



Anti-Trafficking Network

MEMO OF SUPPORT – VACATING CONVICTIONS FOR SURVIVORS OF TRAFFICKING

A7670, Introduced by Assembly member Gottfried

S4429, Introduced by Senator Duane

AN ACT to Permit motions to vacate judgment against victims of sex trafficking for certain prostitution offenses.

STATEMENT IN SUPPORT:

The New York Anti-Trafficking Network (NYATN) is a network of diverse service providers and advocates in New York dedicated to ending human trafficking and coordinating resources for trafficked persons. Since 2002, NYATN has brought together the voices of those who have first-hand experience of the injustices of human trafficking, who work consistently to meet the needs of trafficked persons, and who advocate for a more humane and responsive policy towards trafficked persons. Our membership currently includes over 90 organizations and individuals advocating on behalf of survivors of trafficking and other forms of violence.

As advocates for survivors of trafficking into commercial sexual exploitation, we urge you to support this bill. We have served many clients who could benefit from this bill. They include immigrant women who were forced, defrauded, or coerced into the sex industry against their will, and suffered abuse, isolation and lived in a climate of fear until they were able to escape their abusers. Sadly, by the time these clients find our organizations, they are burdened not only by a history of severe trauma, but often by a record of arrests and convictions for prostitution. Their involvement in the criminal justice system can itself be a source of trauma, as our clients report being caught in brothel raids, interrogated, held in jail, and released back to their traffickers without being adequately screened and with no offer of help or support. But even more importantly, the resulting criminal record can block their efforts to move onto a safe and stable life. Prostitution convictions pose obstacles in adjusting immigration status, in gaining legal employment, and obtaining housing. It is a gross injustice that victims who were forced to engage in prostitution against their will have to live with these collateral consequences. This bill would right that wrong.

We have numerous clients who have been certified as victims of trafficking by federal or state authorities, who could immediately take advantage of the new procedural vehicle which would be created by this statute by bringing this evidence to the criminal court. This provision would provide them with what they desperately need and deserve, a chance at a fresh start. We were pleased with the swift passage of this bill in the Assembly, and look forward to telling our clients that this law was passed for them. For all the above reasons, NYATN asks the Senate to pass **S4429** so that we may provide this invaluable assistance to our clients.

New York Anti-Trafficking Network Steering Committee

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