A) of the Massage Establishment Act which states:

“Supervision. A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee.”



3. On or about March 15, 2016, Lotus Spa was operating under a Massage License issued by the City of St. Charles.

4. That the act detailed in Section 2 of this Complaint of Violation is prohibited and is in violation of and contrary to Section 5.20.130(D) of the St. Charles Municipal Code.

5. That the Licensee, Lotus Spa, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

**WHEREFORE**, the Petitioner, James Keegan, Chief of Police requests pursuant to Section 5.20.150 of the St. Charles Municipal Code that the Local Liquor Control Commission, a/k/a the Massage Business Commission, hold a hearing on this matter and take such action against Lotus Spa as the Massage Business Commissioner shall deem appropriate under the circumstances.

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James Keegan  
Chief of Police  
City of St. Charles, Illinois

John M. McGuirk  
Attorney for the City of St. Charles  
Hoscheit, McGuirk, McCracken  
& Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, IL 60174  
630/513-8700

## ARRAIGNMENT FORM

I, Fenylan z Smythe, as agent for Lotus Spa, being a licensee charged with a violation of Chapter 5.16 of the Municipal Code of the City of St. Charles at 1700 Lincoln Highway, St. Charles, Illinois 60174, do hereby enter a plea of:

- Guilty, but request a hearing in mitigation in which I will be given an opportunity to present evidence in support of my position to minimize any penalty.
- Guilty, I do not request a hearing.
- Not Guilty. I request a hearing.

Lotus Spa

Signature: By: Fenylan z Smythe

Date: 3/29/16

Subscribed and sworn to before me

This 29<sup>th</sup> day of March, 2016.

Christine Nilles  
Notary Public



Form can be faxed to 630/377-4440  
or e-mailed to the attention of Tina Nilles  
at [tnilles@stcharlesil.gov](mailto:tnilles@stcharlesil.gov)  
Hard copy must follow by U.S. Mail



Lotus Spa

# Case Report Summary



Print Date/Time: 03/22/2016 09:53  
Login ID: kschult  
Case Number: 2016-00005822

ST CHARLES POLICE DEPARTMENT  
ORI Number: IL0451400

## Case

Case Number: 2016-00005822  
Location: 1700 LINCOLN HWY J  
SAINT CHARLES, IL 60174  
Reporting Officer ID: 0048 - Lamela  
Incident Type: 5000 ALL OTHER CRIM OFFENSES  
Occurred From: 03/15/2016 16:13  
Occurred Thru: 03/15/2016 17:18  
Disposition:  
Disposition Date:  
Reported Date: 03/15/2016 17:24 Tuesday

## Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	5000	225 ILCS 57.0/30-B	VIOLATE MASSAGE LICENSING ACT	1

## Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	SMYTHE, FENGLAN Z	979 GOLF COURSE RD 1		ASIAN/PACIFIC ISLANDER	FEMALE	
COMPLAINANT	1		CRYSTAL LAKE, IL 60014 211 RIVERSIDE AVE SAINT CHARLES, IL 60174	(630)377-4435			51

## Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
20390 A	SMYTHE, FENGLAN Z	1700 LINCOLN HWY J SAINT CHARLES, IL 60174	03/15/2016 17:43		51

## Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
03/16/2016	EVIDENCE	CURRENCY			1- \$20 Dollar bill, 1- \$20 Dollar bill, 1- \$20 Dollar bill	20020	1

### Chain of Custody

Date	Transaction	From	From Role	To	To Role
03/16/2016 15:33	Type: Intake	0057-Dave Ketelsen	DETECTIVE	0131-Richard Sullivan	PROPERTY OFFICER
	Code: INITIAL				
	Tag Number:	20020			
	Remarks:				

## Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate State
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**OfficerID: alamela, Narrative**

On 03/15/2016, the St. Charles Police Department conducted a Massage Establishment Compliance Check at Lotus Spa, located at 1700 Lincoln Highway "J" in St. Charles, Illinois. [redacted] agreed to be the U/C to conduct this compliance check. [redacted] assignment was to enter Lotus Spa and request a (1) hour massage and ensure / evaluate their legal compliance. [redacted] was given \$80.00 (USC), which was photographed and recorded. Prior to going to Lotus Spa, I informed that the owner of Lotus Spa, Fenglan Smythe was not a licensed Massage Therapist and that she should not be providing anyone with massages. I showed [redacted] a photograph of Fenglan Smythe that she provided to our agency during her Massage Establishment background investigation. I instructed [redacted] to let me know if she provides him with a massage. Detective Ketelsen, Detective Bauwens, Officer Tynan and I conducted surveillance in the area of Lotus Spa.

