

## MEMORANDUM OF SUPPORT

### VICTIMS OF SEX TRAFFICKING AND SEXUAL EXPLOITATION NEED PROTECTION, NOT DETENTION

S.1351 Hoylman/A.3355 Paulin

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass this legislation, which would repeal loitering for the purpose of engaging in a prostitution offense. This legislation is critical to prevent the re-traumatization of victims of sex trafficking and sexual exploitation. It would also uphold New York State's commitment to assist and support victims.

Anyone can become a victim of sex trafficking and sexual exploitation. Runaway and homeless youth, and domestic violence and sexual assault victims are especially susceptible to trafficking; traffickers can exploit vulnerabilities and prior experiences of abuse. The International Labor Organization estimates that there are more than 40 million people being trafficked globally, with hundreds of thousands of trafficked victims in the U.S. Yet, there is no telling how many more victims are really out there.

New York State should be focusing on helping victims instead of punishing them for their victimization. Repeated arrests and detention only serve to re-traumatize victims and foster distrust of law enforcement. In turn, this makes it more difficult to connect victims to needed services. The abuse that victims of sex trafficking and sexual exploitation experience at the hands of their abusers can lead to lifelong impacts to their physical, mental, and emotional health.

NYSCADV supports the passage of this legislation which would repeal loitering for the purpose of engaging in a prostitution offense, or Penal Law section 240.37. Additionally, the legislation would update Criminal Procedure Law, Penal Law, Social Services Law, and the NYS Administrative Code, to reflect the repeal of Penal Law section 240.37.

New York State must uphold its commitment to protecting victims of sex trafficking and sexual exploitation who need protection and not detention. **NYSCADV urges the NYS Legislature to pass this legislation as soon as possible.**

#### **ABOUT NYSCADV:**

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

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