

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON WOMEN'S ISSUES

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April 25, 2012
Start: 11:12 a.m.
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HELD AT: Council Chambers
City Hall

B E F O R E:
JULISSA FERRERAS
Chairperson

COUNCIL MEMBERS:
Council Member Margaret S. Chin
Council Member Brad S. Lander
Council Member Melissa Mark-Viverito
Council Member Annabel Palma
Council Member Ruben Wills

A P P E A R A N C E S (CONTINUED)

Charles Hynes
District Attorney
Brooklyn District Attorney's Office

Lauren Hersh
Assistant District Attorney, Brooklyn
Chief, Sex Trafficking Unit

Daniel Alonso
Chief Assistant District Attorney
Manhattan District Attorney's Office

Karen Friedman-Agnifilo
Executive Assistant District Attorney
Manhattan District Attorney's Office

Amy Cohen
Director of Government Contracts
Jewish Child Care Association

Lashawna Cuts
Director, Gateways Program
Jewish Child Care Association

Brianna (not her real name)
Victim
Jewish Child Care Association

Danny Rosenthal
Government Affairs Specialist
Jewish Child Care Association

Elizabeth McDougall
General Counsel
Village Voice Media Holdings

Dorchen Leidholdt
Director of Center for Battered Women's Legal Services
Sanctuary for Families

A P P E A R A N C E S (CONTINUED)

Rachel Lloyd
Founder and Executive Director
Girls Educational and Mentoring Services

Normal Ramos
Executive Director
Coalition Against Trafficking in Women

Jane Biggleson
Director of Anti-Human Trafficking
Covenant House International.

Anna Morris
President of the Board
ECPAT USA

Brittany Wollman
Community Organizer
Sex Workers Outreach Project of New York City

Kate D'Amato
Community Organizer
Swap NYC, Sex Workers Outreach Project of New York
City

Kenneth Franzblau
Anti-Trafficking Consultant
Equality Now

Representative for
Katharine Henderson
Reverend
Auburn Seminary

[background noise, pause]

CHAIRPERSON FERRERAS: Good

morning, I'd like to thank everyone for coming to today's hearing. My name is Council Member Julissa Ferreras and I am the Chair of the Women's Issues Committee. I'd like to thank my colleagues, Council Members Lander and Mark-Viverito for their sponsorship of today's resolution. As many of you know, since I have been Chair of the Women's Issues Committee, we have held several hearings on topics of trafficking, along with Youth Services, General Welfare and Public Safety. We have been working internally and externally alongside law enforcement and advocates, to find ways, both legislatively and policy wise, that could limit these types of crimes as well as victims. As I've become more educated on this topic, it is clear to me that sex trafficking is one of the most monstrous crimes committed. It is a crime that violates its victims both physically and psychologically, and diminishes their humanity. It is especially atrocious when it involves children. I've been working with many groups to

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2 find some innovative ways to combat this horrific
3 crime in NYC. Although awareness has increased
4 and laws have been tightened, more needs to be
5 done. Social networking sites make it easier for
6 victims to be marketed. While some might argue
7 that, about First Amendment rights and the rights
8 of consenting adults, and there might be merit to
9 some parts of that discussion, I do not believe it
10 applies to buying and selling of human beings. As
11 a society, it is imperative that we take a stand.
12 We need to make it known that buying and selling
13 women, and children, is not okay. We need to put
14 our voices behind what is the right thing to do.
15 We need to find ways to minimize these activities
16 and further protect victims brutalized by their
17 traffickers. Additionally, our corporate side
18 needs to also take responsibility. Just because
19 some things may be technically legal, doesn't mean
20 it's what should be done. There are ethical paths
21 and standard operating procedures that should be
22 preferred by companies that do business in an
23 ethical and humane society. I strongly believe
24 that corporate responsibility can be a powerful
25 tool in making the world safer for women and

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2 children. Today's hearing will explore the role
3 of media in abetting sex trafficking. We will
4 hear from law enforcement, Village Voice Media,
5 (who owns backpage.com), service provider,
6 advocacy groups and others concerned about this
7 issue. Again, thank you to Council Member Lander
8 and Council Member Mark-Viverito who will now say
9 a few words.

10 COUNCIL MEMBER LANDER: Thank you
11 very much, Chair Ferreras, for this hearing and
12 for your leadership on this issue in general, and
13 in this Committee, and beyond; and also to Council
14 Member Mark-Viverito for cosponsoring this
15 Resolution with me. As the Chair said, sex
16 trafficking is a scourge on New York City, on the
17 United States, on the world. Knowing that there
18 are hundreds of thousands of kids and millions of
19 women being sold into slavery, being, having,
20 being violated in all of these ways, makes it a
21 moral imperative for us to do everything we can to
22 address this problem. And it is especially
23 galling to me that a media outlet here in New York
24 City founded in the name of and sort of committed
25 to freedom, would facilitate human slavery and