At 1613 hours, I observed [redacted] enter Lotus Spa. During this time, I observed (2) separate male white subjects park their vehicles in front of Lotus Spa. They entered the business and a couple of minutes later, they exited the business and left the area.

At 1718 hours, I observed [redacted] exit Lotus Spa and enter his vehicle. [redacted] informed me that he paid a female Asian employee \$60 (3 - \$20.00 bills) and received a massage. [redacted] stated that the subject who gave him the massage looked exactly like Fenglan Smythe's photograph. [redacted] stated that the female Asian employee was wearing a multi color sweater and she was the only employee inside of the business. (See [redacted] Supplementary Report)

At the point, Detective Ketelsen, Detective Bauwens, Officer Tynan and I entered the business. I made contact with the employee, Fenglan Smythe. I recognized Fenglan Smythe from conducting her background investigation for her Massage Establishment License. Fenglan Smythe was also wearing a multi color sweater. Fenglan Smythe was the only employee inside of the business. [redacted] entered the establishment and identified Fenglan Smythe as the employee who gave him a massage. I asked Fenglan if she gave a massage and she stated that she did. Fenglan stated that she was in the process of completing her Massage Therapist classes. I reminded Fenglan that because she did not possess a valid State of Illinois Massage Therapist License, she is prohibited from giving massages. Fenglan stated that she knew this and understood. I informed Fenglan that she was being placed under arrest for Violating the Massage License Act / License Required. Detective Ketelsen was able to retrieve the \$60.00 that [redacted] used to pay for the massage. (\$20.00 - S/N: JC 56799082 D, \$20.00 - IC 05269338 A, \$20.00 - S/N: MH 39420968 A)

Fenglan was transported to the St. Charles Police Department where she was processed. I logged onto the Illinois Department of Financial and Professional Regulations to confirm Fenglan did not possess a Massage Therapist License. I ran Fenglan and she came back "No Record". (See attached IDFPD Document) Fenglan was charged with Violating the Massage License Act. Fenglan was released on a Personal Recognizance and was unable to pay the processing fee. Fenglan was issued a court date of 04/21/2016 at 0900 hours at the Kane County Branch Court. This case is cleared by adult arrest.

Cleared by Adult Arrest  
DL#340  
JLG315



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title:	Discussion Regarding Massage Establishment Citation and Hearing Notice for Main Spa, 504 E Main Street, St. Charles
Presenter:	Mayor Rogina

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Liquor Control Commission (4/4/16)

Estimated Cost:		Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

This is a complaint of violations being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local massage establishment license or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of multiple offenses happening on or about March 15, 2016 at the establishment of Main Spa, 504 E Main Street, St. Charles.

At the time of this posting, the City has received the Arraignment Form from Attorney Peter K. Lee, who is the legal counsel for Main Spa, with a plea of "Not Guilty – requesting a hearing" which a date is yet to be determined.

**Attachments:** *(please list)*

Citation and Notice of Hearing

**Recommendation / Suggested Action** *(briefly explain):*

Discussion regarding Massage Establishment Citation and Hearing Notice for Main Spa, 504 E Main Street, St. Charles.

<i>For office use only:</i>	<i>Agenda Item Number: 6</i>
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STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MESSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-05  
MAIN SPA )

**CITATION AND NOTICE OF HEARING**

TO: MAIN SPA  
504 E. Main Street  
St. Charles, IL 60174

**PLEASE TAKE NOTICE THAT** on April 4, 2016 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.20.150 of the Municipal Code of the City of St. Charles.

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local massage establishment license issued to you or impose a fine upon you, or both, by reason, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

**AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.**

**YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.20.150(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.**

DATED this 21 day of March, 2016.



Raymond Rogina  
Local Liquor Control Commissioner  
City of St. Charles

cc: Mark Koenen, City Administrator  
Chief of Police, James Keegan

STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: Joe Kim at 1:30 pm  
\_\_\_\_\_ on the 24<sup>th</sup> day of March, 2016.

ALP #340

SUBSCRIBED AND SWORN TO  
before me this 24<sup>th</sup> day of March, 2016.

Sara K Cass  
NOTARY PUBLIC



STATE OF ILLINOIS )  
 ) SS  
COUNTIES OF KANE AND DU PAGE )

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF  
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MASSAGE )  
ESTABLISHMENT LICENSE OF: )  
 ) Case Number 2016-LC-05  
Main Spa )  
504 East Main Street )  
St. Charles, IL 60174 )

**COMPLAINT OF VIOLATION**

**NOW COMES** the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. That on or about March 15, 2016, at approximately 2:57 p.m., the Licensee, Main Spa, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Massage Establishment Code:

**OFFENSES**

Violated Section 5.20.130(G) of the Massage Establishment Act which states:

“No person, knowingly, in a massage establishment, shall place his or her hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area of another person.”

