

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

KEVIN BROOKS

LICENSE NO. 4475

ORDER OF SUMMARY SUSPENSION

Pursuant to La. R.S. 49:961(C), the Louisiana Board of Massage Therapy (“LBMT”) summarily suspends License number 4475 issued to Kevin Brooks (“Mr. Brooks”), pending an administrative hearing scheduled for August 19, 2022, at 10:00 a.m.

This Order of Summary Suspension is effective as of July 13, 2022. Upon execution of this Order, Mr. Brooks is not authorized to engage in the practice of massage therapy and must immediately cease and desist from the practice of massage therapy, as defined by La. R.S. 37:3552. Further, Mr. Brooks must cease and desist from referring to himself as a licensed massage therapist.

I. INITIAL FINDINGS

To protect public health, safety, and welfare, emergency action is required due to the nature of the allegations against Mr. Brooks. On July 12, 2022, the LBMT received an Affidavit of Probable Cause regarding the arrest of Mr. Brooks by the Baton Rouge Police Department (“BRPD”) relative to charges that he violated La. R.S. 14:89.3(7), entitled “Sexual Abuse of an Animal – Filming, distributing or possessing pornographic images of a person and an animal engaged in any of the activities described in Paragraphs (1) through (6) of this Subsection,” La. R.S. 40:966(C), entitled “Possession, Schedule I;” La. R.S. 14.81.1, entitled “Pornography involving juveniles,” La. R.S. 40:967, entitled “Possession/Distribution/Manufacturing Schedule II,” and La. R.S. 40:1023, entitled “Possession of drug paraphernalia,” which actions allegedly occurred at the location of his home, located at 2622 Lydia Ave., Baton Rouge, Louisiana.

Importantly, Mr. Brooks' registered address for his massage practice is his home address, 2622 Lydia Ave., Baton Rouge, Louisiana. The Affidavit of Probable Cause, which was filed with the 19th Judicial District Court on July 11, 2022, provided the facts detailed below relative to Mr. Brooks' arrest.

On June 28, 2022, detectives with the BRPD, Special Victims Unit, received a complaint of a sexual offense that was said to have occurred at the home of Mr. Brooks. The complainant advised that while at the home of Mr. Brooks to perform home renovations, he requested to use Mr. Brooks' computer. After receiving authorization to use the computer from Mr. Brooks, the complainant inadvertently clicked the wrong icon and discovered a video of an adult male masturbating in the presence of a toddler. Subsequently, on July 6, 2022, detectives obtained an ICAC (Internet Crimes Against Children) search warrant for the properties owned by Mr. Brooks, including his home, as well as all electronic devices therein.

The BRPD affidavit further provided that on July 8, 2022, detectives, with the assistance of the Attorney General's Office Cyber Crimes Unit, executed the search warrant at Mr. Brooks' properties, including his home, and located the following:

1. At least six (6) videos that depicted male subjects engaged in sexual acts with what appeared to be very young children on Mr. Brooks' cellphone.
2. At least six (6) images of people performing sexual acts with/on animals on Mr. Brooks' cellphone.
3. One plastic bag containing a large amount of a white powder substance, suspected to be Cocaine.
4. One plastic baggie of what appeared to be crystal methamphetamine.
5. Multiple glass pipes that had been burned on one end.

According to the Affidavit of Probable Cause, after discovery of the above items, the detectives contacted Mr. Brooks, who admitted to being in possession of child pornography. Mr. Brooks was arrested and transported to BRPD headquarters, where he was interviewed, and also admitted to downloading the videos of child pornography. He further acknowledged the presence of the videos involving sexual acts with animals, and stated that “bestiality is his fantasy.” Finally, he admitted to possession and occasional use of the narcotics, but denied selling them.

According to a news article regarding the arrest¹, during a conversation between the contractor/complainant and Mr. Brooks, Mr. Brooks made a comment about a box of children’s toys in the room in his house, saying they were “trophies from his favorite clients.” According to the LinkedIn page of Mr. Brooks, he works a Licensed Massage Therapist and an Elementary PE teacher. Thus, the comment, if true, may be related to minor clients of his home-based massage business.

