



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senators Gallivan & Jacobs Join Sheriff Howard in Announcing Legislation to Crackdown on Human Trafficking

JIM RANNEY May 29, 2018

| ISSUE: **HUMAN TRAFFICKING, CRIME**



The New York State Senate has passed legislation (S.5988A) to amend the state's penal law in relation to the sex trafficking of children and promoting prostitution. The changes would better enable law enforcement to hold those who commit such crimes accountable for their actions. The bill is co-sponsored by Senators Patrick Gallivan (R-C-I, Elma) and Chris Jacobs (R-C-I, 60th District) who are calling on the State Assembly to approve the legislation and for the governor to sign it into law.

Under federal law, any child under the age of 18 who engages in commercial sex is considered a victim of sex trafficking and any person who promotes and benefits from exploiting such child is considered a sex trafficker. However, under current New York State law, prosecutors must prove that a person used force, fraud or coercion in order to find such a person guilty of sex trafficking, even if the victim is under 18. Requiring such proof often obligates a victim to testify against his or her trafficker, which can be especially difficult for a minor.

Legislation passed earlier this month in the State Senate will eliminate the need to prove force, fraud or coercion when a child under 18 is involved prostitution.

“The law must go further to hold human traffickers accountable for their despicable actions,” said Senator Gallivan. “By eliminating proof of force and coercion in cases involving children, law enforcement can more easily hold these individuals accountable and the young victims of these crimes can escape their lives of abuse and exploitation.”

“It is imperative that we eliminate any and all barriers to effectively prosecuting individuals who would commit such an atrocity as the sex trafficking of a child,” said Senator Jacobs.

“This legislation will provide law enforcement with another tool they can use to better protect vulnerable children in our society and I am calling on the Assembly and the Governor to join us in making this law.”

“I want to thank senators Gallivan and Jacobs for co-sponsoring this legislation that creates tougher laws against human traffickers who force children into prostitution,” said Sheriff Timothy Howard. “If this becomes law, my Detectives and Deputies, as well as the Western New York Human Trafficking Task Force, have another tool to arrest and prosecute these criminals. My office, working with the human trafficking task force, investigated 72 cases in 2017, of which 30 of those investigations involved minor victims. This law will help law enforcement with their investigations, and the victims find justice.”

The Senate passed the legislation on May 8, 2018 and delivered the bill to the State Assembly.

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RELATED LEGISLATION

2017-S5988A

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Establishes the crime of sex trafficking of a child; repealer

May 09, 2017

Senate Floor Calendar

Sponsored by [Andrew J. Lanza](#)

Do you support this bill?