



NEW YORK STATE SENATOR

Liz Krueger

## On Human Trafficking Awareness Day, Senator Krueger Reintroduces Sex Trade Survivors Justice & Equality Act

LIZ KRUEGER January 11, 2023



**Albany** – On Wednesday, January 11th, Human Trafficking Awareness Day, Senator Liz Krueger announced the reintroduction of the Sex Trade Survivors Justice & Equality Act. The bill, carried in the Assembly by Assembly Member Pamela J. Hunter, would decriminalize people in prostitution while continuing to hold their exploiters - sex buyers, pimps, brothel owners, and traffickers - accountable.

"I believe the role of government is to stand up for those with less power against the systems

of exploitation that seek to take advantage of their marginalization," said **Senator Krueger**, "and that is why I am proud to sponsor the Sex Trade Survivors Justice & Equality Act. This is smart, data-driven, progressive legislation crafted with the invaluable input of advocates and sex trade survivors. It will empower and support people currently or formerly in the sex trade, while holding pimps, brothel owners, and sex buyers accountable for the harms that they cause. New York has the opportunity to be the first state in the U.S. to recognize that the people bought and sold in the sex trade should be protected, not prosecuted, while targeting the source of exploitation and holding perpetrators accountable for the harm they cause."

New York State has one of the highest rates of human trafficking in the U.S. due in part to New York being a hub for business, transportation, and tourism. Human trafficking is a \$150 billion global industry that affects over 25 million victims, occurs in big cities and small towns, and frequently goes unrecognized yet causes immeasurable long-term harm to the child, adolescent, and adult victims who are subjected to physical, sexual and psychological violence by the traffickers who exploit them. In 2021, the National Human Trafficking Hotline received 50,123 "signals" by phone, text, email, and other modes of communication about human trafficking cases/issues in the U.S. and U.S. territories, 72% of which were related to sex trafficking. New York has enacted laws at the City and State levels to help combat human trafficking and support survivors, but we must do more. **New York State was scored an F on addressing child sex trafficking** in 2021 by Shared Hope International.

The Sex Trade Survivors Justice and Equality Act (STSJEA), sponsored by Senator Liz Krueger and Assembly Member Pamela Hunter, would help to combat sex trafficking and support trafficking victims as follows:

**Decriminalizes People in Prostitution and Associated Crimes:**

A vast majority of people in prostitution are forced, coerced, or enticed into the sex trade by a third-party exploiter or by socio-economic circumstances. These individuals, who are traumatized, and many of whom have suffered extreme violence, are branded as criminals instead of victims in need of social, medical, and therapeutic support.

The STSJEA would repeal the crime of selling sex; prohibit usage of condoms and other reproductive or sexual health devices as evidence in criminal or civil trials for prostitution; and require consideration of whether individuals under investigation for crimes such as practicing massage therapy without a license are victims of compelling prostitution or sex trafficking.

**Strengthens Laws against Trafficking and Holds Exploiters Accountable:** The STSJEA would keep laws in place that hold accountable pimps and sex traffickers, while fortifying the state's laws against trafficking and sexual exploitation.

The STSJEA would eliminate a loophole in NYS law that prevents sex buyers from being charged with "promoting prostitution" when they traffic people to themselves; eliminate an "ignorance defense" afforded to those charged with different degrees of buying sex from children; mandating financial penalties for sex buyers, pimps, and traffickers, with increased financial penalties for repeat violations of trafficking and pimping offenses.

**Advances Criminal Justice Reform:** A majority of children and adults come to the sex trade due to being coerced by a third-party or by socio-economic circumstances. Many also experience traumatic encounters with police officers and are charged with criminal offenses instead of being connected with the supportive services they need. Individuals may be unable to exit the sex trade due to having a prior conviction or for a myriad of other reasons.

The STSJEA would allow individuals to expunge past charges for prostitution-related offenses, and would expand existing police department education mandates to include human trafficking and sexual exploitation awareness.

**Expands and Ensures Access to Comprehensive Social Services and Sources of Financial Assistance:**

Victims of sex trafficking may experience multiple sources of trauma, physical injuries, mental health issues, and substance abuse/addiction, as well as a lack of financial resources and independent living skills they need to help exit the sex trade, recover from their traumatic experiences, and make empowered decisions for themselves.

The STSJEA would expand eligibility for Safe Harbour Program services to include sexually-exploited individuals up to the age of 24 at the time of identification; increase access to services for individuals who are not eligible for Safe Harbour Program services; expand the definition of “human trafficking victim” to align with federal law in order to increase access to social services; expand access to youth shelter services up to the age of 24; and create the Victims of Sexual Exploitation Fund.

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**BACKGROUND:**

- [Legislative Presentation on Human Trafficking and Sexual Exploitation in New York State](#)
- [A Roadmap for New York - The Sex Trade Survivors Justice & Equality Act](#)