

STATEMENT ON BEHALF OF

CYRUS R. VANCE, JR.  
DISTRICT ATTORNEY  
NEW YORK COUNTY

PRESENTED BY

DANIEL R. ALONSO  
CHIEF ASSISTANT DISTRICT ATTORNEY

BEFORE THE COMMITTEE ON WOMEN'S ISSUES

APRIL 25, 2012

Good afternoon Chairwoman Ferreras and members of the Committee on Women's Issues. My name is Daniel Alonso, and I am the Chief Assistant District Attorney in Manhattan. Thank you for this opportunity to speak on behalf of District Attorney Vance in support of Proposed Res. No. 1226-A, which calls on Village Voice Media to stop accepting adult services advertisements on its online classified site, Backpage.com, because it serves as a platform to traffic minors and adult victims for sex.

These hearings could not be more timely in terms of the cases my office is pursuing. Just two days ago, as part of D.A. Vance's newly-created Human Trafficking Program, our Office announced its largest sex trafficking indictment to date.

The broad-based charges in this five-year scheme include a multi-count indictment against father and son defendants, for Sex Trafficking, Money Laundering, and Promoting Prostitution. Also charged is Grip Entertainment, a company created by George Jr. in part to provide a seemingly legitimate

business through which to launder sex trafficking proceeds. Six livery cab drivers have additionally been indicted on charges of Promoting Prostitution for their role in facilitating criminal activity. Individuals who paid for the services of the prostituted women are expected to be charged in the coming days.

According to the charges, the women who are alleged to have been prostituted by the father-and-son team have for years been coming into Manhattan from Queens and Allentown, Pennsylvania. The women solicited prostitution clients at various upscale hotel bars and outside of strip clubs, and distributed business cards under fake names offering their services as “professional masseuses.”

As is typical in domestic sex trafficking cases, the trafficked victims were required to turn over prostitution proceeds to their traffickers, who doled out only a few dollars a night to buy food and other necessities. As a result, the women had little control over their finances, making prostituted victims essentially helpless if they were to attempt to leave their traffickers.

The charges we filed allege that the defendants also used other forms of psychological manipulation and domination in an effort to maintain their control over the prostituted victims, such as branding victims with tattoos depicting their street names, and demeaning them. They are also accused of regularly threatening their victims with physical violence for claimed infractions, such as being late or not bringing in enough money.

And their business was lucrative. As part of this investigation, our team seized 10 vehicles, three houses in Allentown, Pennsylvania, and more than \$200,000 from bank accounts, all related to this operation. My office is pursuing forfeiture of these and other assets in partnership with federal authorities.

The trafficking victims, I should emphasize, were not arrested, and have been offered appropriate social services.

Significantly, this case exemplifies how our office approaches sex trafficking in general. We aim to take a top-to-bottom approach, with the goal of dismantling trafficking organizations and putting individual traffickers out of business. That means identifying those who are trafficking the victims; targeting the demand by prosecuting those who are buying sex from prostituted individuals; looking at the flow of money to remove the financial incentives from trafficking; and connecting victims with appropriate services.

Although not a factor in Monday's indictments, ads placed on Backpage.com have played a part in nearly every other sex trafficking investigation and case seen by my office. Last month, as an example, we filed an indictment against an individual on charges of Rape, Sex Trafficking, Promoting Prostitution, and felony Assault for having recruited a victim and forced her to work in prostitution. He is alleged, among other things, to have used physical violence, threats of violence, and psychological manipulation to compel her to continue to work for him and turn over the money she received. He is also charged with stabbing and raping the victim.

In this case, we discovered that, like many of his contemporaries, he advertised multiple females for prostitution using online advertising on websites, including Backpage.com, in order to locate potential clients.

Now, we are not suggesting that Backpage is trafficking women, men, or children. What we have seen instead is that Backpage.com and web sites like it in effect serve to enable trafficking by providing a place for traffickers – who are, after all, criminals – to drum up demand for what they view as a product. We believe that Backpage should recognize its role in facilitating these schemes and take immediate measures to stop adult services advertising on its sites.

In light of the hidden nature of the trafficking world, law enforcement must formulate innovative ways of identifying cases, investigating traffickers, and serving victims. Just this year, D.A. Vance created the Human Trafficking Program in the Manhattan D.A.'s office. The program takes a holistic approach, starting from the moment a case – any case that potentially involves trafficking – comes in the door.

First, all of our trafficking cases are handled by a highly trained, multidisciplinary team. John Temple, a senior Assistant District Attorney who is in charge of the program, works with specially trained attorneys and a member of the Witness Aid Services Unit (WASU), providing the framework within the office for screening potential trafficking cases and interviewing victims. The team doesn't simply wait for trafficking cases to come to them; they screen sex crimes, prostitution and promoting prostitution cases, and domestic violence cases for patterns, key words, common names, tattoos, and identifying information, similar domiciles or arrest locations, and myriad factors that might hint at trafficking.

Assistant District Attorney Jennifer Barron is responsible for working at the Midtown Community Court when prostitution cases are heard in order to evaluate any potential trafficking cases and look for patterns to identify larger organizations.

The team has made a concerted effort to conduct outreach to NGOs, other state agencies, and even the defense bar in an effort to create lines of communication and offer a safe environment for victims of trafficking being served by these groups to make contact with our office and seek justice.

Regardless of how the case comes to the office, as soon as there is an indication that a person is in fact a victim of trafficking, we proceed holistically in handling the investigation and prosecution, while also connecting the victim to services. We conduct ourselves in this matter regardless of whether the victim is a defendant in a prostitution case. When appropriate, we immediately decline to prosecute charges of prostitution and instead treat that individual as a victim.

The **second** part of our multidisciplinary approach to combating sex trafficking is education, both within and outside of my office. Within the office, there is a mandatory continuing legal education course (CLE) for all junior ADAs, which trains them to identify potential trafficking cases and provides interview techniques to screen potential victims of trafficking. We have also developed focused trainings and informational sessions for other employees in my office that often have contact with potential victims. We also train all members of WASU, which is the unit in our office that provides

counseling and other victim services directly to the victims in all of our cases, and conduct informational sessions with investigators who are involved in debriefing defendants in a variety of cases.

Outside of the office, we work with the NYPD to identify precincts with the highest incidence of prostitution arrests, and provide trainings in those precincts. In addition to law enforcement agencies, we have worked with and participated in trainings with groups such as GEMS, Covenant House, and ACS. Because of the inherent difficulties in identifying trafficking victims and meeting their acute special needs, ongoing education and training of police, prosecutors, and other stake holders is an essential component of our anti-trafficking efforts.

**Third**, perhaps the least celebrated but the most important part of our efforts is the holistic approach to serving victims. In our Witness Aid Services Unit, we have a specially-trained social worker who serves as our Human Trafficking Specialist. Employing a dedicated specialist recognizes two things: One, trafficking victims have very specific needs that may be more acute than the needs of other crime victims, and two, because trafficking victims often walk through the door with only the clothes on their backs, they have an immediate need for food, shelter, clothing, and safety. We recognize that true justice for a trafficking victim means not only the criminal prosecution of the offender, but also doing our best to make the victim whole again.

Our specialist is present every time an ADA meets with a victim. She refers victims to GEMS, Safe Horizons, New York Women's Asian Center, and a number of other providers with which my office has a close relationship.

She has accompanied many victims to their intake appointments at NGOs, and maintains contact with victims even when those victims are not responsive to the services they are offered.

We will continue to bring the full panoply of resources and innovative strategies to build trafficking cases and to bring relief to victims. Because young victims are particularly vulnerable, I would like to briefly point out an incongruity in current law. Unlike federal law, New York State does not automatically consider minors who are engaged in the commercial sex trade to be trafficking victims. We have recently changed our own plea guidelines so that 16- and 17-year-olds, who fall under our jurisdiction if they are arrested for prostitution, receive an automatic dismissal if they complete counseling through GEMS. Children who are too young to consent to sex are victims and not offenders. Although New York State law has yet to codify this, it is a practice that we have implemented in Manhattan.

Finally, I encourage victims of sex trafficking or people with information about trafficking victims to call our Office's Human Trafficking Referral Tip Line at 212-335-3400.

Thank you again.

**Dorchen A. Leidholdt, Director**  
**Sanctuary for Families' Center for Battered Women's Legal Services**  
**Testimony before the New York City Council's**  
**Women's Issues Committee on**  
**Backpage.com**  
**October 19, 2011**

I'd like to express my gratitude to the Women's Issues Committee for holding these hearings. Sanctuary for Families is New York State's largest nonprofit provider of services exclusively for victims of domestic violence, sex trafficking, and other forms of gender-based violence. Founded in 1984 as a small network of safe homes, Sanctuary offers integrated, wrap-around services to adult victims and children, including legal representation and advice, case management, crisis and transitional shelter, individual and group counseling, job readiness and career skills training, and other critical services. Operating out of four offices and five shelters throughout New York City, Sanctuary's 150 staff members deliver services to over 11,000 adult victims and children annually.

Sanctuary has long recognized that domestic violence and sex trafficking are interconnected practices of gender-based violence, involving often identical tactics of power and control. In both domestic violence and sex trafficking, victims, primarily women and girls, are lured into situations of domination and exploitation by perpetrators, frequently men who hold themselves out as protectors and loving partners, only to reveal their true colors after securing control over their prey. In numerous cases, sex trafficking victims escape situations of enslavement by marrying or becoming romantically involved with sex industry buyers who all too often turn out to be abusers themselves.

Recognizing the clear link—and frequent overlap—between these two forms of gender-based violence, Sanctuary's Anti-Trafficking Initiative was established in 2008. Last year the Initiative provided direct legal, clinical, shelter, and economic stability services to 285 domestic and international trafficking victims; outreach to educate the community about this horrific crime and human rights violation and resources available to its victims; and 55 trainings to legal, social service, healthcare, and other professional audiences. Many of the sex trafficking survivors we serve suffer from severe post-traumatic stress disorder (PTSD) and other acute mental and physical health problems, the result of physical and psychological torture at the hands of their traffickers and pimps and rape and other abuse inflicted on them by as many as 30 sex industry buyers per day. Among these victims are women who have been bought and sold on Backpage.com.

Sanctuary applauds New York City Council's Women's Issues Committee for its proposed Resolution calling on Backpage.com to immediately stop accepting prostitution ads. Owned by Village Voice Media, Backpage.com inherited the mantle of shame and the huge revenues—more than 2 million dollars per month—of its competitor Craigslist, after Craigslist bowed to national and international pressure and agreed to halt its “adult services” section. When it shut its “adult services” section down, Craigslist was expected to generate \$44.6 million from escort-service advertisements for prostitution. In 2010, after Craigslist exited the market, Backpage.com



raked in at least \$23.9 million in revenue from advertisements for prostitution. At present, Backpage.com corners the market in on-line prostitution advertising, reaping approximately two thirds of the \$35.7 million generated by on line advertising for prostitution in the United States.

Without question, Backpage.com is in the business of promoting and profiting from prostitution, a crime in New York State and in every state of the United States, with the exception of a small group of counties in Nevada. This inescapable fact deeply implicates Backpage.com in criminal activity, although it has been shielded from liability by the Communications Decency Act, which has made it difficult to hold Backpage.com accountable for its flagrant transgression of anti-pimping laws.

Even more deplorable, however, since the demise of Craigslist's Adult Services Section, Backpage.com has become the venue of choice for criminals and criminal enterprises trafficking in adults and children. After tracking more than 50 instances, in 22 states over three years, of charges filed against those trafficking children on Backpage.com—obviously a tiny percentage of the total number of sex trafficking cases since so few traffickers are brought to justice—the National Association of Attorneys General sent a letter in August to Village Voice Media citing its concern about human traffickers' use of Backpage.com. Since then the evidence linking Backpage.com to sex trafficking has become even stronger, with the Brooklyn District Attorneys' Office alone indicting close to 40 cases involving sex trafficking over the website. It is fair to say that Backpage.com has become the virtual auction block of the 21st Century's global slave trade.

Why are internet prostitution websites like Backpage.com so insidious? The first reason is that they confer anonymity on the criminals who use them to engage in the buying and selling of human merchandise. Unlike their precursors in the transatlantic slave trade, the flesh peddlers and purchasers of internet prostitution websites are invisible when they engage in their brutal and dehumanizing transactions. This enables them to engage in crimes against their victims, from sex trafficking to murder, with impunity. It is tragic though not surprising that before their deaths four of the ten probably prostituted women whose bodies were recovered near Gilgo Beach, Long Island had been advertised for prostitution on Craigslist. And while Backpage.com's sellers and buyers are hidden, what is on display in the most humiliating manner imaginable, are images of women and girls, posed and captioned to promote the lie that they seek out and revel in their exploitation, a lie that exonerates their exploiters of responsibility. Finally, the fact that Backpage.com is not an X-rated outlet but a mainstream internet platform, supported by major financial institutions, investors and advertisers, legitimizes its promotion of prostitution and facilitation of sex trafficking.

Those who argue that Village Voice Media can stay in the prostitution business but through better policing keep out sex traffickers are wrong. Backpage.com has become a mainstay of today's brutal, multi-billion dollar-a-year sex trafficking industry and operates according to its rules. One of those rules is that the most valuable merchandise—the flesh most profitable to sex traffickers and most in demand by sex industry buyers—is fresh, exotic, vulnerable, and unconditionally available. That translates more often than not into girls and young women: especially girls and young women in conditions of poverty, girls and young women without family support, girls and young women from communities of color, girls and young women with

histories of sexual abuse, in other words, girls and young women in such desperate circumstances that they must submit to anything their sellers and buyers demand of them. Backpage.com exploits this vulnerability and reaps obscene profits from it while subjecting the most marginalized girls and young women among us to incalculable and irreparable harm.

There is only one solution: Backpage.com must stop selling prostitution ads. Given the huge profits Village Voice Media reaps from these ads, we are not going to achieve that goal by naming and shaming them alone. The only way to stop them is to cut into their profits by persuading investors and advertisers, who can be named and shamed, to stop supporting internet pimps and traffickers, and to hold Village Voice Media accountable through legal action. If we are united and strategic and grow our movement, we can stop sex trafficking on Backpage.com. A resolution by New York City Council demanding that Village Voice Media stop selling prostitution ads is an important step forward.

**Norma Ramos, Executive Director**

**Coalition Against Trafficking in Women (CATW)**

**CATW's Statement in Favor of City Council Resolution No. 1226 – A**

**April 25, 2012**

I offer this testimony today on behalf of the Coalition Against Trafficking in Women (CATW). CATW, the world's leading abolitionist organization working to end human trafficking in our lifetime, supports the passage of City Council Resolution No. 1226 – A, which calls upon Village Voice Media (VVM) to cease serving as a platform for sex trafficking by hosting ads that facilitate commercial sexual exploitation.

A large portion of Village Voice Media's <sup>here in the U.S. and 10 other countries.</sup> profits now arise from its role as the leading online facilitator of the sex trafficking industry. VVM mainstreams online pimping by providing a vehicle for sex traffickers to reach buyers of human beings for prostituted sex. By providing traffickers and johns with a virtual red light district, VVM is now a sex industry-based corporation. Sex trafficking is fueled by the demand for prostituted sex. Websites like Backpage.com provide buyers of prostituted sex with anonymity and impunity. Publishers of online and print classifieds must take responsibility for the ads they choose to publish and profit from. Failing to do so makes them complicit in the rank exploitation that is human trafficking.

