



NEW YORK STATE SENATOR

Andrew J. Lanza

Governor Cuomo Signs Lanza's Legislation Protecting Young Victims of Human Trafficking

ANDREW J LANZA October 16, 2014



Governor Andrew M. Cuomo today signed legislation to protect young victims of human trafficking by granting new protections to those seeking to rebuild their lives, and gives the courts new authority to ensure these victims receive the help and treatment that they need.

The bill creates a new sealing provision that makes sure records may only be unsealed for use in cases against the victim's trafficker, instead of their history being found years later by a potential employer. Additionally, a judge may now grant special "youthful offender" status to teens previously convicted of a crime, and may conditionally classify a case not criminally but as a "person in need of services."

"These new protections build upon our work to combat human trafficking in New York by providing more tools to help victims escape their circumstances and to get a fresh start," Governor Cuomo said. "I'm proud to sign this legislation today and I applaud Senator Lanza and Assembly Member Paulin for their hard work on this critically important issue."

Under the new law (S.6840/A.8749-A), all records relating to the 16- or 17-year old must be sealed to protect against a future employer finding out about the victim's history, with the provision to only unseal them if they are needed in a case against the victim's trafficker.

The second part to this bill classifies victims as sexually exploited children rather than adults, and automatically grants them with youthful offender status in the event of a guilty plea or jury verdict to ensure they do not have a future criminal record. It makes clear they may get this status regardless of whether or not they have been previously convicted of a crime or received a separate youthful offender status for another crime.

Finally, cases involving 16- and 17-year olds will not be immediately classified as criminal, and they will be given access to essential and alternative services such as housing, crisis intervention programming, and community-based programming. Previous to this bill, there was no way to ensure that the charged youth actually utilized the services given to them. Now, if they do not comply with the alternative conditions, the judge may convert the case back to a criminal one—providing a check to the judge to ensure the services are being used.

Senator Andrew Lanza said, "Here in New York, thousands of innocent people are bought and sold like property each year. Most of the victims are young women who have had their childhood stolen and in many cases their lives left in ruin because of the vicious and vile practice of trafficking human beings for sex. This bill will provide 16 and 17 year old trafficking victims with the ability to escape from their traffickers and rebuild their lives. I thank Governor Cuomo for signing this important legislation into law and Assemblywoman Paulin for her leadership."

Assemblywoman Amy Paulin said, "This law is one more important step in what has been an ongoing struggle to end human trafficking in New York. Far too many of our children are being exploited in abhorrent ways, victimized to meet the growing demand of a massive underground commercial sex industry. We need to continue to fight for these youth and provide them with a chance to rebuild their lives. This law will help us do that."

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