Violated Section 5.20.130(H) of the Massage Establishment Act which states:

“No massage therapist or employee shall perform or offer or agree to perform any act, whether or not for compensation of any form, which would require the touching of the patron’s sexual or genital area.”



Violated Section 5.20.180(B)(10) of the Massage Establishment Act which states:

“The license holder permits acts of prostitution or solicitations for acts of prostitution to be performed within the premises ...”

Violated Section 5.20.110(A) of the Massage Establishment Act which states:

“Supervision. A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee.”

3. On or about March 15, 2016, Main Spa was operating under a Massage License issued by the City of St. Charles.

4. That the acts detailed in Section 2 of this Complaint of Violation each are prohibited and are in violation of and contrary to Sections 5.20.130(G), 5.20.130(H) and 5.20.180(B)(10) of the St. Charles Municipal Code.

5. That the Licensee, Main Spa, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

**WHEREFORE**, the Petitioner, James Keegan, Chief of Police requests pursuant to Section 5.20.150 of the St. Charles Municipal Code that the Local Liquor Control Commission, a/k/a the Massage Business Commission, hold a hearing on this matter and take such action against Main Spa as the Massage Business Commissioner shall deem appropriate under the circumstances.

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James Keegan  
Chief of Police  
City of St. Charles, Illinois

John M. McGuirk  
Attorney for the City of St. Charles  
Hoscheit, McGuirk, McCracken  
& Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, IL 60174  
630/513-8700

## ARRAIGNMENT FORM

I, Joe S. Kras was agent for Main Spa, being a licensee charged with a violation of Chapter 5.16 of the Municipal Code of the City of St. Charles at 504 E. Main Street, Charles, Illinois 60174, do hereby enter a plea of:

Guilty, but request a hearing in mitigation in which I will be given an opportunity to present evidence in support of my position to minimize any penalty.

Guilty, I do not request a hearing.

Not Guilty. I request a hearing.

Main Spa

Signature:

By: Joe S. Kras

Date:

3 - 24 - 16

Subscribed and sworn to before me

This \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

Form can be faxed to 630/377-4440  
or e-mailed to the attention of Tina Nilles  
at [tnilles@stcharlesil.gov](mailto:tnilles@stcharlesil.gov)  
Hard copy must follow by U.S. Mail



*Main Spa*  
**Case Report**  
**Summary**



Print Date/Time: 03/22/2016 09:44  
 Login ID: kschult  
 Case Number: 2016-00005818

ST CHARLES POLICE DEPARTMENT  
 ORI Number: IL0451400

**Case**

Case Number: 2016-00005818      Incident Type: 1505 PROSTITUTION  
 Location: 504 E MAIN ST      Occurred From: 03/15/2016 14:57  
                                          SAINT CHARLES, IL 60174      Occurred Thru: 03/15/2016 15:14  
 Reporting Officer ID: 0048 - Lamela      Disposition:  
                                               Disposition Date:  
                                               Reported Date: 03/15/2016 15:19 Tuesday

**Offenses**

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1505	720 ILCS 5.0/11-14	PROSTITUTION	1

**Subjects**

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	KIM, OK H	3019 S LLOYD AVE		ASIAN/PACIFIC ISLANDER	FEMALE	
COMPLAINANT	1		CHICAGO, IL 60608 211 RIVERSIDE AVE SAINT CHARLES, IL 60174	(630)377-4435			62

**Arrests**

Arrest No.	Name	Address	Date/Time	Type	Age
20391 A	KIM, OK H	504 E MAIN ST SAINT CHARLES, IL 60174	03/15/2016 15:31		62

**Property**

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
03/16/2016	EVIDENCE	CURRENCY			1 - \$50 Dollar bill, 1 - \$50 Dollar bill	20019	1

**Chain of Custody**

Date	Transaction	From	From Role	To	To Role
03/16/2016 15:30	Type: Intake	0057-Dave Ketelsen	DETECTIVE	0131-Richard Sullivan	PROPERTY OFFICER
	Code: INITIAL				
	Tag Number:	20019			
	Remarks:				

**Vehicles**

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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## OfficerID: alamela, Narrative

On 03/15/2016, the St. Charles Police Department conducted a Massage Establishment Compliance Check at Main Spa, located at 504 E. Main Street in St. Charles, Illinois. [redacted] agreed to be the U/C to conduct this compliance check. [redacted]'s assignment was to enter Main Spa and request a (1) hour massage and ensure / evaluate their legal compliance. [redacted] was given \$100.00 (USC), which was photographed and recorded. Detective Ketelsen, Detective Bauwens, Officer Tynan and I conducted surveillance in the area of Main Spa.