Fifty-one Attorneys General describe Backpage.com as a sex trafficking hub and call on VVM to cease being a vehicle for human trafficking. Village Voice Media is turning a deaf ear to this clear and unified directive from law enforcement. VVM also ignores the growing voice of the human rights community that is demanding that it cease facilitating sex trafficking. The question <sup>is, will it?</sup> remains, will Village Voice Media continue to choose *profits* over the *safety of women*? It would be an act of corporate responsibility if VVM ceased facilitating sex trafficking, thereby helping us to create a sex trafficking free Internet.

Instead, VVM makes the specious claim that by hosting these ads, which are widely dispersed throughout Backpage.com, it is helping law enforcement. This claim ignores the fact that is well settled that the First Amendment does not protect commercial speech related to criminal activity (United States v. Williams, 553 US 285, 297, 2008). This claim also ignores the fact that by facilitating prostitution by hosting these ads, VVM is the leading online platform for the sex trafficking industry. This is not what being part of the solution looks like - this is aiding and abetting an egregious, growing human rights violation.

CATW will continue to build pressure on VVM until this corporation truly becomes part of the solution. We will host our second demonstration on June 20, 2012 in front of the Village Voice building here in Manhattan. This time, we will bring the endorsement of 150 leading human rights organizations and prominent individuals.

  
COVENANT HOUSE NEW YORK  
460 West 41 Street, New York, NY 10036

TESTIMONY TO THE NEW YORK CITY COUNCIL  
COMMITTEE ON WOMEN'S ISSUES

Proposed Res. No 1226-A  
April 25, 2012

Good afternoon. My name is Jayne Bigelsen, and I am the Director of Anti-Human Trafficking Initiatives at Covenant House International. I would like to thank the Committee on Women's Issues and the Resolution's sponsors for providing the opportunity to testify today on Resolution 1226-A, calling for the Village Voice to stop accepting adult services advertisements on Backpage.com.

Covenant House New York is the nation's largest, privately funded, non-profit adolescent care agency serving homeless, runaway and at-risk youth. During this past year, Covenant House New York served over 3,000 young people, primarily between the ages of 16 and 21, in our residential programs, and through our drop-in center and street outreach efforts. On a nightly basis, we provide shelter to over 300 young people. On a monthly basis, however, we have to turn away over 300 young people because we do not have the capacity to provide them with shelter. To those for whom we cannot provide shelter, we provide food, clothing, a place to shower, and other services through our drop-in center.

As you all know, homeless and runaway youth are at a high-risk for being targeted and recruited by sex traffickers. In order to meet the demand of people willing to exploit young bodies in exchange for money, traffickers prey on homeless youth, offering false promises of romance, security, a place to stay and a better life. The pimps often loiter in and around Port

Authority, and say things such as “You know the city shelters are full. Where are you going to stay? You’re beautiful. You can stay with me and we can make lots of money.” These pimps later abuse them and force them to sell their bodies; both on the street and online.

Although we have always known anecdotally that this is far too common of an experience, we are in the midst of working on a research study to obtain a scientifically valid prevalence rate of the number of Covenant House youth who have experienced trafficking. We have not yet completed the study but based on an initial sample of 70 Covenant House-NY clients, we have found that 20% have had experiences that fit the federal definition of trafficking. A full 40% of the sample admitted to at one point trading a sex act for something of value including, money, food, drugs or a place to stay. A lack of shelter has so far been the number one reason cited for trading sex for something of value. Unfortunately, many of our young clients reported that in a state of desperation, with no money and nowhere to go, and often in traumatized states due to prior abuse, they felt like they had no choice but to sell their bodies in exchange for a place to stay.

We do not yet know what percentage of our clients may have been sold through Backpage.com, and we plan to add that as a question in the second phase of our study. But we do know this: Anything that increases demand for or facilitates trafficking makes the job of protecting the young people we serve that much more difficult. The more ways pimps have to sell homeless young people (and the more lucrative those ways are) increases the number of pimps trying to recruit our youth.

Additionally, I have heard representatives from the Village Voice say that their ads are screened to ensure that only those by “consenting” adults are published. I question how successful that screening can be when pimps both force minor victims to lie about their age and

also force adult women to pretend they are consenting and willing. But even for the young people I spoke with who were over 18 when they first engaged in commercial sex and who were not abused and forced by a pimp, their introduction to prostitution was rooted in desperation and trauma. They were 18-20, fragile and scared, often traumatized by prior abuse with no family support and terrified of having nowhere to sleep. All of the young people we spoke with who had previously engaged in commercial sex, whether due to the force and coercion of an abusive pimp or out of utter desperation and homelessness, reported regretting their prostitution experience and finding it both traumatizing and degrading. Any person or corporate entity that would contribute to, or expedite that exploitation should be stopped.

In closing, it should go without saying that New Yorkers and corporations who do business in our great city should be our partners in protecting homeless young people from those who wish to exploit them. They shouldn't be on the side of the traffickers. We implore the Village Voice to immediately cease accepting adult service advertisements on Backpage.com.

Thank you again for this opportunity to testify today.



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**New York City Council  
Committee on Women's Issues  
Wednesday April 25, 2012  
Proposed Res. No. 1226-A**

**Testimony by Ana K Morse, President of the Board of Directors, ECPAT-USA  
[akmorse@mac.com](mailto:akmorse@mac.com) 917 294 6050**

Thank you Council Members Lander, Mark-Viverito, Brewer, Chin, Crowley, James, Lappin, Levin, Recchia, Rose, Palma and Ulrich for holding this important hearing. I am the President of the board of ECPAT-USA and I welcome this opportunity to voice our support for the proposed resolution calling on Village Voice Media to stop accepting adult services advertisements on its online classified site, Backpage.com.

ECPAT-USA is a human rights organization that raises awareness, conducts policy advocacy and undertakes research and training to protect children from commercial sexual exploitation, including sex trafficking. As the US branch of an international network spanning 74 countries, our focus is on children who are trafficked into the U.S., American children trafficked domestically for sexual exploitation, and children who are exploited overseas by sex tourism, which is the practice of exploiting children while traveling away from one's home country or region.

Much of ECPAT-USA work is with the travel industry, especially hotels, to put steps in place to prevent commercial sexual exploitation of children from taking place on their premises. One reason for doing so is because the sex industry, including children, has several players and the players intersect with the private sector in two ways: the hotels and the on-line ads. Typically, this is the way it works: A pimp rents a hotel room and put his girl in it. Then the pimp posts an ad on backpage.com with a phone number, and the men who call the number are sent to that hotel room. While we are successfully obtaining the support of the hotel industry (currently four hotels chains have signed our Code of Conduct in the United States), we need to go even further and eliminate the online classified ads that are an important node in the system.

It is clear that the Internet has taken prostitution off the streets and online. A quick glance through the adult classifieds section of Backpage demonstrates this all too well: pages and pages of advertisements for sex with women and girls from every ethnicity and every *age*. Though Backpage does not allow posts that advertise sex with minors, and has clear guidelines stating that policy, there appears to be little enforcement of those guidelines. Instead,

Backpage effectively relies on traffickers to abide by the honor system and obey the guidelines. Not surprisingly, traffickers are freely posting ads of their young victims, while Backpage collects the fees.

Those fees add up: Backpage generated at least \$2.6 million in online prostitution ad revenue in March alone, according to the AIM group. Over the last 12 months, Backpage generated \$26.7 million in prostitution advertising in 23 US cities. And traffic has hit a record high, with 3.4 million unique visits in March, up 33.4 percent from March 2011.

Village Voice Media claims they work with law enforcement, dedicating hundreds of staff to screen adult classifieds to ensure minors are not involved. The staff has clearly been failing to catch those ads selling children, given the number of cases – just that we know of – in which victims state they were advertised on Backpage. Village Voice Media also claims that Backpage makes it easier for law enforcement to find traffickers and their victims. We argue that Backpage just makes it easier to sexually abuse children, and law enforcement would seemingly agree, given that attorneys general from 48 states have asked Backpage to stop accepting and running these ads, citing cases in which pimps used Backpage to sell minors in 22 states.

Fair Girls, a DC-based advocacy group also working on this issue, has been monitoring the ads on the site. In a conversation with a detective just two days ago, Fair Girls learned that law enforcement is having new difficulties in searching ads on Backpage – not being able to search by word, phone number or poster ID, as they used to. The fear is that Backpage might actually be reducing the functionalities that enable law enforcement to search for ads by the same poster, which is one way to keep track of a suspected trafficker.

Fair Girls research has also shown a huge spike in ads in the greater DC area, which is in line with the findings of another DC-based group, Polaris Project. Polaris had volunteers manually count the number of ads nationally over the past two months and have found the number of ads jump from 14,000 to 19,000. Fair Girls also reports seeing more ads featuring teenage girls. The ads have also become more violently worded, according to the group, with some stating outright that violence is permissible when buying a teenager.

We do not believe that taking adult services ads off of Backpage will solve the sex trafficking problem. However, it will make it harder for the pimps – until they move onto the next thing. And that's exactly where the frustration lies: We strive to be a step ahead of the traffickers. But this is difficult to accomplish when people or organizations, such as Village Voice Media, block us from even catching up.



Mayor Bloomberg, and the mayors of all the large cities in the United States, have been contacted by a consortium of organizations, including ECPAT-USA, asking them to take a stand against Backpage's escort ads. To date there has been no response from our Mayor. We think it is time for city government to take a proactive approach. So we would like to reiterate our thanks to the council members for holding this important hearing and for proposing this Resolution.

**SWANK**

Sex Workers' Action New York

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**SWOP-NYC**

Sex Workers Outreach Project - NYC

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*Testimony against Proposed Resolution No. 1226-A: Resolution calling on Village Voice Media to stop accepting adult services advertisements on its online classified site, Backpage.com*

Good morning Councilman Lander, Councilman Mark-Viverito and the Committee on Women's Issues. My name is Brittany Wollman and I am a community organizer with the Sex Workers Outreach Project of NYC, a volunteer-based, grassroots organization made up of current and former sex workers, their allies and advocates. As such, we are in a unique position to testify as to the effect policies have on sex workers' lives with an on-the-ground perspective of the sex trade in all its forms.

While prostitution or sex work is a commercial transaction between two consenting adults, sex trafficking involves coercion and often violence. The Sex Worker Outreach Project is very proud to be an anti-trafficking organization.

With the expansion of the internet, the sex trade has become increasingly visible. While this often raises alarm, it is important to note how the internet is transforming our ability to track an underground market that was previously inaccessible. After the Craigslist adult advertisement section was shut down, law enforcement around the country (including the NYPD) said it became harder to identify trafficked persons. It follows logically that closing Backpage would have the same effect.

Backpage is a window into a marginalized world that we don't often get to look into. Backpage cooperates with law enforcement and is based on US shores, unlike many of the estimated 5000 other adult advertising websites. It has automatic word filters as well as real people manually reviewing each ad before it's published. Anything suspicious is reported to the National Center for Missing and Exploited Children. Every advertisement placed on Backpage leaves a footprint that includes IP addresses and credit card details, crucial information in the pursuit of traffickers.

Shut down a website like Backpage and things go further underground, most likely to a plethora of smaller, less-established websites without the resources or possibly even the interest in doing any kind of screening. Never mind that many of them are not under U.S. jurisdiction.

While taking down Backpage may make some feel better, there is no evidence that doing so will help victims of trafficking. What we do know is that it will have many unintended and dangerous consequences for those involved in the sex industry by consent.

Backpage is a low-cost advertising site that has allowed many people in the sex industry to break away from a pimp or madam, get off the streets or out of a house, and work independently.

What happens when you shut down an advertising site that services so many people? Further marginalization leads to increases in violence, HIV and other STIs, stigma and discrimination. Without sites such as Backpage it is much harder for sex workers to screen their clients and negotiate their terms of service, such as condom use. Closing down low-cost advertising sites makes it harder to be independent and forces sex workers to rely again on third parties, leading back to exploitation and trafficking.

In conclusion, shutting down Backpage will have many unintended consequences. They say the road to hell is paved with good intentions. Let us not act hastily when recommending a policy that will affect such a broad range of people. The problem of sex trafficking is complex and deserves a thoughtful, multi-level approach to prevent its occurrence and facilitate the rescue of its victims. Thank you for taking the time to hear sex workers' voices and I hope the City Council will continue to reach out to impacted groups when considering policies affecting the sex industry.

April 25 2012

**SWANK**

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**SWOP-NYC**

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347.748.9163

Good Morning Councilmember Lander and Councilmember Mark-Viverito and the Council on Women's Issues.

The Sex Workers Outreach Project of New York City thanks the Council for the opportunity to speak on Proposed Resolution Number 1226-A. My name is Kate D'Adamo and I am a community organizer with SWOP-NYC, a grassroots, membership-based organization of current and former sex workers and allies dedicated to improving the lives of current and former sex workers on and off of the job.

We are excited that the City Council is making inroads to try and combat the issue of human trafficking in New York City. We do have concerns that this resolution, and the larger push to close advertising sites, will have no impact on reducing or preventing trafficking, and instead will cause a range of unintended harms to sex workers and trafficked persons alike.

As we have noted, further marginalization means increased physical and sexual risk, HIV & STI transmission, and risk of exploitation. We urge the City Council to take a strong anti-trafficking stance which prioritizes human-rights-based approaches which do not lead an already-marginalized population to be further victimized. To this end, we would like to make two recommendations. First, for an increase in the number of shelter beds made available to youth, and a resolution calling on the NYPD to stop prosecutions of youth for prostitution-related crimes.

According to the John Jay College study *The Commercial Sexual Exploitation of Children in New York City*, 95% of youths interviewed said they exchanged sex for money because "it was the surest way to support themselves." And this is not an issue of not knowing that resources are available, 68% had visited at least one youth service agency. And while 87% expressed a desire to leave the sex trade, 60% said they would require stable, legal employment, 51% identified educational needs, and 41% required stable housing before this was possible.

These are clear, decisive places to start that we know will have a huge impact on this population. The most frequent request for services? Stable, long-term housing. And most acknowledge that the typical 90-day maximum stay at shelters is insufficient. In 2007, before the financial crisis, one study identified 4000 unaccompanied youth in New York City every single night, and even this number is low. To meet this need, the city funds just over 300 shelter beds. This year, Mayor Bloomberg is seeking to cut this number even further. Funding emergency shelter services could be a silver bullet into this issue, and it would be a solution which preserves the agency, the rights, and the respect for this population. While no one can say that closing Backpage will cut trafficking, it is not a stretch to say that cutting resources for youth populations leads to increased vulnerability for exploitation.

Another challenge we would like to highlight is the criminalization of this population. Despite the focus on youth engagement in the sex trade, persons under the age of 18 continue to be arrested and convicted of prostitution and prostitution-related crimes. This means that in addition to the already-

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discussed barriers to leaving the sex industry, some will also be attempting to find stable employment, services, and resources with a conviction on their records.

We urge the City Council to pass a resolution requesting the NYPD to stop arresting and convicting youths for prostitution and prostitution-related crimes. It would be a powerful statement in favor of human rights and of the incredible need to support and not further marginalize this population.

