



NEW YORK STATE SENATOR

John J. Flanagan

Senate Majority Leader Flanagan Announces Three New Laws To Fight Human Trafficking

JOHN J. FLANAGAN August 15, 2018

| ISSUE: **HUMAN TRAFFICKING**



Senate Majority Leader John Flanagan (2nd Senate District) announced that three bills that will help end the sexual exploitation of children and provide victims of human trafficking with potentially life-saving services have become law. The trio of bills were sponsored in the New York Senate by Senator Andrew Lanza (24th Senate District).

“Human trafficking is an issue that impacts far too many families in both our state and nation and these new laws will help provide hope to victims of this terrible crime. The passage and signing of these bills is a clear sign that our state is an able partner in the fight against human trafficking and I thank Senators Lanza and Golden for their efforts to protect our most state’s most vulnerable residents from these predators,” stated Senator Flanagan.

Helping to Stop the Sexual Exploitation of Children:

Sex trafficking continues to plague communities across the state, and is especially damaging to the safety and security of children. In 2015, New York bolstered its criminal justice response to trafficking by increasing the accountability of traffickers and other exploiters while providing necessary protections for victims. However, the law did not go far enough in preventing the sexual exploitation of minors and holding traffickers more accountable for the devastating impact they have on the lives of children they abuse.

A new law ([S5988A](#)), sponsored by Senator Andrew Lanza (R-C-I, Staten Island), closes this dangerous loophole by creating the necessary criminal charge of sex trafficking of a child – eliminating the need to prove force, fraud, or coercion where a child under 18 engages in commercial sex. Unlike federal law, New York statutes prior to the signing of this bill put the onus on prosecutors to prove force, fraud, or coercion was used in order to find a person guilty of sex trafficking, even if the victim is a minor.

Senator Lanza said, “This bill will make it easier for prosecutors to bring charges against those who prey on children. I am proud to sponsor this legislation that will hold criminals accountable for the disgusting and heinous crime of enslaving children for commercial sex. This bill will expand upon the landmark law from 2015, the Trafficking Victims Protection and Justice Act, that I also sponsored with Assemblymember Paulin. Our state has been a

leader in treating victims of human trafficking as just that – victims – and this bill addresses this horrible exploitation of children head-on. I would like to thank Assemblymember Paulin for her leadership in the Assembly and to Governor Cuomo for signing this bill into law.”

Increasing Access to Help for Victims of Human Trafficking:

Despite the fact that human trafficking is a multi-billion dollar industry, many New Yorkers never see its effects, and namely, the victims among us. According to the [Polaris Project](#), trafficking networks often rely on legitimate businesses, such as hotels, to sustain their illegal operations. Hotels may be used to house victims while in transit or for the purchase and sale of victims' forced services, with traffickers running their business out of hotel rooms. Because hotels are a known location for exploitation of victims, hotels are an ideal location for presentation of information about services for victims.

A new law ([S8874](#)) sponsored by Senator Lanza requires facilities such as hotels, inns, and motels to provide informational cards on the services available to victims of human trafficking. Information about services, such as the national trafficking hotline, will be made readily available to trafficking victims and other hotel guests and displayed in public spaces such as public restrooms, individual guest rooms, and near the entrance. This will ensure that victims have access to a discreet informational card so they are able to call the hotline for help at a later time.

Another new law ([S7836](#)) also sponsored by Senator Lanza will help expand the availability of the Human Trafficking Intervention Court (HTIC) Initiative to reach more victims. The Courts were created to provide alternatives to incarceration for people arrested on prostitution charges, since many of the defendants were also victims of human trafficking. Previous law stated that four of the six HTIC courts outside of New York City lack jurisdiction to see cases that originate outside of the local criminal courts where they are

physically situated. This new law expands that jurisdiction so that more victims would be eligible to receive the crucial services that are appropriate for their individual situations, including counseling, job training, education, housing, and medical treatment, among others.

A bill ([S8305](#)) sponsored by Senator Martin Golden (22nd Senate District) has also been delivered to the Governor for review and helps establish short-term and long-term safe house residential facilities to be operated by not-for-profit agencies for victims of human trafficking. The residential facilities will be crucial in providing vulnerable victims services that include emergency shelter, food, clothing, medical care, and counseling and crisis intervention.

For many victims of human trafficking, one of the most immediate needs is a safe, supportive place to stay, especially for survivors who are fleeing an exploitative work or living situation. Oftentimes victims throughout the state turn to temporary shelters set up for the homeless, domestic violence victims, and runaway youth. All these housing services can be helpful to human trafficking victims, but only if the victim meets each shelter system's particular eligibility requirements. Trafficking victims sometimes slip through the cracks after not being able to find a vacant bed or unit despite their need, proving that more shelter capacity – specifically tailored for trafficking victims – is necessary.

Senator Golden said, “This bill provides victims of human trafficking a safe and supportive place to stay. These facilities will not only be offering a safe place to live, they will also be providing life-changing services. I want to thank my colleague Assemblyman Andrew Hevesi for his efforts in getting this important bill passed in the Assembly so we can help the brave individuals who have escaped the horrors of human trafficking and offer them a safe haven where they can get the help and services they need.”

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
-

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?

2017-S8874

-
- 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
 -

Relates to information concerning services for human trafficking victims in certain lodging facilities

May 31, 2018

Senate Floor Calendar

Sponsored by **Andrew J. Lanza**

Do you support this bill?

2017-S7836

-
- 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
 -

Relates to human trafficking courts

March 01, 2018

Signed by Governor

Sponsored by [Andrew J. Lanza](#)

Do you support this bill?

2017-S8305

- 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
-

Relates to services for victims of human trafficking

April 30, 2018

Senate Floor Calendar

Sponsored by **Martin J. Golden**

Do you support this bill?