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2 facilitate sex trafficking, in the name of
3 freedom. I think it's going to be very clear at
4 today's hearing, so I want to give big thank you
5 to the advocates and the community of
6 organizations, that are working in New York City,
7 around the country and around the world, to do
8 something about this, helping call attention to
9 it. Helping insist that we have the moral courage
10 to step up and do something about it. We're going
11 to hear from them, we're going to hear from
12 representatives of our district attorneys
13 confronting the problem, and I think it's going to
14 be very clear what we can do right now, what
15 should be done right now. Now, we're also going
16 to hear, I think, from Village Voice Media, that
17 somehow making the sex trafficking trade
18 transparent is helpful. And to me, this is just
19 patently absurd as a defense. It is absolutely
20 true that online marketplaces are more
21 transparent, in general. And that is because they
22 lead to massive expansion of the things that are
23 bought and sold. So whether that's silly apps,
24 like Angry Birds, whether those are consumer
25 gadgets, whether that's pornography, or whether

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2 it's trafficked girls and women, putting them out
3 on the internet means many, many more of those
4 things will be bought and sold. And so the argument
5 here seems to me to be, "Well, we'll encourage a
6 lot more sex trafficking, a lot more crime, so we
7 could catch a little bit of it, because we'll be
8 able to see it out there in transparent space."

9 And I suppose it's possible that a few more people
10 would be caught, but it's only because many, many
11 more are being bought and sold. And that just is
12 not a satisfying moral answer to this issue. And
13 I think the best evidence of that is the fact that
14 48 state attorneys general across lines of party
15 have called on backpage.com to take this site
16 down. In particular, I'm proud that we'll hear
17 from the Brooklyn District Attorney's office, who,
18 if they were interested in just touting
19 convictions, I suppose might agree, and say, "Yes,
20 we've been able to make prosecutions as a result
21 of what we've found online. But they know right
22 from wrong, and they're not looking to catch
23 criminals or make cases, they're looking to
24 prevent this tragedy from continuing. And I'm
25 pleased they're here to join us, and again I want

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2 to thank the advocates who are here to cosponsor,
3 and the Chair for taking, giving light to this
4 very, very important issue.

5 COUNCIL MEMBER MARK-VIVERITO: [off
6 mic] Thank you, Madam Chair. [on mic] Thank you,
7 Chair Ferreras, and my colleague, Brad Lander, for
8 cosponsoring this resolution. I also want to
9 thank Speaker Quinn, who really jumped on board.
10 I want to commend this institution in also holding
11 hearings on this matter, and really being
12 forthright and strong and firm about this issue.
13 I, you know, this resolution as we indicated is
14 calling on Village Voice to stop accepting adult
15 advertising on its classified's website,
16 backpage.com, because it serves as a platform for
17 sex trafficking. In September of 2010, Craig's
18 List banned, Craig's List banned sexual
19 advertising because it was facilitating
20 trafficking of girls and women for sex. This was
21 a step forward to stopping the flow of sex
22 trafficking. Unfortunately, the law enforcement
23 agencies here in New York and around the country
24 have noticed that much of the \$44 million in sex
25 related advertising moved from Craig's List to

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2 backpage.com, which is owned by the Village Voice.
3 Over the last year-and-a-half, the vast majority
4 of sex trafficking cases prosecuted by the
5 Brooklyn D.A.'s office involved girls and women
6 marketed through backpage.com. In 22 states,
7 children have been forced into prostitution and
8 traffic on backpage.com. And I'm proud to have
9 joined faith leaders at Auburn Seminary and
10 calling on the Village Voice to shut down
11 Backpage's sex advertising. Village Voice Media
12 must ensure that children and teenagers are not
13 being abused in the commercial sex industry with
14 help from their website. Regardless of whether
15 there is coercion, fraud or force involved, any
16 commercial sex act performed by a person under 18
17 is human trafficking and is illegal. The Village
18 Voice needs to follow Craig's List's leadership in
19 protecting children and teens, and stop permitting
20 human trafficking on their website. I think it's
21 also been mentioned about the morality of this
22 issue, and also encouraging other corporate media
23 and also other corporate entities to not continue
24 to invest, also, in institutions like Village
25 Voice Media or backpage.com. So, with that, I

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2 thank everyone that is here, all the work that has
3 been gone, has been going on in this issue, and I
4 look forward to hearing all the testimony that's
5 here today.

6 CHAIRPERSON FERRERAS: Thank you,
7 Melissa, Council Member Mark-Viverito. And now
8 we're going to call up the first panel. If we can
9 have the Hon. D.A. Hynes and Lauren Hersh.