One of the greatest travesties of this crime is that there are concrete ways to prevent it. We focus so much on the day after trafficking occurs, when we can instead focus on the day before. These human-rights based approaches mean we can take huge steps in the fight to end trafficking, and put New York City on the forefront of that work. We must End Demand for affordable housing, for shelter beds, and for living-wage work.

We thank you for your time on this important matter, and for your desire to help, and even prevent, victims of trafficking.

**The Rev. Dr. Katharine Henderson, President, Auburn Seminary  
Remarks at New York City Council Hearing, April 25, 2012**

First of all, a special thanks to the City Council, Speaker Quinn, and the original City Council Member co-sponsors of the Village Voice resolution – Brad Lander and Melissa Mark-Viverito.

I am the President of Auburn Seminary, a multifaith think-act tank that works nationally and is based here in New York City on the Upper West Side. One of our signature social action campaigns this year has been to try and convince Backpage.com to close the adult section of its web site until they can be sure no children or teens will be sold for sex via ads posted by others.

But I come here today as a mother concerned about the safety and security of my children and as a person of faith motivated by my scriptures to care for the least among us.

8 months ago, when we started this campaign at Auburn, we wanted to add voices of faith leaders to the vital work already being done by non-profits and advocates. And as we all know, you don't need to have a clergy collar to know that what the Village Voice is doing is just. Plain. Wrong.

This campaign has gained momentum. A quarter of million

people have signed the petition on Change.org. We've added the voices of more than 600 religious leaders from around the country and across faiths to our ranks. Hundreds of NGOs, 19 U.S. Senators, and the State Government of Washington have joined the fight. And soon I hope to see the NYC City Council join this groundswell.

The message we are sending is unmistakable. Village Voice Media's leadership -- Jim Larkin & Mike Lacey -- must shut down the adult section of their Web site Backpage.com.

To them we say: Young girls and boys have been exploited by pimps posting advertisements on your Web site despite the safeguards you have implemented. This is an undeniable fact and confirmed by court documents and news reports over and over again.

According to some estimates, their business generates more than 20 million dollars a year in revenue on those ads.

As a reverend, and as a mother, I believe that doing anything less than everything in their power to stop exploitation from happening via ads on their Web site is immoral and unacceptable.

It was in this spirit that Auburn has joined U.S. Senators Blumenthal, and Rubio, Kirk, Cornyn as well as activists

based here in New York City and on Change.org, in urging Village Voice Media advertisers to think long and hard about their relationship with Village Voice Media while their Backpage.com adult section remains online.

We are educating advertisers and other organizations with business relationships with the Village Voice – and we are happy that a growing list of national brands and local companies – now including AT&T, Miller Coors, Macy's, Starbucks, the NYC Film Forum, Tribeca Performing Arts Center, REI, Brooklyn Academy of Music, and others -- have decided to join the effort to convince Village Voice Media to shut down Backpage.com adult section, either by communicating this views publicly, or deciding not to continue advertising with Village Voice Media publications until the adult section of Backpage.com has been shut down.

Village Voice must shut down the adult section of Backpage.com and take away an avenue others have used to exploit children and teens. And they should know that advocates like us will not rest until they do.



Testimony of D.A. Charles J. Hynes  
before the Women's Issues Committee –  
Re: Sex Trafficking  
@ 250 Broadway – 16<sup>th</sup> Floor – Hearing Room  
Wednesday, April 25, 2012 – 11:00 AM

First of all, I want to thank Council Member Julissa Ferreras, Chair of the Women's Issues Committee, and the other members of the Committee for this morning's opportunity to talk to you about just how serious sex trafficking has become in New York City. Today, I am joined by Lauren Hersh who is Chief of our Sex Trafficking Unit.

Almost two years ago, I created that Unit to combat the growing problem of the commercial sexual exploitation of girls, women and boys in Brooklyn.

To date, our Unit has indicted 40 defendants in sex trafficking schemes. Many of these traffickers have used the internet to advertise and sell trafficked women and children.

In our early cases, child victims and coerced women were advertised on Craigslist. But when legal and ethical pressure led Craigslist to shut down their adult services section, the marketplace for exploitation shifted to other websites. What we have found is that one website, above all, is most frequently used to exploit children and advertise trafficked victims – that website is Backpage.com.

Let me give you a few examples...

In December of last year, I announced the Indictments of two defendants charged with Sex Trafficking. In addition to viciously beating a 13 year old victim, the defendants advertised this 13 year old child and another 16 year old child for sex on Backpage.com.

In another case, in July, 2011, Lathanial Maccoby pled guilty to Sex Trafficking. His victim was a 15 year old child who he sold for sex by advertising her on Backpage.com.

And in September, 2011, a Kings County Grand Jury indicted another defendant for Sex Trafficking. As part of the evidence alleged against this defendant, we introduced lewd and explicit ads posted on Backpage.com selling his 15 year old victim. In a statement to the Police, this defendant explained how he used Backpage.com to market his 15 year old victim.

I believe we are facing an epidemic of sex trafficked children. In 2012, the internet has become the new marketplace where children and trafficked adults are sold.

Backpage.com is owned by Village Voice Media. Village Voice's General Counsel, Elizabeth McDougall, said that the "realities and complexities" of human sex trafficking don't merit calls to shut down Backpage.

But Backpage also states that 2,695 cases of suspected trafficking were reported to the National Center for Missing and Exploited Children by Backpage officials in 2011 alone.

If even a tenth of this number were trafficked children, isn't that enough to say that Backpage is a vehicle for traffickers and therefore part of the problem we must solve to protect our children?

In fairness, Backpage.com is responsive to law enforcement and complies with subpoenas. In fact, in recent weeks, there has been much public outcry and Backpage increased its response to law enforcement. Instead of simply responding to subpoenas, Backpage is now sending an additional message that contains other websites where the target phone numbers and photos have been advertised.

While this is certainly helpful in targeting other sex traffickers it does not deal with the fundamental problem that Backpage is enabling sex traffickers to exploit children. I would be much more optimistic about Backpage's willingness to cooperate with law enforcement if they would identify some substantive reforms to prevent the exploitation of children.

On the one hand, there is no question that evidence from Backpage.com strengthens our cases; there is also no question that Backpage.com is cited as the most frequently used website for traffickers.

I believe that responsibility and fairness require Backpage.com to stand with us and stop this exploitation now, and, like Craigslist, shut down their so-called adult services section. While we recognize another website may spring up to replace it, it has been our experience that every time we shut down an operation that sexually exploits our children, we make it more difficult for that abuse to continue. In addition, disruption of the trafficking marketplace reminds both trafficker and customer that law enforcement is aware of their activities and working hard to stop them.

We must send a clear message to the exploiters and to the exploited. We will not turn a blind eye and absolve responsibility for those individuals and companies complicit with and profiting from sex trafficking.



Leadership, Voice and Vision for Child Welfare in New York State

*For the Record*

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**STATEMENT IN SUPPORT OF CITY COUNCIL RESOLUTION NO. 1226-A**

*"A Resolution calling on Village Voice media to stop accepting adult services advertisements on its online classified site, backpage.com, because it serves as a platform to traffic minors and adult victims for sex"*

COFCCA is the primary statewide membership organization for child welfare services providers, representing more than 100 not-for-profit agencies that contract with the New York City Administration for Children's Services and the county departments of social services to provide foster care, preventive services, adoption, and aftercare services as well as education for children on our facility campuses. Our member agencies serve nearly all of New York City's children at risk in preventive services and foster care.

COFCCA supports the City Council Resolution No. 1226-A, because it would have an impact in the effort to protect vulnerable young people from sexual exploitation. Several of COFCCA's member agencies, such as Jewish Child Care Association, from whom you will hear testimony at today's hearing, provide urgently needed services to young people who have been sexually exploited and commercially trafficked. The young women in the JCCA program were all "sold" through advertisements in the *Village Voice Backpages*.

We very much appreciate the Committee on Women's Issues actions in relation to curtailing advertisements furthering sexual trafficking, but we hope that the committee will also support the services that are desperately needed by the young people who have fallen victim to this exploitation. The Governor and Legislature have added \$1.5 million in funding to the Safe Harbor Act that decriminalizes the victims of sex trafficking and calls for their treatment as victims. Allocation of this funding should be directed to the programs that are currently working with these victims, and for which there is a constant waiting list.

Attached is a letter to the NYS Office of Child and Family Services Commissioner Gladys Carrión. COFCCA is a signer of the letter. We hope that your committee will review the letter and give it your considerable support, so that the victims of sexual exploitation can benefit from these very needed services.

Thank you for your focus on this issue.

A handwritten signature in black ink that reads "James F. Purcell". The signature is written in a cursive, flowing style.

James F. Purcell, CEO



April 26, 2012

Dear Commissioner Carrion:

As you may know, a group of concerned organizations recently convened to advocate for the State of New York to fulfill its commitment to commercially sexually exploited youth and fund the Safe Harbor Act. Safe Harbor was passed in 2008 with two major components: first, to end the practice of prosecuting commercially sexually exploited children for prostitution offenses; and second, to provide a statewide system of prevention and treatment for children who survive commercial sexual exploitation. Although New York State did not implement the second component of this legislation when the law was enacted, we are grateful to the New York State legislature and the Governor for including funding in the FY13 budget to establish services for commercially sexually exploited children.

We understand that the Office of Children and Family Services will oversee the programming made possible by the \$1.5 million that has been allocated. As organizations working directly with victims and survivors of commercial sexual exploitation, we are acutely aware of the areas in which current social, health and mental health services fall short of what victims of commercial sexual exploitation need. For this reason, we write now and encourage OCFS to involve organizations such as ours in planning for these services. Toward this end, we ask that OCFS consider issuing a Concept Paper outlining the agency's initial thinking, to which providers, advocates and other experts could respond. We also will be happy to make ourselves available for meetings and conversations with OCFS.

Moreover, we urge OCFS to rapidly put plans into motion with a clear intention to expend these funds as quickly as possible. Thousands of children are in need and cannot afford delays and we very much want to ensure that these funds are not, as they were in the past, repealed because of budgetary pressures.

We also want to share our suggestions regarding the most impactful use of these additional funds:

- *Crisis Shelter:* There is presently insufficient immediate shelter available to young people who need to escape commercial sexual exploitation. A portion of the allocation should be spent to create dedicated, short-term crisis beds and crisis case management. Our recommendation is that these beds be located in New York City and that they be available for intake on a 24/7 basis.
- *Case Management:* Crisis case management services should be co-located at crisis shelters, both the proposed specialized shelter as well as existing Runaway and Homeless Youth shelters. Young people in crisis should be afforded access to these services regardless of their need for shelter. Crisis case management services would include but not be limited to diagnostic assessments, medical care, substance abuse treatment, mental

health treatment, individual counseling, therapeutic services and educational services; these services should also be available on a 24/7 basis.

- *Community-Based Services:* Some children who seek to escape commercial sexual exploitation may have access to safe shelter and/or family involvement but still need access to emergency services and ongoing support. Community-based services should provide ongoing assistance to these children and their families, including but not limited to outreach, drop-in services, family therapy, educational support, case management, vocational support, health care, and referrals to other services as needed.
- *Specialized Family Foster Care:* We recommend that OCFS direct the Local Social Service Districts to create local plans for working with commercially sexually exploited children and youth through family-based foster care, and that OCFS support those plans by providing funding over and above the block grant as necessary.

Although we recognize that this cannot be addressed within the limits of funding available in the current State budget, we want to underline the importance of longer-term therapeutic housing as outlined in the Act. Commercially sexually exploited youth bring a host of complicated issues that can be best treated in a safe house that cannot be readily accessed by perpetrators of sexual exploitation, and allow them to work intensively to heal.

We will be in contact with your office shortly in hopes of scheduling a meeting to discuss these matters with you. If you have any questions, please feel free to contact James Purcell from COFCCA at (212) 929-0870.

Thank you very much for your attention to this crucial matter. We look forward to partnering with OCFS to fulfill our obligations to a very vulnerable and most deserving population.

Sincerely,

Children's Aid Society  
Council of Family and Child Care Agencies  
Covenant House  
ECPAT-USA  
Empire State Coalition of Youth and Family  
Services  
Girls Educational and Mentoring Services  
Good Shepherd Services

Graham-Windham Services to Families &  
Children  
Jewish Child Care Association  
Not For Sale Campaign  
Rabbis for Human Rights-North America  
Safe Horizon  
St. Luke's Roosevelt Hospital  
UJA-Federation of New York

**TESTIMONY OF ELIZABETH L. McDOUGALL  
GENERAL COUNSEL, VILLAGE VOICE MEDIA HOLDINGS, LLC  
BEFORE NEW YORK CITY COUNCIL COMMITTEE ON WOMEN'S ISSUES  
HEARING RE: PROPOSED RESOLUTION NO. 1226-A**

**APRIL 25, 2012**



## **Introduction**

My name is Elizabeth L. McDougall and I am General Counsel for Village Voice Media Holdings, LLC, which owns Backpage.com, LLC. Thank you for the invitation and opportunity to testify regarding the grave social issue of domestic sex trafficking.

My testimony before the Council is based on my knowledge, research and experience over more than a decade of counseling and litigating online service provider Internet, e-commerce and cyber-crime issues; nearly two decades of pro bono work defending victims of abuse, exploitation and civil rights violations; and nearly five years of research, legal counseling and pro bono contributions in the domestic anti-human trafficking movement.

I earned my law degree from New York University School of Law in 1993. I practiced law in New York City for over two years, then provided volunteer services at Legal Services of the Blue Ridge in rural North Carolina for two years (including creating a domestic violence representation program). My young family subsequently settled in Seattle, where I ultimately joined the preeminent technology firm and developed clients and legal expertise throughout the computer and wireless technology sectors from 1999 to 2012.

On February 15, 2012, I joined Village Voice Media with the mandate and grant of authority to find and implement the best measures to fight the abuse of Backpage.com for human trafficking and other illegal activity and to challenge the rest of the online service provider industry to meet the same high standards. That brings me here.

The accusations against Craigslist, Inc. and then Backpage.com that providing an "adult" category on a generic classified advertising website is tantamount to pimping out exploited woman and children were effective for a time to drive long-overdue attention to the sexual exploitation of children and women (and sometimes men) in the United States. But now that this social atrocity has political and public attention, it is time to stop the rhetoric and to develop intelligent, effective strategies to stop human trafficking online and to focus on the root causes and desperately needed resources and services to also, with the Grace of God, eventually stop the trafficking of humans everywhere.

## **Background on Human Trafficking Online in the United States**

Sex and labor trafficking have existed throughout human history. But, until recently, they dwelled underground and in back alleys, largely unrecognized within U.S. borders. Now, the same Internet that allows us to chat with friends and instantly research any subject has brought this abomination out of the shadows in America. Traffickers have seized on this technology in hopes of increasing their payoffs – despite the heightened risk of detection, identification and prosecution.