Based on the foregoing, it is alleged that Mr. Brooks may have violated the following rules and regulations applicable to the LBMT:

Code of Conduct for Licensed Professional Counselors, La. Admin Code. tit. 46, Pt XLIV, §3101, *et seq.*:

§3101 Prohibitions of Sexual Activity

- A. All sexual activity by any person or persons in any massage establishment is absolutely prohibited.
- B. No massage establishment owner or operator shall engage in, or permit any person or persons to engage in, sexual activity in a massage establishment or to use that establishment to make arrangements to engage in sexual activity in any other place.
- C. No massage therapist shall engage in sexual activity with a current client of the therapist.

¹ “Baton Rouge massage therapist arrested for possession of child, animal porn”, published on July 11, 2022, on www.wbrz.com/news/baton-rouge-massage-therapist-arrested-for-possession-of-child-animal-porn/

- E. As used in this Rule and §5301 of this Part:
 - a. sexual activity—includes:
 - i. coital sexual intercourse;
 - ii. anal sexual intercourse;
 - iii. fellatio, cunnilingus;
 - iv. masturbation;
 - ...
 - b. the purposeful touching of the genitals of another person...whether through draping or clothing, whether resulting in penetration or orgasm or not, and whether by instrumental manipulation, touching with the hands, or other bodily contact;
 - c. any sexual offenses proscribed by the criminal laws of Louisiana including, but not limited to, R.S. 14:83.3 and 83.4.

- F. For purposes of this rule, the term *client* means and includes any person receiving massage therapy services provided for compensation...

§5301 Unprofessional Conduct

- A. The following acts shall constitute misconduct in the practice of massage therapy or incorrect practice of massage for which disciplinary penalties may be imposed:
 - 4. engaging in or attempting or offering to engage a client in sexual activity, including any genital contact, as provided under §3101 of this Part;

 - 14. inability to skillfully and safely engage in the practice of massage therapy by reason of illness, alcohol or substance abuse or as a result of any mental or physical condition;

La. R.S. 37:3563 Grounds for Discipline

- A. The board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of any of the following:
 - (3) Engaging in unprofessional conduct that has endangered or that is likely to endanger the health, welfare, or safety of the public, as further defined by rules of the board.

 - (6) Violating or aiding and abetting in the violation of any provisions of this Chapter or the rules and regulations promulgated hereunder.

II. DECISION AND ORDER

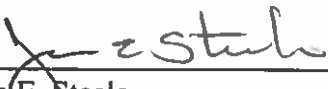
To maintain public health, safety, and welfare, emergency action is required due to the allegations set forth in the Affidavit of Probable Cause filed in the criminal case against Mr. Brooks currently pending at the 19th Judicial District Court. Accordingly, LBMT License Number 4475 issued to Kevin Brooks is **SUSPENDED**, effective immediately, pending proceedings for revocation of licensure or other action(s) as the Louisiana Board of Massage Therapy deems fit.

Proceedings before the Louisiana Board of Massage Therapy shall be promptly instituted and determined. Accordingly, an administrative hearing before the Louisiana Board of Massage Therapy is scheduled for August 19, 2022, at 10:00 a.m., at the Jones Creek Regional Branch Library located at 6222 Jones Creek Rd., Baton Rouge, Louisiana, 70817. The hearing panel will consist of current Board Members. The hearing will be conducted in accordance with the Administrative Procedure Act, the Louisiana Massage Therapists and Establishments Act, and the rules promulgated by the LBMT.

Mr. Brooks will be given a full opportunity to appear and be heard, with or without counsel, and is entitled to hear a statement of what accusations have been made against him, to present evidence, to cross-examine witnesses, and to have witnesses subpoenaed. Mr. Brooks may request that subpoenas be issued by the Louisiana Board of Massage Therapy and must send a request to the Louisiana Board of Massage Therapy office at least 5 days prior to the hearing, listing the names and addresses of the individuals to be subpoenaed, along with a brief summary as to what each individual will testify. The testimony will be under oath and a court reporter will record the

proceedings at the hearing, and any party wishing to obtain a transcript of the hearing may do so at their expense.

Date: 7/13/2022



James E. Steele,
Complaint Investigation Officer
Louisiana Board of Massage Therapy