At 1457 hours, I observed [redacted] enter Main Spa. During this time, I did not observe anyone else enter or exit the business.

At 1514 hours, I observed [redacted] exit Main Spa and enter his vehicle. [redacted] made contact with me and advised that he paid a female Asian employee \$100.00 (2 - \$50.00 bills) for a massage. [redacted] stated that during the massage, he and the Asian employee agreed to exchange money for a sexual act. (Mouth and hand to penis) [redacted] stated that after the agreement, he immediately got dressed and left the business. [redacted] stated that there was only (1) female Asian employee inside of the business and stated that she was older and wearing a white shirt. (See [redacted]'s Supplementary Report)

At that point, Detective Ketelsen, Detective Bauwens, Officer Tynan and I approached the establishment and I made contact with the sole employee, Ok Kim. Ok was older and wearing a white shirt, matching the description that [redacted] provided me with. I informed Ok of this investigation and she did not deny anything. I asked Ok if she was the only person inside of the business and she stated that she was. Ok was able to speak and understand English. I asked [redacted] to enter the establishment and he identified Ok as the person who provided him with the massage and agreed to perform a sexual act on him in exchange for money. I asked Ok if she gave [redacted] a massage and she stated that she did. I informed Ok that she was being placed under arrest for Prostitution.

Ok asked if she could retrieve some of her personal belongings before being transported and I informed her that she could. I escorted Ok to the far north end of the establishment and we entered thru a door into a bedroom area. It appeared that she had been residing at the establishment. There was a bed, personal clothing, different types of women's shoes and boots, toiletries and a dog with a food and water bowl. As Ok was retrieving her belongings, I asked her if she was living at the establishment. Ok at first stated that she was residing there. Ok stated that her employer told her that she could stay there as long as she wanted so that she did not have to travel to a from work. Ok then stated that she only stays there sometimes but resides in Chicago. I then followed Ok into a kitchen area. The kitchen was located just east of the bedroom area. There was a refrigerator fully stocked with food as if someone was residing there. There were dirty dishes and pans piled up in the sink as if they had been there for a while. Ok retrieved her purse, cell phone and money and was allowed to change shoes and put on a jacket. As we began walking south toward the waiting area, I did observe Ok's State of Illinois Massage Therapist License #227.003618 on the wall. Prior to leaving the establishment, Ok provided Detective Ketelsen with the (2) \$50.00 bills that [redacted] gave her for the massage. (1 - \$50.00 S/N: JD 10235266 A, 1 - \$50.00 S/N: IG 01596330 A)

Ok was taken into custody and transported to the St. Charles Police Department where she was processed. I logged on to the Illinois Department of Financial and Professional Regulation web site and I ran Ok's Massage Therapist License #227.003618, which came back "Active". I read Ok her Miranda Rights and she stated that she understood her rights. Ok signed the waiver of rights form and agreed to answer questions. (See attached waiver of rights form) Ok stated that she gave [redacted] a massage. Ok stated that [redacted] gave her (2) \$50.00 bills and forgot to give him change. OK stated that the massage cost \$80.00. I asked Ok if she agreed to provide [redacted] with a sexual act in exchange for money and she stated that she did. Ok stated that [redacted] asked her for a sexual act for \$40.00 and she told him "No". I asked Ok if she informed [redacted] that it would cost \$100.00 for a sexual act and she stated "No". Ok stated that she informed [redacted] that it would cost \$60.00 for a sexual act. I asked Ok if she was going to use her hand or mouth and she motioned with her hand. I asked Ok if she ever touched [redacted]'s penis and she stated that she was going to but he did not allow her to.

I then brought Ok into Interview Room #2 with Detective Bauwens. I informed Ok that I was recording the interview and she agreed. I again asked Ok about the sexual act. Ok stated that she agreed to perform a sexual act on [redacted] in exchange for money. I asked Ok if she touched [redacted]'s penis and she stated that she did. I asked Ok how long she touched him for and she stated that it was a few minutes. I asked Ok if [redacted] stopped her and she stated that he did. I asked Ok if this was the first time she has ever done this type of act and she stated that it was. I ended my interview and I will have the interview transferred to a DVD at a later date.

Ok was processed and charged with Prostitution. Ok posted \$150.00 bond and was able to pay the \$50.00 processing fee. Ok was issued a court date of 04/21/2016 at 0900 hours at the Kane County Branch Court. This case is cleared by adult arrest.

NOTE: Ok was arrested by the Chicago Police Department in 2000 and 2002 for Prostitution.

NOTE: This is the 4th arrest for Prostitution at an Asian Massage Establishment at 504 E. Main Street in the last 5 years.

Cleared by Adult Arrest

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JLPage: 2 of 3