Traffickers soliciting and advertising their victims are now commonplace on social networking sites, search engines, generalized classified services and specialized adult websites throughout the Internet. For example, social networking sites are increasingly popular sources of adult service advertising by agencies and individuals. Dr. Sudhir

Venkatesh of Columbia University has insightful research on this issue, including a comparison of the sources of clientele for sex trades.<sup>1</sup> Pursuant to this research, as early as 2008, a single social network website provided 25% of clients in the New York City sex trade compared to only 3% from an online classified website.<sup>2</sup> Dr. Venkatesh expected the social network percentage to grow by 2011.<sup>3</sup>

As a practical matter, the Internet has unquestionably made trafficking and exploitation more visible, but visibility should not beget misguided policy. As Dr. danah boyd of Harvard's Berkman Center for Internet and Society has stated, "Heightened visibility can easily prompt fear, as we become concerned about the things that we see that we don't like. But the least productive thing that we can do with visibility is use it to generate fear. While fear and outrage can propel us to act, driving policy by fear can easily backfire and harm those that we're trying to help."<sup>4</sup>

To be sure, more empirical data regarding the role of the Internet in human trafficking and child sex exploitation is desperately needed. A literature review on human trafficking conducted for the U.S. Department of Justice emphasized: "[T]he most important arena which needs urgent exploration is the way the knowledge upon which the public debate about trafficking for sexual and labor exploitation is based is generated."<sup>5</sup> In the interim, "in no area of the social sciences has ideology contaminated knowledge more pervasively than in writings on the sex industry," and "[t]oo often in this area, the canons of scientific inquiry are suspended and research deliberately skewed to serve a particular political agenda."<sup>6</sup>

For example, anti-prostitution advocates often cite *Men Who Buy Sex with Adolescent Girls: A Scientific Research Study*, which was prepared by a marketing company hired by an anti-prostitution organization. Although the study purported to assess men's propensity to sexually exploit minors online, its methodology and conclusions were

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<sup>1</sup> Dr. Sudhir Venkatesh, *How Tech Tools Transformed New York's Sex Trade*, Wired Magazine (January 31, 2011), available at [http://www.wired.com/magazine/2011/01/ff\\_sextrade/all/1](http://www.wired.com/magazine/2011/01/ff_sextrade/all/1).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Dr. danah boyd, *Combating Sexual Exploitation Online: Focus on the Networks of People, not the Technology*, Statement to Massachusetts Attorney General Martha Coakley as part of the Hearing on Sexual Exploitation Online, at 1 (October 19, 2010), available at <http://www.zephorias.org/thoughts/archives/2010/10/19/combating-sexual-exploitation-online.html>.

<sup>5</sup> Dr. Mark Latonero, *Human Trafficking Online – The Role of Social Networking Sites and Online Classifieds*, U.S.C. Annenberg School for Communications & Journalism (Sept. 2011), available at <http://technologyandtrafficking.usc.edu/report>, at 11 (quoting Elzbieta M. Gozdzia and Micah N. Bump, *Data and Research on Human Trafficking: Bibliography of Research-Based Literature*, Georgetown University Institute for the Study of International Migration, Oct. 2008, at 45.).

<sup>6</sup> *Id.* (quoting Sheld Zhang, *Beyond the 'Natasha' story—a review and critique of current research on sex trafficking*, GLOBAL CRIME vol. 10, no. 3, at 179 (Aug. 2009)).

soundly refuted by The Urban Institute in its report to the House Judiciary Committee's Subcommittee on Crime, Terrorism and Homeland Security.<sup>7</sup>

Yet, even while further data is pending, scholars and law enforcement officials recognize that online service providers are in a unique position to combat human trafficking and exploitation. Through online technology, we have more people watching for and reporting potential victims or signs of trafficking or exploitation, and enhanced means of detecting and prosecuting these practices.

Internet traffickers leave digital trails that can lead to their capture and provide valuable insights into their behavior, techniques and patterns.<sup>8</sup> As found in the recent study by Dr. Mark Latonero at the U.S.C. Annenberg School for Communications & Journalism, entitled *Human Trafficking Online – The Role of Social Networking Sites and Online Classifieds*, “Trafficking online thus presents the anti-trafficking community with an unprecedented window to observe, track, and monitor the conduct of both the supply and demand sides of the trafficking trade.”<sup>9</sup> An Immigration and Customs Enforcement agent involved in trafficking investigations and arrests explained succinctly: “Some child predators mistakenly believe the anonymity of cyberspace shields them from scrutiny. In fact, their use of the Internet gives us new tools in our efforts to investigate this insidious behavior.”<sup>10</sup>

In recognition of this principle, several programs dedicated to studying the role of communications technologies in the fight against human trafficking have recently been launched, including the Annenberg Center's Technology & Trafficking Initiative<sup>11</sup> and a program sponsored by Microsoft Research and the Microsoft Digital Crimes Unit.<sup>12</sup>

Backpage.com is an online classifieds service that includes a category for "adult" advertising. Since craigslist, Inc. closed its "adult" category in September 2010 with a symbol simply stating "censored," Backpage.com has become the target of predominantly political and other non-victim-centric accusations that this category facilitates human trafficking.

<sup>7</sup> Colleen E. Owens and William Adams, *Feedback on Men Who Buy Sex with Adolescent Girls: A Scientific Research Study*, The Urban Institute (September 2010).

<sup>8</sup> See *Human Trafficking Online*, at 34-37 (“As people turn to technology to negotiate exchanges, new data becomes available and new interactions become traceable. If everyone is willing and engaged, it becomes possible to track the flow of information around an exploitative trade in entirely new ways.”); *Combating Sexual Exploitation Online*, at 2 (“Historically, human trafficking has occurred underground, making it extremely difficult for law enforcement and rescue organizations to identify and act to capture perpetrators and save victims.”).

<sup>9</sup> *Human Trafficking Online*, at 9.

<sup>10</sup> *Id.* at 20, notes 112-113.

<sup>11</sup> Adam Powell, *CCLP forum explores new technological tools to combat human trafficking*, USC Annenberg Center on Communication Leadership & Policy, (Nov. 7, 2011), available at [http://communicationleadership.usc.edu/blog/cclp\\_forum\\_explores\\_new\\_technological\\_tools\\_to\\_combat\\_human\\_trafficking.html](http://communicationleadership.usc.edu/blog/cclp_forum_explores_new_technological_tools_to_combat_human_trafficking.html).

<sup>12</sup> *The Role of Technology in Human Trafficking—RFP*, available at <http://research.microsoft.com/en-us/collaboration/focus/education/human-trafficking-rfp.aspx>.

However, as acknowledged by Congresswoman Blackburn in recent public comments regarding her letter with Congresswoman Maloney to another online service provider regarding adult advertising that she alleged contributed to human trafficking, the abuse of online services is a problem for *all* online service providers and the online service provider industry needs to “take the lead” in the solution.<sup>13</sup> In other words, the exploitation of the World Wide Web by criminals to exploit human beings is an Internet-wide problem. Backpage.com has already voluntarily taken the lead in fighting back against these criminals and embraces the challenge to set the bar for all socially responsible online service providers even higher.

### **Backpage.com’s Combat of Online Trafficking**

When traffickers use the Internet, especially in a financial transaction, they leave forensic footprints that create unprecedented tools and evidence that law enforcement can use to locate and rescue victims of exploitation and to investigate, arrest and convict pimps and their criminal networks. A key to disrupting and eventually ending human trafficking via the World Wide Web is therefore an online service provider community—of businesses including Backpage.com—that aggressively monitor for and trace potential trafficking cases and promptly report to and cooperate with frontline law enforcement.

As stated, Backpage.com leads the industry in these measures. Backpage.com already employs a triple-tiered policing system to prohibit and report attempts at human exploitation. Backpage.com operates an automated filter system to preclude ads with suspect words, phrases, codes and data. On top of this filter, Backpage.com conducts two levels of human, i.e., *manual*, review of all content submitted by users for the adult and personal categories to identify suspect content. The first level of review is conducted BEFORE content is allowed to be posted on the website to prevent exposure to public view. Backpage.com also performs post-publication manual review of adult and personal ads as a triple check for possible exploitation or other illegal activity. Backpage.com has additionally explored age-verification technologies and procedures. However, none to date provide practical options that could not be easily thwarted by the criminals they are designed to block.

When content is identified as potentially involving sexual exploitation of a minor (trafficking or otherwise), Backpage.com immediately reports it to the National Center for Missing and Exploited Children (NCMEC). NCMEC acts as a clearinghouse for child exploitation reporting and directs reports to appropriate law enforcement authorities for action or investigation. Backpage.com has in fact established a special “expedited” reporting system to NCMEC for cases where there appears to be an imminent possibility of rescue. Backpage.com also meets regularly with NCMEC staff to discuss procedures and developments and to ensure that it is providing the best possible support to combat child sexual exploitation.

Backpage.com also responds to law enforcement subpoenas within 24 hours or less in

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<sup>13</sup> [http://www.foxnews.com/on-air/justice-jeanine/index.html#v/1574568847001/lawmakers-question-googles-role-in-human-trafficking/?playlist\\_id=163706](http://www.foxnews.com/on-air/justice-jeanine/index.html#v/1574568847001/lawmakers-question-googles-role-in-human-trafficking/?playlist_id=163706) (last visited April 23, 2012).

almost all cases. Moreover, Backpage.com uses its own technological tools and data to voluntarily locate and collect additional evidence from across the Internet to assist law enforcement investigations and prosecutions. This additional voluntary research and reporting to law enforcement is unique and such independent cooperation and assistance is unparalleled by other online service providers.

Backpage.com has only recently begun to track victim rescues and criminal arrests, prosecutions and convictions due to its exceptional cooperation. And law enforcement efforts for these cases are so grossly under-resourced that they have little time for our follow-up inquiries about status and outcomes. However, we know that our prompt and thorough reports to NCMEC and our quick and complete law enforcement responses have resulted in at least dozens of rescued victims. Only dozens? Let me reiterate that this is a gross underestimate. Not the least of which is due to the desire not to pester law enforcement that suffers already from a gross shortage of resources. But let me also reiterate Rev. Dr. Henderson's words that "one is one too many."<sup>14</sup> We agree. We have not saved them all yet, but that is no excuse for not saving the ones that we can.

#### **Why Not Terminate An "Adult" Category? Because It Would Be Wrong.**

Critics who demand Backpage.com eliminate an "adult" category fail to understand the significance of Backpage.com's assistance in the rescue of victims and conviction of trafficking perpetrators. Indeed, they expressly misunderstand it.

First, critics point to references to Backpage.com in media reports of rescues and arrests in trafficking cases. Why do these media reports reference Backpage.com? Because Backpage.com is the fastest and most thorough online service provider to respond to law enforcement subpoena and legal information requests so law enforcement comes to Backpage.com first and Backpage.com provides the digital data that allows the rescue and the bust. Subsequent information collected and provided by Backpage.com to law enforcement has shown the same victims advertised on over a dozen other websites. Such evidence is valuable in the prosecution of traffickers and pimps but such detailed evidence rarely makes it into media reports even of convictions because it is old news at that time.

Second, critics, such as the Auburn Seminary, the Church of Scientology's Freedom Magazine and even well-meaning elected officials, acknowledge that a gesture by Backpage.com in eliminating an "adult" category would not stop human trafficking or the exploitation of children, but argue that "it is a start."<sup>15</sup> But a start to what? Such nondirectional, indeterminate, unsubstantiated, morality-based opinions<sup>16</sup> do not provide

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<sup>14</sup> <http://www.msnbc.msn.com/id/46979745/vp/47049927#47049927> (last accessed April 23, 2012).

<sup>15</sup> For example, see *id.*; see also <http://www.msnbc.msn.com/id/46979745/vp/47049927#47049927> (last visited April 23, 2012).

<sup>16</sup> <http://www.msnbc.msn.com/id/46979745/vp/47049927#47049927> (last visited April 23, 2012) (references by Auburn Seminary spokesperson to "moral" obligations and citations to Bible, Jesus and other religious dictates as justification for termination of "adult" category from single cooperative online service).

grounds for critical policy decisions that impact the life and welfare of exploited children or any other human being.

In fact, this unsupported stance ignores the proven reality that such measures have on online crime -- it drives it elsewhere. Specifically, shutting down cooperative U.S. online services drives criminal traffic to websites operating in the Internet underground and offshore (of which there are thousands). There, traffickers and pimps can continue to advertise and sell their victims in the U.S., but the online service providers are beyond care and frequently beyond legal jurisdiction to cooperate voluntarily or by mandate with U.S. law enforcement. The traffickers and their valuable online footprints become invisible again, and the victims remain lost on the Web and in the world -- our world. It should be unthinkable.

Is there proof of that this will be the outcome of continuing to vilify rather than cooperate with willing U.S. online service providers?

Yes. Proof positive is the outcome of the demands and eventual submission of craigslist, Inc. to terminate an "adult" category. Did this end human trafficking and child sexual exploitation, at least on the Internet? No. The criminals just shifted online -- within a few hours for the most part. They scattered across the same websites and across the Internet, including to Backpage.com and innumerable other websites.<sup>17</sup> The same children and other victims remained available for sale in the U.S., but to which of the 4,999 other potential websites did they go? Law enforcement, rescue groups and families had to start their searches for lost children and victims anew in a sea, not just a haystack.

The realities and complexity of human trafficking and sexual exploitation are such that to announce that a single website -- Backpage.com or other -- is the primary source of the scourge and therefore holds the cure to this horrendous problem is not only unsupported but also irresponsible. This is not merely Backpage.com's position -- which the general media discounts as financially motivated despite the fact that Backpage.com is composed of people who are mothers, fathers, sisters, brothers, aunts, uncles, cousins, and other relations and friends of women, children and men who are susceptible or may themselves already have been victimized by exploitation. This position has been articulated and advocated through research, studies, conclusions and opinions by experts around the country and world.

To truly understand the landscape and challenges of technology in human trafficking, policy makers should look to the conclusions of **Dr. danah boyd** at Harvard's Berkman Center for Internet and Society, who is currently immersed in the study of this issue (Dr. boyd's statement, entitled *Combating Sexual Exploitation Online: Focus on the Networks of People, not the Technology*, submitted to Massachusetts Attorney General Martha

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<sup>17</sup> According to an estimate by Shared Hope International ("SHI"), an international anti-trafficking non-governmental organization, there are over 5,000 websites currently directly or indirectly involved in sex trafficking or sex tourism. See Dr. Mark Latonero, *Human Trafficking Online -- The Role of Social Networking Sites and Online Classifieds*, U.S.C. Annenberg School for Communications & Journalism (Sept. 2011), available at <http://technologyandtrafficking.usc.edu/report>, at 14 (citing SHI study).

Coakley as part of General Coakley's October 2010 Hearing on Sexual Exploitation Online is available at <http://www.zephorias.org/thoughts/archives/2010/10/19/combating-sexual-exploitation-online.html>), the work of Dr. Mark Latonero referenced above (available at <http://technologyandtrafficking.usc.edu/report>), and to the research of Dr. Venkatesh mentioned above (a sample of his work is available at [http://www.wired.com/magazine/2011/01/ff\\_sextrade/all/1](http://www.wired.com/magazine/2011/01/ff_sextrade/all/1)) and Dr. David Finkelhor of the University of New Hampshire's Crimes Against Children Research Center (recent research and a fact sheet by Dr. Finkelhor are available at <http://www.unh.edu/ccrc/pdf/CV186.pdf> and [http://www.unh.edu/ccrc/prostitution/Juvenile\\_Prostitution\\_factsheet.pdf](http://www.unh.edu/ccrc/prostitution/Juvenile_Prostitution_factsheet.pdf)), among others.

The Internet is not going away. As Dr. Boyd has explained, if one portal is closed, criminals will find another and another and another: "You may be able to see transactions through Craigslist or Back Page [sic], but there are countless other technologies that are employed in exploitation. And every time that you try to make it disappear one place, it pops up on another. Increasingly, those sites are offshore and far out of jurisdiction."<sup>18</sup> Moreover, "[g]oing after specific sites where exploitation becomes visible and attempting to eradicate the visibility does nothing to address the networks of supply and demand—it simply pushes them to evolve and exploiters find new digital haunts and go further underground. . . . Eradicating visibility does not break the trade network itself but it does make it harder to get to the source of exploitation."<sup>19</sup> In other words, traffickers can and will migrate between any of 5,000 or more websites suspected of directly or indirectly facilitating sex trafficking and sex tourism.<sup>20</sup> "If you focus on the sites, you will be playing whack-a-mole and helping no one."<sup>21</sup>

In fact, where a service provider remains U.S. operated and cooperative with law enforcement — such as Backpage.com, it is counter productive to efforts to rescue trafficking victims and arrest the perpetrators to terminate this channel of investigation and evidence. While there is a readily acknowledged dearth of empirical data regarding human trafficking online, the research, evidence and conclusions of academics who have approached the issue without preconceived moral conclusions have uniformly declared that online service provider operations — be they social networking sites, online classified services or Internet search engines — have a powerful and valuable role to play in the combat of this global and domestic scourge. A recent New York Times article quotes law enforcement agents on this point. (A copy of the article is available at [http://www.nytimes.com/2012/03/16/us/online-sex-trade-flourishing-despite-efforts-to-curb-it.html?pagewanted=1&\\_r=1](http://www.nytimes.com/2012/03/16/us/online-sex-trade-flourishing-despite-efforts-to-curb-it.html?pagewanted=1&_r=1) (last accessed April 24, 2012)).

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<sup>18</sup> *Combating Sexual Exploitation Online*, at 2. As merely one example, the Erotic Review website ([www.theeroticreview.com](http://www.theeroticreview.com)), transferred its ownership to Europe and has endeavored to conceal the location and trail of its online operations through a Washington State domain name privacy registration service.

<sup>19</sup> *Combating Sexual Exploitation Online*, at 2.

<sup>20</sup> This figure comes from a web analysis performed by the anti-trafficking organization, Shared Hope International. See *Human Trafficking Online*, at 14.

<sup>21</sup> *Combating Child Exploitation Online*, at 3.

**Law Enforcement and Backpage.com**

As noted above, Backpage.com is already the industry leader in cooperation with law enforcement. Commendations for Backpage.com's responsiveness and thoroughness with law enforcement investigations and stings are replete in our records. For your records, a few of our hundreds of examples follow:

From: [REDACTED] <[REDACTED]@ic.fbi.gov>

Date: [REDACTED], 2011 [REDACTED] AM MST

Mr. Ferrer,

You just made my day.

What is your official title. We want to submit your name for recognition of your assistance following this case.

Thanks

[REDACTED]

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From: [REDACTED] <[REDACTED]@REDACTEDtexas.gov>

Date: [REDACTED], 2011, at [REDACTED] AM CST

Certainly Carl, your staff did a great job! We appreciate Backpage's vigilance to help protect kids. On our team over the weekend were the Secret Service, Department of Homeland Security, the United States Attorney's Office and several local law enforcement agencies and all commented on how effective Backpage was on getting the ads removed quickly and blocking future ads from the same poster's.

I'll give you a call shortly. Thanks.

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From: [REDACTED] <[REDACTED]@ic.fbi.gov>

Date: [REDACTED], 2012 at [REDACTED] PM

Dear Backpage Staff,

As always, thank you for the exceptionally prompt response and for your research efforts. It is always a pleasure to deal with Backpage.

Sincerely,

[REDACTED]



From: [REDACTED] <[REDACTED]@state.ma.us>

Date: [REDACTED], 2011 [REDACTED] AM CST

... I can't thank you and your staff enough for being so responsive and supportive of my and other law enforcement efforts concerning these cases. Your company's level of cooperation is not the norm and makes a huge difference in our ability to target and ultimately arrest the offender.

Respectfully submitted,

[REDACTED]<sup>22</sup>

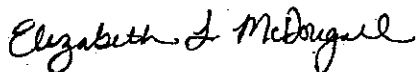
Similarly, the President and CEO of the National Center for Missing and Exploited Children (NCMEC) has lauded Backpage.com's genuine commitment to help stop sex trafficking and observed that its employees are "aggressively reviewing their ads" and had "reported 1,600 ads that they believe are suspicious."<sup>23</sup>

### Conclusion

Backpage.com and Village Voice Media of course hear the outcry of protesters and feel the pressure of politicians. I hear and feel them. We all agree we need to do more to fight human trafficking. But symbolic demands are no substitute for pragmatic crime-fighting tactics. Human trafficking is a horrible and horribly complex problem and recognizing the complexity is essential to working to find and develop effective counter measures.

Despite its already extraordinary measures, Backpage.com stands ready and willing to do more and to challenge its online service provider peers to do more – particularly in cooperation with government, nongovernmental, public, private and all other interest groups sincerely dedicated to pragmatic approaches to addressing this scourge. We sincerely welcome your ideas, suggestions, questions and comments to this end.

Very truly yours,



Elizabeth L. McDougall  
General Counsel  
Village Voice Media Holdings, LLC

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<sup>22</sup> We have redacted the names and personally identifying information of the agents and officers.

<sup>23</sup> Cornelius Frolik, *Sex trade thrives by exploiting Internet*, DAYTON DAILY NEWS (Sept. 27, 2011), available at <http://www.daytondailynews.com/news/crime/sex-trade-thrives-by-exploiting-internet-1260014.html>.

**Jewish Child Care Association  
Testimony to the New York City Council's  
Committee on Women's Issues**

**Proposed Res. No. 1226-A:**

*“Resolution calling on Village Voice Media to stop accepting adult services advertisements on its online classified site, Backpage.com, because it serves as a platform to traffic minors and adult victims for sex”*

**April 25, 2012**

**Jewish Child Care Association (JCCA) is pleased to submit this testimony in support of Proposed Resolution No. 1226-A, calling on the Village Voice Media to stop accepting adult services advertisements on its online classified site, Backpage.com, because it serves as a platform to traffic minors and adult victims for sex.** We applaud the Council's attention to the issue of commercial sexual exploitation of children (CSEC). Moreover, in addition to supporting the effort to persuade the Village Voice to stop accepting adult services advertisements on Backpage, we wish to use this opportunity to draw attention to the dearth of services for the CSEC population. Testifying today for JCCA is Amy Cohen, Director of Government Contracts; Lashauna Cutts, Director of the Gateways program; and most importantly, a 16-year-old program graduate who for confidentiality purposes we will call Briana.

**JCCA Information**

At nearly 200 years-old, Jewish Child Care Association (JCCA) is one of the oldest and largest child and family caring agencies in the nation, providing non-sectarian services to over 16,000 children and family members each year throughout the greater New York City region. JCCA provides an extensive array of child welfare, mental health, juvenile justice, education, day care and youth services, including a 13-bed residential treatment center for sexually exploited girls (ages 12-16), which the agency opened nearly four years ago. JCCA created the Gateways program for CSEC girls after many years of planning and seeking funds. A residential program, Gateways provides assessment and treatment services so that young women who have been sexually exploited and abused can heal and achieve healthy relationships, supported by family and other positive peer and adult influences. The Gateways program is located 35 miles from NYC, removing girls from their exploitive environments and giving them treatment in a secure, secluded location. As indicated on the enclosed materials, the program provides a sanctuary for the young women, where they feel safe and secure, and allows them to begin the healing progress. JCCA also was awarded an ACS specialized family foster care contract for CSEC victims, but the program has been unable to open because we do not yet have an approved specialized rate.

The majority of referrals to Gateways have been from the Administration for Children's Services, which obtains custody with a goal of placement in Gateways as an alternative to incarceration, though a few youth have been referred by other Departments of Social Services and the NYC Department of Probation.

Gateways one year intensive, residential treatment model has been incredibly successful to date. **Since April 2010, we have had 22 girls have graduated from the program with 18 returning back to their families of origin and the remainder stepping down to treatment family foster**

**care.** The girls feel supported and safe because of the bonding that occurs with program staff and other Gateways participants who are farther along in the treatment process. Participants have become goal oriented because they understand that there is a start, middle, and end to the program. Staff and fellow residents support one another in the process of standing witness against pimps; one pimp who commercially sexually exploited a Gateways participant recently received an 8-year sentence and increasingly more girls are willing to cooperate with the DA to prosecute their pimps due to the support they receive.

**Despite the success of this program and the critical need for CSEC services, these 13 beds represent 18% of the residential beds nationwide for commercially sexually exploited children, and ours is the only program of its kind in New York State.**

### **Backpage.com**

The issue regarding Backpage.com has received much attention in recent weeks. Nicholas Kristof, in his April 18<sup>th</sup> Op-Ed in *The New York Times*, which featured a Gateways' program participant, indicated that Backpage accounts for 70% of America's prostitution ads. Shutting it down would send a signal that the trafficking of children on social media sites is not permissible and, as a result, help to reduce the prevalence of CSEC in New York City and nationwide.

According to a letter signed from 45 state attorneys general, the website is a "hub" for human trafficking. Backpage.com Vice President Carl Ferrer acknowledged the company identified more than 400 "adult services" posts that may involve minors, the letter says. Minors are not legally capable of consenting to sex, and law enforcement officials have discovered many of those advertised are coerced, officials said. The website makes an estimated \$22.7 million per year from ads in the "adult" section. The attorneys general noted that, "We believe Backpage.com sets a minimal bar for content review in an effort to temper public condemnation, while ensuring that the revenue spigot provided by prostitution advertising remains intact."

We are here today to give you a firsthand look at what the sexual exploitation of children on Backpage looks like. Since the Gateways program began, we have seen our participants trafficked on this site. Over 75% of the girls who have entered Gateways and more than half of the current participants were listed on Backpage.com. Social networking sites have become the new modality for trafficking underage girls. Backpage is such a ring leader among these sites that even the girls that have not been listed on Backpage know of the site. Girls share how easy it is for pimps to post an ad on Backpage because all that it requires is a simple click on the disclaimer that the girls being advertised are "18 and older." There are no checks on the system to deter pimps from advertising girls who are clearly underage. One of our current Gateways participants was only 13 when she was posted on Backpage and she clearly appeared under 18 years of age. Using Backpage makes it easy for pimps to hide the fact that they are trafficking children. One girl shared that "my pimp would put me on Backpage whenever the streets got hot. I got ten 'dates' on Backpage for every one I got on the street. It's like no one knows that we are out there because the pimps ensure that the 'dates' meet us at a private location like a rented room. We don't meet Backpage 'dates' on the 'track' (i.e., streets)."

Today we would like to share a few stories of our current program participants and their experience with Backpage.com. We struggled with how to share this information because we do not want to appear to be sensationalizing the issue. Their stories are painful and but their stories need to be heard in order to properly understand how horrible an issue this is and how much work remains to be done.

Jaime was 13-years-old when she was trafficked by a 25-year-old man she believed was her boyfriend. After he had raped her, he forced her to have sex with his friends and commercially sexually exploited her on the streets and on Backpage. Over the course of two years, Jaime was traded from pimp to pimp to madam and even branded with some of their names. At 15 years old, Jaime was arrested as part of a prostitution ring and eventually made it to our treatment program. She had already had more than 10 pimps and over 150 “dates” from Backpage.com.

Jessica was just 15-years-old when she met Greg, a handsome man in his 30’s who told her he loved her and would provide her with the relationship that she longed for. In actuality, Greg was grooming Jessica for “the life”. Greg invited Jessica to a party, but little did she know what he had planned. Greg’s friends raped Jessica that night. Once Greg was able to exert control over Jessica’s actions through coercion, threats of violence to Jessica and her family, and promise of love, he repeatedly beat and raped her and commercially sexually exploited her on the streets and on Backpage. One night, Greg beat and raped Jessica so badly for not meeting her Backpage “quota”, which was at least 8 “dates” a night. Two years after they met, Greg beat Jessica until she was unconscious, and from the hospital, she made her way to us.

Briana was twelve when she met her abuser. He was the older brother of a friend. He put Briana on Backpage and advertised her with offensive language and in offensive ways. Briana will share her story today with you herself.

### **Dearth of Services, Safe Harbor & Council Request**

JCCA is very concerned about the dearth of services to this population and the need for a change in police strategy. Even if Backpage.com is shut down, children will continue to be commercially sexually exploited and need services to help them heal and achieve healthy relationships. A 2007 study performed by the New York State Office of Children and Family Services found that the majority of CSEC victims have suffered from abuse or neglect and roughly half have been the victim of child sexual abuse. Studies have shown that two-thirds of CSEC victims suffer from post-traumatic stress disorder as a result of the violence from both pimps and johns. Clearly, CSEC youth are in need of more comprehensive, wraparound services that can adequately address all of their needs.

JCCA recently joined forces with dozens of organizations and created a Campaign Against CSEC with the New York State Anti-Trafficking Coalition. After extensive outreach to elected officials, representatives from nearly a dozen organizations came together for an Advocacy Day in Albany and delivered the enclosed facts sheets, a petition with nearly 10,000 signatures, and a very supportive letter from the Council. We demanded that the Safe Harbor Act receive the funds it needs to provide the services promised when the law was passed in 2008.

As you may know, New York was the first state to pass a law recognizing that young people who have been subjected to commercial sexual exploitation are victims, not criminals. The passage of the Safe Harbor Act represented the beginning of a movement to pass similar state laws for the protection of children across the country. This legislation is aimed at providing critical services for the growing number of children who are commercially sexually exploited. It identifies the need for safe, short-term housing with services, such as 24-hour crisis intervention and medical care, as well as the development of a long-term residential housing facility which offers specialized services for sexually exploited children. In addition, the law makes provisions for law enforcement training and community-based programs.

Due to lack of funding, the promise of the Safe Harbor Act was unrealized until now. **Though there is still much more to do, New York State has finally recognized the need for treatment over punishment for these victimized children and allocated \$1.5 million in this year's budget to fund the Safe Harbor Act.** While this amount is certainly far short of the amount needed to fully address the problem, we believe the funds will permit very meaningful work to be accomplished, and we are intent on continuing to advocate for additional funds that will allow for a full continuum of services. We are pressing now for programmatic implementation and have sent a letter to the New York State Office of Children and Family Services urging that the funds are used promptly to provide services and are not removed from the budget as was done previously.

Today, we call upon the City Council to also materially support CSEC victims and create a new City Council Initiative to improve the City's ability to serve trafficked children and to reverse the trend of commercial sexual exploitation. Our Coalition is requesting a four-pronged approach for services, training, public awareness, and documenting/promulgating information about effective treatment. We recognize the difficulty of funding new initiatives in this fiscal climate but we hope that the Council will make every effort to support this population so desperately in need of services.

### **Conclusion**

Thank you for the opportunity to deliver testimony today. On behalf of the children we serve, we are grateful for your ongoing support.

**PROPOSAL FROM**  
**NYS ANTI-TRAFFICKING COALITION &**  
**CAMPAIGN AGAINST COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN (CSEC)**  
**TO**  
**NEW YORK CITY COUNCIL**  
**FOR \$1 MILLION IN THE CITY'S FISCAL YEAR 2013 BUDGET**  
***FOR A MULTI-DIMENSIONAL APPROACH TO RAISING AWARENESS ABOUT, PREVENTING AND***  
***COPING WITH THE SEXUAL EXPLOITATION OF CHILDREN***

**Background**

Among our City's most vexing and least understood problems is the widespread commercial sexual exploitation of children. Experts estimate that, statewide, at least 3,000 children annually are compelled against their will into the sex trade and that a significant majority of them reside in New York City. Of these, most are runaways and have histories marked by abuse and neglect, and many struggle with addictions and mental health difficulties. Approximately two-thirds suffer from Post-Traumatic Stress Disorder.

These children have long been largely overlooked and, worse, they have frequently been treated as perpetrators, rather than as highly vulnerable young people in desperate need of compassion and in-depth and comprehensive services. Sadly, there are less than 50 shelter or residential beds currently in the State designated for trafficked youth and only a minimum of other supportive services are in place.

However, there have been a number of very encouraging developments in recent years. In 2008, New York State passed the Safe Harbor Act, ground-breaking legislation that recognized that commercially sexually exploited children are in need of support, not punishment, and authorized funding for short-term housing, long-term residential treatment, law enforcement training, and community-based services. The New York City Council has also raised consciousness about the issue, having held hearings and advocated to the State for funding. Numerous law enforcement officials too have recognized the seriousness of the problem and, in particular, the Brooklyn District Attorney's office has been quite active in establishing an Anti-Trafficking Unit.

The NYS Anti-Trafficking Coalition's Campaign Against CSEC came together this year in an effort to ensure that that New York State's elected representatives gain a fuller understanding about the trafficking of children and make available far greater resources for these victims in the short-term, and preventing further victimization in the future. This Coalition orchestrated a comprehensive campaign that persuaded the State to include \$1.5 million in the Fiscal Year 2012-13 budget for services for trafficked children. The City Council has been an invaluable partner to the Coalition and we are requesting at this time that the City Council also invest financially in solving this pressing social issue.

### **City Council Request**

A relatively modest allocation of \$1 million would go very far toward improving the City's ability to serve trafficked children and to reverse the very troubling trend of commercial sexual exploitation. We have designed a four-pronged initiative to creatively address the situation:

#### **Services - \$250,000**

All too often, young people are recruited into the commercial sex industry because they lack other options. However, comprehensive support from trained service providers can help young people exit the commercial sex industry and develop to their full potential. And even after making this transition, many young people will remain engaged in receiving support services as they navigate young adult challenges such as securing housing and employment, developing healthy relationships, continuing their education, and balancing a budget.

Proposed services to assist young people exiting the commercial sexing industry include appropriate shelter, safety planning, mental health treatment, medical care, dental care, substance abuse treatment, intensive case management, court advocacy, acquiring identification or benefits, specialized educational services/GED, job training, employment assistance, transportation, victim advocacy, and other necessary support services, such as accompanying the victim during his/her participation in a criminal prosecution against the offender, when appropriate.

With their needs met, young people who are victims of commercial sexual exploitation are equipped to break cycles of abuse, and become educated and empowered youth in order to ascend from poverty and violence, creating, in turn, more equitable and just communities.

#### **Training - \$200,000**

Even with growing awareness of the commercial sexual exploitation of the children (CSEC), efforts to combat the problem have been limited by sparse resources and limited knowledge of the dynamics of exploitation. Service providers can be ignorant of the specific needs of CSE victims and often wrongly identify them as willing participants in their victimization. Without a sophisticated knowledge of the dynamics of exploitation – extreme trauma, trauma bonding, and post-traumatic stress disorder – the response by law enforcement, service providers, and other allied professionals can be one of frustration and victim-blaming.

Funding will allow for training to address the needs of service providers, medical professionals and criminal justice stakeholders in combating the trafficking of children. For five sites, trainings will be given in conjunction with intensive technical assistance based on a needs assessment and collaboratively designed TA plan and Formal evaluation to measure the impact and effectiveness of the training and technical assistance for these trainings.

#### **Documenting and Promulgating Information about Effective Treatment – \$300,000**

Institutional knowledge about the treatment of trafficked children is in its infancy, and only a few treatment programs exist across the entire country. Those programs that do exist have had to learn by trial and error, and rarely have had the ability to document and share their methodology given the challenges of funding the services themselves. New York City is home to some of the pioneer programs

in this field, and funding is needed to document the work of these programs and provide a forum to share ideas, methodology and best practice with other professionals and stakeholders. The documentation initiative could culminate in a public symposium, with proceedings published for dissemination throughout NYC, the State and beyond.

**Public Awareness - \$250,000**

The CSEC population suffers sorely from misperception and highly inaccurate and damaging stereotypes. An aggressive public awareness campaign could deter those who exploit children, direct children being victimized to seek assistance and generate greater understanding among the media and public about the plight of these children.

A Public Awareness campaign would take the forms of: advertising on subways and busses, media outreach, development of brochures and publications and conferences dedicated to the topic.

4/17/12



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April 18, 2012

## Not Quite a Teen, Yet Sold for Sex

By NICHOLAS D. KRISTOF

If you think sex trafficking only happens in faraway places like Nepal or Thailand, then you should listen to an expert on American sex trafficking I interviewed the other day.

But, first, wish her happy birthday. She turns 16 years old on Thursday.

She asked me to call her Brianna in this column because she worries that it could impede her plans to become a lawyer if I use her real name. Brianna, who grew up in New York City, is smart, poised and enjoys writing poetry.

One evening when she was 12 years old she got into a fight with her mom and ran out to join friends. "I didn't want to go home, because I thought I'd get in trouble," she said, and a friend's older brother told her she could stay at his place.

Brianna figured she would go home in the morning — and that that would teach her mom a lesson. But when morning arrived, her new life began.

"I tried to leave, and he said, 'you can't go; you're mine,'" Brianna recalled. He told her that he was a pimp and that she was now his property.

The pimp locked her in the room, she recalled, and alternately beat her and showed her affection. She says that he advertised her on Backpage.com, the leading Web site for sex trafficking in America today, as well as on other Web sites.

"He felt that Backpage made him the most money," Brianna said, estimating that half of her pimp's business came through Backpage.

Backpage accounts for about 70 percent of America's prostitution ads (many placed by consenting adults who are not trafficked), according to AIM Group, a trade organization. Backpage cooperates with police and tries to screen out ads for underage girls, but that didn't help Brianna.

Backpage is owned by Village Voice Media, and significant minority stakes have been held in

recent years by Goldman Sachs and smaller financial firms such as Trimaran Capital Partners and Alta Communications. My research shows that representatives of Goldman, Trimaran and Alta, along with a founder of Brynwood Partners, all sat on the board of Village Voice Media, and there's no indication that they ever protested its business aims.

When I wrote recently about this, these firms erupted in excuses and self-pity, and in some cases raced to liquidate their stakes. I was struck by the self-absorption and narcissism of Wall Street bankers viewing themselves as victims, so maybe it's useful to hear from girls who were victimized through the company they invested in.

I met Brianna at Gateways, a treatment center for girls who have been sexually trafficked. It's in Pleasantville, 35 miles north of New York City, on a sprawling estate overseen by the Jewish Child Care Association. Gateways is meant for girls ages 12 to 16, although it has accepted one who was just 11 years old. Virtually all the girls have been sold on Backpage, according to Lashauna Cutts, the center's director.

Gateways has only 13 beds, and Cutts says that the need is so great that she could easily fill 1,300. "I have to turn away girls almost every day," Cutts told me.

The public sometimes assumes that teenage girls in the sex trade are working freely, without coercion. It's true that most aren't physically imprisoned by pimps, but threats and violence are routine. The girls typically explain that they didn't try to escape because of a complex web of emotions, including fear of the pimp but also a deluded affection and a measure of Stockholm syndrome.

Once, Brianna says, she looked out her window — and there was her mother on the street, crying and posting "missing" posters with Brianna's photo. "I tried to shout to her through the window," she remembered. But her pimp grabbed her by the hair and yanked her back. "If you shout, I'll kill you," she remembers him saying.

"If I tried to run, I thought he might kill me, or I'd be hurt," she said. "And, if I went to the cops, I thought I'd be the one in trouble. I'd go to jail."

Pimps warn girls to distrust the police, and often they're right. Bridgette Carr, who runs a human-trafficking clinic at the University of Michigan Law School, tells of a 16-year-old girl who went missing. A family member found a photo of the girl on Backpage and alerted authorities. Police raided the pimp's motel room and "rescued" the girl — by handcuffing her and detaining her for three weeks.

That mind-set has to change. Police and prosecutors must target pimps and johns, not teenage

victims. Trafficked girls deserve shelters, not jails, and online emporiums like Backpage should stop abetting pimps. Sex trafficking is just as unacceptable in America as in Thailand or Nepal.

And let's all wish our expert, Brianna, a joyous "Sweet Sixteen" birthday!

*I invite you to visit my blog, On the Ground. Please also join me on Facebook and Google+, watch my YouTube videos and follow me on Twitter.*

# CSEC

CAMPAIGN AGAINST COMMERCIAL  
SEXUAL EXPLOITATION OF CHILDREN

## KEY FACTS

- Every year, approximately 450,000 children will run away from home in the United States; one third will be lured into prostitution within 48 hours.<sup>1</sup>
- There are approximately 3,000 commercially sexually exploited children (CSEC) in New York State.<sup>2</sup>
- 67% of CSEC youth suffer from PTSD.<sup>3</sup>
- 95% of CSEC youth in New York City were found to have a prior history of abuse or neglect and 50% had a history of child sexual abuse.<sup>4</sup>
- In NYC, DYCD's Runaway and Homeless Youth program is the point-of-entry for residential services for all runaway and homeless youth. Since 2007, New York State has cut its Runaway and Homeless Youth funding by 80%.<sup>5</sup>
- In 2010, 63 minors under the age of 18 were prosecuted as adults in criminal court for prostitution in New York City.<sup>6</sup>
- In 2000 President Clinton signed into law the Trafficking Victims Protection Act which stated that any person under the age of 18 in prostitution is a victim of human trafficking and not a criminal under federal law.<sup>7</sup>

## SAFE HARBOR ACT

The Safe Harbor for Exploited Children Act was signed into law on September 25, 2008 and initially allocated three million in funding; however, **these funds were removed from the budget and never spent**. New York was the first state to pass a law recognizing that young people who have been subjected to commercial sexual exploitation are victims, not criminals. The passage of the Safe Harbor Act represented the beginning of a movement to pass similar state laws for the protection of children across the country.

This legislation is aimed at providing critical services for the growing number of children who are exploited and forced to sell sex. It identifies the need for safe, short-term housing with services, such as 24-hour crisis intervention and medical care, as well as the development of a long-term residential housing facility which offers specialized services for sexually exploited children. In addition, the law makes provisions for law enforcement training and community-based programs. Due to lack of funding, the promise of the Safe Harbor Act is still unrealized.

<sup>1</sup> ECPAT-USA, Inc., *Who Is There to Help Us: How the System Fails Sexually Exploited Girls in the United States 2* (2005), [http://www.childtrafficking.com/Docs/ecpat\\_us\\_2005\\_who\\_is\\_there\\_to\\_help\\_us\\_10.pdf](http://www.childtrafficking.com/Docs/ecpat_us_2005_who_is_there_to_help_us_10.pdf).

<sup>2</sup> Gragg, F. et al, NYS Office of Children and Family Services, *New York Prevalence Study of Commercially Sexually Exploited Children 3* (2007). <http://ocfs.ny.gov/main/reports/CSEC-2007.pdf>.

<sup>3</sup> *Who is There*, *supra* note 1.

<sup>4</sup> *OCFS Report supra* note 2.

<sup>5</sup> Testimony of Nancy Downing, Director of Advocacy, Covenant House, before the New York City Council Juvenile Justice Committee and Youth Services Committee, June 16, 2011.

<sup>6</sup> Kate Mogulescu and Katherine Mullen, The Legal Aid Society, Testimony before the New York City Council Committees on Women's Issue and Public Safety, Oct. 19, 2011.

<sup>7</sup> "Victims of Trafficking and Violence Protection Act of 2000," Public Law 106-386, 114 STAT.1470, Oct 28, 2000, [www.state.gov/documents/organization/10492.pdf](http://www.state.gov/documents/organization/10492.pdf).

### For more information please contact:

Amy Cohen, Director of Government Contracts  
Jewish Child Care Association  
(212) 558-9970; cohena@jccany.org

Emily Amick, Equal Justice Works Fellow  
Sanctuary for Families  
(212) 349-6009 x298; eamick@sffny.org

# The New York State Anti-Trafficking Coalition

P.O. Box 1406 | Wall Street Station | New York, NY 100268-1406

March 7, 2012

The Honorable Sheldon Silver  
Speaker, New York State Assembly  
Room 932, Legislative Office Building  
Albany, NY 12248

Dear Mr. Speaker:

We write to ask you to support funding The Safe Harbor for Exploited Children Act. If funded, this bill will provide many of our State's most vulnerable children with desperately needed safety, housing and services.

The Safe Harbor Act was signed into law on September 25, 2008. New York was the first state to pass a law recognizing that young people who have been subjected to commercial sexual exploitation are victims, not criminals. The passage of the Safe Harbor Act represented the beginning of a movement to pass similar state laws for the protection of children across the country.

This legislation is aimed at providing critical services for the growing number of children who are exploited and forced to sell sex. It identifies the need for safe, short-term housing with services, such as 24-hour crisis intervention and medical care, as well as the development of a long-term residential housing facility which offers specialized services for sexually exploited children. In addition, the law makes provisions for law enforcement training and community-based programs.

Due to lack of funding, the promise of the Safe Harbor Act is still unrealized. There are thousands of sexually exploited youth in New York. There are currently less than 50 beds state-wide designated for trafficked youth. As a first step in implementing the Safe Harbor Act, we ask that the New York State Legislature fund:

1. **Short-term emergency housing:** Without a place to take sexually exploited children, police fail to keep them off the streets. We must provide emergency shelter for these vulnerable children.
2. **A long-term housing facility:** A long-term safe house with specialized services is urgently needed to provide sexually exploited children with ongoing safety and support.
3. **Specialized Services:** It is critical that young people identified as sexually exploited begin to receive specialized services immediately, including but not limited to counseling, group therapy and assistance with public benefits.
4. **Police Training:** The police are currently being trained to better identify sexually exploited children, however they are not being trained to bring those children to the much needed services. Without a referral to a service provider and a bed to sleep in, these children are forced to go back onto the street.
5. **Long-term, therapeutic specially trained foster homes:** Evidence has shown that therapeutically trained foster homes can tremendously help a sexually exploited child.

Upon the Bill's passage, Assembly Speaker Sheldon Silver said, "Child victimization is one of the most abhorrent acts that could ever be committed. Far too many children suffer at the hands of adults. The stigma and scars left behind are immeasurable. This legislation takes important steps towards ensuring that the children who have been steered into a life of prostitution through exploitation and abuse receive treatment, services and rehabilitation instead of incarceration and a one way ticket back to a life of abuse."<sup>ii</sup>

As advocates, we fight to keep these young people safe. However, without housing and services, most commercially sexually exploited children fall through the cracks.

Now is the time to stand up and fight for these children. It is absolutely critical that a short-term safe house be created so that the police can help children obtain safety and support. Services must be created and the police must be trained to not only identify sexually exploited children, but to direct them to safety and services. Lastly, the State must develop one long-term safe house where these children can heal and grow. The intent of Safe Harbor must be realized. For these reasons we request your support for funding this legislation.

Respectfully,

**New York State Anti-Trafficking Coalition**  
New York, NY  
Taina Bien-Aime

**Sanctuary for Families**  
New York, NY  
Laurel Eisner, Executive Director  
212-349-6009

**National Organization for Women**  
New York, New York  
Sonia Ossorio, President  
212-627-9895

**Equality Now**  
New York, NY  
Yasmeen Hassan, Global Director  
212-586-0906

**Eve Ensler**  
V-Day Founder  
New York, NY

**inMotion**  
New York, NY  
Catherine J. Douglass, Executive Director  
646-442-1165

**Girls Educational & Mentoring Services,  
Ins GEMS**  
New York, NY  
Rachel Lloyd, Executive Director  
212-926-8089

**Covenant House New York**  
New York, NY  
Creighton Drury, Chief Operating Officer  
212-613-0300

**The Center for Court Innovation**  
New York, NY  
Liberty Aldrich, General Counsel  
646-386-4180

**Safe Horizon**  
New York, NY  
Ariel Zwang, Chief Executive Officer  
212-577-7705

**Karenna Gore Schiff**  
New York, NY

**ECPAT-USA**  
Brooklyn, NY  
Carol Smolenski, Executive Director,  
718-935-9192

**Ms. Foundation for Women**

New York, NY  
Anika Rahman, President & CEO  
Ms.foundation.org

**Worker Justice Center of New York**

Rochester, NY  
Lewis Papenfuse, Co-Executive Director  
585-325-3050

**UNANIMA International**

New York, NY  
Michele Morek, Coalition Coordinator  
212-370-0075

**Sanctuary for Families, Center for  
Battered Women's Legal Services**

New York, NY  
Dorchen Leidholdt, Director  
212-349-6009

**Equality Now, New York**

New York, NY  
Tzili Mor, New York Office Director  
212-586-0906

**Rivers In The Desert Advocacy Center**

Flushing, New York  
Susan Jeng, Executive Director  
718-517-1499

**Salesian Missions**

New York, NY  
Thomas E. Brennan, Representative of the  
Salesians of Don Bosco at the United Nations  
914-216-3648

**The Executive Committee of the New  
York Coalition of Religious Congregations  
to Stop Trafficking of Persons**

Tarrytown, NY  
Sr. Mary Heyser, RSHM, Co-Chair  
Sr. Joan Dawber, SC, Co-Chair  
917-272-4456

**Opening Doors Diversity Project**

Brockport, NY  
Betty Garcia Mathewson, Project Director  
585-395-5138

**Planned Parenthood of New York City**

New York, NY

**Pace Women's Justice Center**

White Plains, NY  
Jane Aoyama-Martin, Executive Director  
914-422-4069

**Sisters of the Good Shepherd**

Astoria, NY  
Sr. Ellen Kelly, Province Leader  
718 278-1155

**Restore NYC, Inc.**

New York, NY  
Faith Huckel, Executive Director  
212-300-2092

**The Women's City Club of New York**

New York, NY  
Ruth E. Acker, President  
212-353-8070

**The Women, Children, and Social Justice  
Clinic at the State University of New York  
at Buffalo School of Law**

Buffalo, New York  
Suzanne E. Tomkins, Director  
716-645-2103

**Melissa L Breger**

Albany, NY  
Professor of Law, Albany Law School  
518-445-2311

**Empire State Coalition of Youth and  
Family Services**

Brooklyn, NY  
Margo Hirsch, Esq., Executive Director  
718-237-2722

**St. Luke's-Roosevelt Hospital Center and  
Crime Victims Treatment Center**

New York, NY  
Susan Xenarios, LCSW, Director  
212-523-4726

**Metropolitan Community Church of New  
York Charities, Inc.**

New York, NY  
William Moran-Berberena, Executive Director  
212-629-7440

**VIBS - Family Violence & Rape Crisis  
Center**

Holbrook, NY  
Pamela Johnston, Executive Director  
631-360-3730

**Brainpower Inc.**

Bronx NY  
Ben Stock, President  
718-882-6928

**Lifeway Network**

Forest Hills, NY  
Joan S. Dawber SC, Executive Director  
718-779-8075

**Long Island Crisis Center**

Bellmore, NY  
Linda Leonard, Executive Director  
516-679-9000

**Congregation of Our Lady of Charity of  
the Good Shepherd International Justice  
Peace Office**

New York, NY  
Winifred Doherty, CEO  
212-599-2711

**Religious of the Sacred Heart of Mary**

New York, NY  
Brigid Driscoll, NGO Representative  
914-631-0137

**Nassau County Coalition Against  
Domestic Violence**

Bethpage, NY  
Sandra Oliva, Executive Director  
516-465-4700

**Coalition against Child Abuse and  
Neglect**

Bethpage, NY  
Cindy Scott, Executive Director  
516-465-4700

**Network for Peace through Dialogue**

New York, NY  
Virginia Dorgan, Executive Director  
212-426-5818

**Justice Peace Integrity of Creation,  
Religious of the Sacred Heart of Mary,  
Eastern American Province**

New York, NY  
Kathleen Kanet, Chair  
212-987-3575

**Coalition Against Trafficking in Women**

New York, NY  
Norma Ramos, Esq., Executive Director  
212-643-9895

**My Sisters' Place**

Westchester County, NY  
Karen Cheeks-Lomax, Esq., Executive  
Director  
914-683-1333

**Pan Pacific South East Asia Women's  
Association**

Winnetka, IL  
Teresa Hintzke, President  
847-446-4998

**New York State Coalition Against  
Domestic Violence**

Albany, NY  
Michele McKeon, Chief Executive Officer  
518-482-5465



**Barrier Free Living Family of Companies**  
New York, NY  
Paul B. Feuerstein, President/CEO  
212-677-6668

**Parents of Murdered Children of New York State, Inc.**  
New York, NY  
Mrs. Odile Stern, Executive Director  
646-202-9290

**Media 4 Humanity**  
New York, NY  
Melanie Siben, Founder and CEO.  
212-888-KIDS

**National Council of Jewish Women New York**  
New York, New York  
Joan Shapiro Green, Executive Director  
212-687-5030

**Freedom Week**  
New York, NY  
Ann Lien, Founder and Director  
718-899-1545

**Wyoming County Domestic Violence Project**  
Warsaw, New York  
Brenda Stowell, Domestic Violence Project Coordinator  
585-786-8900

**International Council of Jewish Women**  
San Jose, CA  
Sharon Gustofson, Executive Director  
212-925-1129

**Compass House**  
Buffalo, NY  
Lisa Freeman, Executive Director  
716-886-1351

**Sisters of Notre Dame de Namur**  
New York, NY  
Jean Stoner, SNDdeN, NGO Representative at the United Nations  
650-245-7127

**Dominican Sisters of Sparkill**  
Sparkill, NY  
Eileen Gannon, OP, Member Executive Team  
845-359-4129

**Behavioral Health Services North, Inc.**  
Plattsburgh NY  
Harry S Cook, LMSW, President and CEO  
518-563-8206

**Safe Homes of Orange County, Orange County Family Justice Center**  
Newburgh, NY  
Kellyann Kostyal-Larrier, Executive Director  
845-562-5365

**Daughters of Wisdom**  
Islip, New York  
Sr. Ann Gray, DW, Provincial Leader  
631-277-2660

**The Arab American Family Support Center**  
Brooklyn, NY  
Lena Alhousseini, Executive Director  
718-643-8000

**Good Shepherd Services**  
New York, NY  
Paulette LoMonaco, Executive Director  
212-243-7070

**Sisters of St. Dominic, Social Justice Committee**

Blauvelt, New York

Joan Agro, OP

Cecelia Byrnes, OP

Jo-Anne Faillace, OP

Diane Forrest, OP

Pat Howell, OP

Tecie Lardner, OP

Ceil Lavan, OP

Didi Madden, OP

845-359-0696

**Alternatives for Battered Women**

Rochester, NY

Catherine Mazzotta, LCSW, Executive Director

585-232-5200

**Coalition for Asian American Children and Families**

New York, NY

Wayne Ho, MPP, Executive Director

212-809-4675

**V-Day**

Purva Panday Cullman, Director, Programs & Development

917-449-9928

**Violence Intervention Program**

New York, NY

Cecilia Gastón, MPA, Executive Director  
cgaston@vipmujeres.org

**Spanish Action League**

Syracuse, NY

Rita Paniagua, Executive Director

315-475-6153

**The Presentation Sisters of Aberdeen**

Aberdeen, South Dakota

Kathleen Bierne

605-229-8583

**Sisters of Charity of New York, Trafficking Threshold Assembly Group**

Bronx, NY

Sister Mary Ellen O'Boyle

212-673-0497

**Sisters of Charity of New York, Executive Council**

Bronx, NY

Sister Jane Iannucelli, President

718-549-9200

**Day One**

York, NY

Stephanie Nilva, Executive Director

212-566-8120

**YWCA Westfield, NY**

Westfield, NY

Katie Smith, Executive Director

716-326-2011

**YWCA of the Greater Capital Region**

Troy, NY

Sherry A. Rounds, Executive Director

518-274-7100

**YWCA North Eastern NY**

Schenectady, NY

Rosemary A. Taylor, Executive Director

518-374-3394

**Futures Without Violence, formerly Family Violence Prevention Fund**

San Francisco, California

Esta Soler, President

415-678-5500

**Ursulines of the Eastern Province USA**

New Rochelle, NY

Alice Marie Giordano O.S.U., Justice, Peace and the Integrity of Creation Coordinator

914-712-0060

**YWCA Ulster County**

Kingston, NY

Andrea Park, Executive Director

845-338-6844

**YWCA of Jamestown**  
Jamestown, NY  
Beth Oakes, Executive Director  
716-488-2237

**New York Asian Women's Center**  
New York, NY  
Larry Lee, Executive Director  
212-732-0054

**A Call to Men**  
New York, NY  
Ted Bunch, Founder and Director  
917-922-6738

**Man Up Campaign US, Inc**  
New York, NY  
Jimmie Briggs, Executive Director and Co-  
Founder  
917-443-1940

**YWCA of Yonkers**  
Yonkers, NY  
Yejide O. Okunribido, Executive Director,  
914-963-0640

**Community Healthcare Network**  
New York, NY  
Catherine M. Abate, JD, President and CEO  
212-545-2447

**Maryknoll Sisters of St. Dominic, Inc**  
Maryknoll, New York  
Ann Braudis, MM, Main NGO  
Representative,  
914-941-0783

**The Children's Village**  
Harlem, New York  
Jeremy Christopher Kohomban, Ph.D.,  
President and Chief Executive Officer  
212-932-2200

**YWCAs of New York**  
Utica NY  
Kelli Owens, Director of Government  
Relations and Public Policy  
315-723-1666

**YWCA Orange County**  
New Windsor, NY  
Christine Sadowski, Executive Director  
315-723-1666

**YWCA White Plains and Central  
Westchester**  
White Plains, NY  
Maria Imperial, Executive Director  
315-723-1666

**YWCA of Niagara**  
Niagara, NY  
Mary Brennan-Taylor, Vice President of  
Programs  
716-433-6714

**Correctional Association of NY**  
New York, NY  
Jaya Vasandani, Acting Director, Women in  
Prison Project  
212-254-5700

**Girls for Gender Equity (GGE)**  
Brooklyn, NY  
Joanne N. Smith, Executive Director  
718-857-1393

**Justice Committee of the Congregation of  
Saint Joseph**  
Brentwood, New York  
Sister Constance Kennedy, CSJ  
718-738-1360

**STEPS to End Family Violence**  
New York, New York  
Lucia Riveccio, Director  
646-315-7633

**Women Graduates-USA, Inc.**  
Galt, Iowa  
Florine Swanson, President  
515-852-4360

**The Retreat**  
East Hampton, NY  
Jeffrey Friedman, Executive Director  
631-329-4398

**Barnaba Institute**  
Trumbull, CT  
Frank N Barnaba, Founder & President  
203-377-5059

**YWCA Mohawk Valley**  
Utica, NY  
Natalie L. Brown, Executive Director  
315-732-2159

**New Alternatives for LGBT Homeless Youth**  
New York, NY  
Kate Barnhart, Executive Director  
718-300-0133

**Suffolk County Coalition Against Domestic Violence Inc.**  
Bay Shore, NY  
Wendy Linsalata, Assistant Director  
631-666-7181

**Men Can Stop Rape**  
New York, NY  
Neil Irvin, Executive Director  
202-534-1837

**Missionary Sisters of the Sacred Heart of Jesus**  
New York, NY  
Josephine Geraci, Executive Secretary,  
Missionary Sisters-Provincial Office  
212-375-0752

**A New Hope Center, Inc.**  
Owego, NY  
Rose Garrity, Executive Director  
607-687-6887

**Enterprising and Professional Women of New York**  
Jericho, NY  
Barbara K. Howie, Esq., President,  
631-654-5942

**Auburn Theological Seminary**  
New York City, NY  
The Rev. Dr. Katharine Rhodes Henderson,  
President of Auburn Theological Seminary  
212-662-4315

**Groundswell**  
New York City, NY  
Valarie Kaur, Director of Groundswell  
212-662-4315

**Chances and Changes, Inc.**  
Geneseo, NY  
Karen Tremer, Executive Director  
585-658-3940

**Behavioral Health Services North, Inc.**  
Plattsburgh NY  
Harry S Cook LMSW, President and CEO  
1-888-563-6904

**Sisters of the Presentation of the Blessed Virgin Mary**  
New Windsor, New York  
Sr. Patricia Anastasio, President  
845-564-0513

**Jews for Racial and Economic Justice**  
New York, NY  
Marjorie Dove Kent, Executive Director  
212-647-8966

**Human Rights Project for Girls**  
Washington, D.C.  
Malika Saada Saar, Executive Director  
202-445-4316

**Jewish Child Care Association**  
New York, NY  
Richard Altman, Chief Executive Officer  
212-425-3333

**African Services Committee**  
New York, NY  
Kim Nichols, Executive Director  
212-222-3882

**InterVarsity Christian Fellowship's New York City Urban Project**  
New York, NY  
Jonathan Walton, New York City Urban Project Director  
434-774-7938

**Legislator Alfreda Williams**  
White Plains, NY  
Westchester County Board of Legislators  
914-995-2833

**New York Legal Assistance Group**  
New York, NY  
Yisroel Schulman, Esq., President and Attorney-in-Charge  
212-613-5050

**Mount Sinai Sexual Assault and Violence Intervention Program - SAVI**  
New York, NY  
Lynn Frederick-Hawley, Executive Director,  
212-423-2146

**Polaris Project**  
Washington, D.C.  
Bradley Myles, Executive Director and CEO  
202-745-1001

**Green Chimneys-NYC**  
Bronx, NY  
Theresa Nolan, NYC Division Director  
718-732-1501

**Council of Family and Child Caring Agencies**  
Albany, NY  
New York, NY  
James Purcell, CEO  
518-453-1160

**The Children's Aid Society**  
New York, NY  
Katherine Eckstein, Director of Public Policy  
917-286-1554

**Citizens' Committee for Children of New York, Inc.**  
New York, NY  
Jennifer March-Joly, Executive Director  
212-673-1800

**Stop Child Trafficking Now**  
New York, NY  
Sundy Goodnight, National Director  
212-333-7286

**The New York State Coalition Against Sexual Assault**  
Albany, NY  
Joanne Zannoni, Executive Director  
518-482-4222

**Shared Hope International**  
Linda Smith (U.S. Congress 1995-99,  
Washington State Senate/House 1983-94),  
Founder & President

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<sup>i</sup> <http://assembly.state.ny.us/Press/20080619/>

## Governor Cuomo: Fund housing and services for trafficked children



**Signatures: 9,830 as of 3/13/12**

**Petitioning:**

The Governor of NY  
The NY State Senate  
The NY State House  
Assembly Speaker Sheldon Silver  
Senate Majority Leader Dean Skelos

### Why This Is Important

*"Child victimization is one of the most abhorrent acts that could ever be committed."*

- Assembly Speaker Sheldon Silver

My name is Lashauna Cutts and I am the Director of JCCA's Gateways program. Gateways is a residential treatment program for commercially sexually exploited girls in New York. Nearly every day, I have to turn away a girl in need of treatment because our 13-bed program is full.

In 2008, New York State passed The Safe Harbor Act to provide critical services for the growing number of children who are forced into prostitution. The Act authorized \$10 Million in funds, however, since the passage, **zero dollars have been spent**. We had hoped that with Safe Harbor, there would be many more services for sexually exploited children.

Our program changes lives. We have helped dozens of girls since we opened three years ago. Tiffany is an example of the program's success. She was placed in Gateways after being commercially sexually exploited by a physically violent and abusive pimp. She came from a troubled family and, at 15, met a 30-year-old man named Nick. He convinced her that he was the only one who truly cared for her. Within weeks, she moved in with him. However, Nick soon turned violent, repeatedly raping her, and forcing her to have sex with other men for money. Tiffany attempted to leave on several occasions, but he would always threaten or beat her. At age 16, Nick beat Tiffany unconscious; as a result of this incident, she fled and was placed in the Gateways program. Like many young people suffering from exploitive abuse, Tiffany had a hard time breaking the bonds with her abuser. Through individual, family, group, and peer counseling, Tiffany was able to be reunited with her family. She is now enrolled in dual college credit/GED program and planning for her future.

Children in New York are being lured into prostitution by pimps who offer false promises of love, and then control the children with extreme violence and degradation. Recognizing this as a serious problem, the New York State Legislature took action but has failed to provide the funding needed to produce meaningful change.

We must fight to keep these young people safe and provide a comprehensive array of services. New York took the lead and was the first State to pass legislation that required treatment of these victimized children, instead of punishment. Now New York needs to take the lead and **fund** the services. Without funding, these children will have little chance to recover from their exploitation and lead fulfilling and productive lives.

### What Can I Do?

Your action makes a difference. Please sign the petition to show your support for commercially sexually exploited children.

Greetings,

I write to ask you to support funding The Safe Harbor for Exploited Children Act. If funded, this bill will provide many of our State's most vulnerable children with desperately needed safety, housing and services.

The Safe Harbor Act was signed into law on September 25, 2008. This legislation is aimed at providing critical services for the growing number of children who are exploited and forced to sell sex.

Due to lack of funding, the promise of the Safe Harbor Act is still unrealized. There are thousands of sexually exploited youth in New York. There are currently fewer than 50 beds state-wide designated for trafficked youth. As a first step in implementing the Safe Harbor Act, we ask that the New York State Legislature fund:

1. Short-term emergency housing: Without a place to take sexually exploited children, police fail to keep them off the streets or put them in jail in an effort to keep them safe. We must provide emergency shelter for these vulnerable children.
2. A long-term treatment facility: A long-term safe house with specialized services is urgently needed to provide sexually exploited children with ongoing safety and support.
3. Specialized Services: It is critical that young people identified as sexually exploited begin to receive specialized services immediately, including but not limited to counseling, group therapy and assistance with public benefits.
4. Police Training: The police are currently being trained to better identify sexually exploited children. However, they are not being trained to connect those children with much needed services. Without a referral to a service provider and a bed to sleep in, these children are forced to go back onto the street.
5. Long-term, therapeutic specially trained foster homes: Evidence has shown that therapeutically trained foster homes can tremendously help a sexually exploited child.

We must fight to keep these young people safe and provide a comprehensive array of services. New York took the lead and was the first to pass legislature that required treatment instead of punishment with Safe Harbor. Now it needs to take the lead and actually fund the services.

Due to lack of funding, the promise of the Safe Harbor Act is still unrealized. There are thousands of sexually exploited youth in New York who are not receiving the shelter and services the Act promises. As a first step in implementing the Safe Harbor Act, I ask that New York State fund the Safe Harbor Act with \$3 million for housing and services.

Now is the time to stand up and fight for these children.

Sincerely,



April 26, 2012

Gladys Carrión, Esq.  
Commissioner  
New York State Office of Children & Family Services  
Capital View Office Park  
52 Washington Street  
Rensselaer, New York 12144

Dear Commissioner Carrion:

As you may know, a group of concerned organizations recently convened to advocate for the State of New York to fulfill its commitment to commercially sexually exploited youth and fund the Safe Harbor Act. Safe Harbor was passed in 2008 with two major components: first, to end the practice of prosecuting commercially sexually exploited children for prostitution offenses; and second, to provide a statewide system of prevention and treatment for children who survive commercial sexual exploitation. Although New York State did not implement the second component of this legislation when the law was enacted, we are grateful to the New York State legislature and the Governor for including funding in the FY13 budget to establish services for commercially sexually exploited children.

We understand that the Office of Children and Family Services will oversee the programming made possible by the \$1.5 million that has been allocated. As organizations working directly with victims and survivors of commercial sexual exploitation, we are acutely aware of the areas in which current social, health and mental health services fall short of what victims of commercial sexual exploitation need. For this reason, we write now and encourage OCFS to involve organizations such as ours in planning for these services. Toward this end, we ask that OCFS consider issuing a Concept Paper outlining the agency's initial thinking, to which providers, advocates and other experts could respond. We also will be happy to make ourselves available for meetings and conversations with OCFS.

Moreover, we urge OCFS to rapidly put plans into motion with a clear intention to expend these funds as quickly as possible. Thousands of children are in need and cannot afford delays and we very much want to ensure that these funds are not, as they were in the past, repealed because of budgetary pressures.

We also want to share our suggestions regarding the most impactful use of these additional funds:

- *Crisis Shelter:* There is presently insufficient immediate shelter available to young people who need to escape commercial sexual exploitation. A portion of the allocation should be spent to create dedicated, short-term crisis beds and crisis case management. Our



recommendation is that these beds be located in New York City and that they be available for intake on a 24/7 basis.

- *Case Management:* Crisis case management services should be co-located at crisis shelters, both the proposed specialized shelter as well as existing Runaway and Homeless Youth shelters. Young people in crisis should be afforded access to these services regardless of their need for shelter. Crisis case management services would include but not be limited to diagnostic assessments, medical care, substance abuse treatment, mental health treatment, individual counseling, therapeutic services and educational services; these services should also be available on a 24/7 basis.
- *Community-Based Services:* Some children who seek to escape commercial sexual exploitation may have access to safe shelter and/or family involvement but still need access to emergency services and ongoing support. Community-based services should provide ongoing assistance to these children and their families, including but not limited to outreach, drop-in services, family therapy, educational support, case management, vocational support, health care, and referrals to other services as needed.
- *Specialized Family Foster Care:* We recommend that OCFS direct the Local Social Service Districts to create local plans for working with commercially sexually exploited children and youth through family-based foster care, and that OCFS support those plans by providing funding over and above the block grant as necessary.

Although we recognize that this cannot be addressed within the limits of funding available in the current State budget, we want to underline the importance of longer-term therapeutic housing as outlined in the Act. Commercially sexually exploited youth bring a host of complicated issues that can be best treated in a safe house that cannot be readily accessed by perpetrators of sexual exploitation, and allow them to work intensively to heal.

We will be in contact with your office shortly in hopes of scheduling a meeting to discuss these matters with you. If you have any questions, please feel free to contact James Purcell from COFCCA at (212) 929-0870.

Thank you very much for your attention to this crucial matter. We look forward to partnering with OCFS to fulfill our obligations to a very vulnerable and most deserving population.

Sincerely,

Children's Aid Society  
Council of Family and Child Care Agencies  
Covenant House  
ECPAT-USA  
Empire State Coalition of Youth and Family  
Services  
Girls Educational and Mentoring Services  
Good Shepherd Services

Graham-Windham Services to Families &  
Children  
Jewish Child Care Association  
Not For Sale Campaign  
Rabbis for Human Rights-North America  
Safe Horizon  
St. Luke's Roosevelt Hospital  
UJA-Federation of New York



# EQUALITY NOW

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## STATEMENT IN SUPPORT OF PROPOSED RESOLUTION 1226-A April 25, 2012

Honorable Speaker Quinn and distinguished Members of the Council:

Thank you for the invitation and opportunity to speak with you today in support of proposed Resolution 1226-A, and about the role played by Backpage.com in sex trafficking.

Equality Now is an international human rights organization with headquarters in New York. Our advocacy arm, the Women's Action Network, has over 30,000 members encompassing 150 countries. We seek to promote and protect the rights of girls and women. Toward this goal we have worked for 20 years to stop sex trafficking, sex tourism and other forms of violence and discrimination against women.

Our work in the areas of sex trafficking and sex tourism has inevitably led us to the internet. Inevitably, because this is where the majority of sexual exploitation of girls and young women occurs today. For more than ten years we have directed law enforcement agencies and other relevant parties towards online advertising as the greatest current facilitator of sex trafficking and sexual exploitation.

Although statistics on sex trafficking and prostitution are uncertain one rule is certain, where prostitution is tolerated sex trafficking flourishes. This is true

whether we are talking about legal regimes that legalize or regulate prostitution such as Germany or the Netherlands. It is true even if pimping and patronizing those in prostitution is illegal, but those crimes aren't treated seriously by law enforcement such as in the Philippines or Thailand. And it is also true online as evidenced by the scores of sex trafficking cases that resulted from investigations of Craigslist's former adult services section. It is confirmed every day as the number of sex trafficking cases emanating from Backpage.com postings continues to rise.

While online sexual exploitation was once dominated by Craigslist through its Adult Services section that company eventually succumbed to the growing disgust of the public and government officials and relinquished the millions of dollars in ill-gained revenue it was receiving from sexual exploitation.

Into that breach rose Backpage.com which is now the greatest on-line exploiter of women and recipients of much of the dirty dollars generated by that illicit industry. Actually, the relationship between Craigslist and Backpage has never been distant. Google searches of the phone numbers on the ads from Craigslist's adults services section would routinely result in hits from Backpage ads exploiting the same girl or woman that had appeared on Craigslist.

Village Voice Media claims that they seek to prevent sex trafficking through their Escorts section. How do they do this? Well, they claim to monitor the Escorts section of their site on a "24/7" basis. However, there is no method of monitoring thousands of ads per day from around the world that can reliably detect sex trafficking. The use of false identities, false pictures and false claims

of age are the norm in sex trafficking. Using the threat of force or coercion pimps direct their victims to post themselves on line so the pimp can avoid being linked to the ad. Short of extensive face-to-face interviews with all of those posting ads on the Backpage.com Escorts section the discovery of trafficking on that site will never be better than haphazard. In any event Village Voice Media's monitoring is a failure, proven by the number of sex trafficking cases where the victim's prostitution was facilitated through Backpage.

Even if we suspend reality and enter into a hypothetical universe where all of the ads on Backpage are posted willingly by the women themselves and where all the women are over the age of 18 the contempt for the law and arrogance of Village Voice Media is still evident.

Village Voice Media has claimed to be a tool of law enforcement in their efforts to investigate sex trafficking. However this is akin to the fleeing arsonist who after setting a building ablaze pulls a fire alarm and then seeks a medal for his "heroics."

Promoting prostitution, prostitution and patronizing prostitution are still crimes in New York and almost everywhere in the United States. What gives Village Voice Media the right to decide which crimes they will profit from? If Village Voice Media can profit from the sale of women why not from the sale of narcotics or stolen property? Why not have a section on Backpage where those seeking arsonists or offering hit man services can advertise? How about illegal gambling? If Village Voice Media can profit from prostitution there is no logical

reason they cannot profit from any other crime of their choosing. Their arrogance is as obvious as the prostitution they exploit.

Equality Now strongly endorses proposed Resolution No. 1226-A and urges it's adoption by this Council.

Respectfully Submitted:

Kenneth J. Franzblau

Anti-Trafficking Director

Equality Now

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 1226-A

in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Elizabeth L. McDougall

Address: 1008 Western Ave, Seattle WA

I represent: Village Voice Media Holdings, LLC

Address: 1201 E. Jefferson, Phoenix, AZ

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THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Peter Gleason

Address: 53 N. Moore St.

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: CHARLES J. HYNES

Address: 350 144 STREET

I represent: KINGS COUNTY D.A.S OFFICE

Address: 350 144 STREET

▶ Please complete this card and return to the Sergeant-at-Arms ◀

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: LAUREN ROXSH

Address: 350 JAY STREET

I represent: KINGS COUNTY D.A.S OFFICE

Address: 350 JAY STREET

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THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Daniel R. Alonso

Address: 1 Hogan place

I represent: Manhattan District Attorney

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

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in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Norma Ramos

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: Coalition Against Trafficking in Women  
(CATW)

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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 1226-A  
 in favor  in opposition

Date: April 25 2012

(PLEASE PRINT)

Name: Rev. Dr. Katharine Henderson

Address: 3041 Broadway NY NY

I represent: Auburn Seminary

Address: 3041 Broadway NY NY

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THE CITY OF NEW YORK**

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 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Kenneth Franzblau

Address: ~~PO Box 11174~~ 90 Walnut Street  
New Paltz, NY  
12561

I represent: Equality Now

Address: 250 W. 57th St, NY, NY 10019

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Appearance Card

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 in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Brittany Wollman

Address: 567 Flushing Ave Brooklyn, NY 11206

I represent: Sex Workers Outreach Project NYC

Address: www.swap-nyc.org

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in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Kate Daddamo

Address: 305 Bergen St Brooklyn, NY

I represent: Sex Workers Outreach Project

Address: http://www.swop-nyc.org

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THE CITY OF NEW YORK**

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Date: 4-25-12

(PLEASE PRINT)

Name: Anea Morse

Address: ~~157 Montague St~~ 20 River Ter /  
NY NY

I represent: ECPAT-USA

Address: 157 Montague St Brooklyn

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Amy Geh JCCA

Address: 120 Wall St

I represent: JCCA

Address: 120 Wall St

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dorchen A. Leidholdt

Address: 110 Wall St.

I represent: Sanctuary for Families

Address: \_\_\_\_\_

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: RACHEL LEVY

Address: 201 W 48th St, NY, NY, 10039

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
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Appearance Card

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in favor  in opposition

Date: 4/25/12

(PLEASE PRINT)

Name: Jayne Bigelsen

Address: 140 West End Ave 10023

I represent: Covenant House International

Address: Spenn Plaza NY, NY 10001

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