10 [pause, background noise]

11 CHARLES HYNES: Thank you, Madam
12 Chair. First I want to thank you, and as the
13 Chair of the Women's Issues Committee, as well as
14 the other members of this Committee, for this
15 morning's opportunity to talk to you about just
16 how serious sex trafficking has become in New York
17 City. And today it was mentioned that Lauren
18 Hersh joins us, and she is the Chief of our Sex
19 Trafficking Unit in Brooklyn. Almost two years
20 ago, I created this unit to combat the growing
21 problem of commercial sexual exploitation of
22 girls, women and boys in Brooklyn. To-date, our
23 unit has indicted 40 defendants in sex trafficking
24 schemes. Many of these traffickers have used the
25 internet to advertise and sell trafficked women

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2 and children. In our early cases, coerced women
3 were advertised on Craig's List. But when legal
4 and ethical pressure led Craig's List to shut down
5 their adult services section, the marketplace for
6 extortion--exploitation shifted to other websites.
7 What we have found is that one website above all
8 is most frequently used to exploit children and
9 advertise trafficked victims, and that website is
10 backpage.com. Let me give you a few examples. In
11 December of last year, I announced the indictments
12 of two defendants charged with sex trafficking.
13 In addition to viciously beating a 13 year old
14 victim, the defendants advertised this 13 year old
15 child and another 16 year old child for sex on
16 backpage.com. In another case, in July of 2011,
17 Nathaniel McCoy pled guilty to sex trafficking.
18 His victim was a 15 year old child, who he sold
19 for sex by advertising her on backpage.com. And
20 in September 2011, a Kings County grand jury
21 indicted another defendant for sex trafficking.
22 As part of the evidence alleged against this
23 defendant, we introduced lewd and explicit ads
24 posted on backpage.com, selling his 15 year old
25 victim. In a statement to the police, this

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2 defendant explained how he used backpage.com to
3 market this 15 year old child. I believe we are
4 facing an epidemic of sex trafficked children,
5 both in New York City and across this country. In
6 2012, the internet has become the new marketplace
7 where children and trafficked adults are sold.
8 Backpage.com has been mentioned, is owned by
9 Village Voice Media. The Village Voice general
10 counsel, Elizabeth McDougall said that, "The
11 realities and complexities of human sex
12 trafficking simply don't merit calls to shut down
13 Backpage." Well, the difficulty is that Backpage
14 has acknowledged that it has sent 2,695 cases of
15 suspected trafficking to the National Center for
16 Missing and Exploited Children, in just 2011.
17 Now, if a tenth of this number were trafficked
18 children, isn't that enough to say that Backpage
19 is a vehicle for traffickers and therefore part of
20 the problem we must solve to protect our children?
21 In fairness, backpage.com is responsive to law
22 enforcement, complies with our subpoenas. In
23 fact, recently there's been so much public outcry,
24 that Backpage has increased its response to law
25 enforcement. So that instead of simply responding

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2 to subpoenas, Backpage is now sending additional
3 information contained on other websites where the
4 target phone numbers and photos have been
5 advertised. While this is extremely helpful, in
6 targeting other sex traffickers, it does not deal
7 with the fundamental problem, that Backpage is
8 enabling sex traffickers to exploit children. I'd
9 be much more optimistic about Backpage's
10 willingness to cooperate with law enforcement if
11 they would identify some substantive reforms to
12 prevent the exploitation of children. On the one
13 hand, there's no question that evidence from
14 backpage.com strengthens our cases. There's also
15 no question that backpage.com is cited as most
16 frequently as the one used, one website used for
17 traffickers. I believe that responsibility and
18 fairness requires backpage.com to stand with us
19 and stop this exploitation now. And just like
20 Craig's List, shut down their so-called adult
21 services section. While we recognize that another
22 website may spring up to replace it, it's been our
23 experience that every time we shut down an
24 operation that sexually exploits our children, we
25 make it more difficult for that abuse to continue.

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2 In addition, disruption of the trafficking
3 marketplace reminds both trafficker and customer
4 that law enforcement is aware of their activities
5 and working hard to stop them. We must send a
6 clear message to the exploiters and to the
7 exploited. We will not turn a blind eye and
8 absolve responsibility for those individuals and
9 companies complicit with and profiting with sex
10 trafficking. And I wholeheartedly support the
11 resolution of this City Council. Thank you.

12 CHAIRPERSON FERRERAS: Thank you
13 very much for your testimony and all the work that
14 you do. Your office has been incredible and has
15 had great representation at all the hearings that
16 we've had on sex trafficking. Specifically, I
17 know that you mentioned in your testimony, but if
18 we could just get more specifics for the record.
19 How many cases has your office prosecuted in
20 relation to minors? I know that you stated 40;
21 are those 40 minors?

22 CHARLES HYNES: Yeah.

23 [background comment]

24 LAUREN HERSH: They're not all
25 minors. We, the average age of a girl that we see

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2 is about 15 years old, but we do have numerous
3 cases where we have 18, 19, sometimes 20 through
4 25 year old victims. And about 70 percent of our
5 cases have a Backpage component. Now, that, that
6 number is kind of deceiving because the--prior to
7 backpage.com, Craig's List was the big player in
8 the field. And so in our early cases, a number of
9 our cases had a Craig's List component. So while
10 only 70 percent have a Backpage component, that
11 does not take in account the number of cases that
12 have a Craig's List component, and we have had
13 only one other case with an adult services
14 website.

15 CHAIRPERSON FERRERAS: Now can you
16 just explain to me, you know, very few of us
17 really know about Backpage. I think that's a
18 great thing. How do you identify that it's a
19 Backpage component in a case? How do we know that
20 this young girl was trafficked on Backpage?

21 LAUREN HERSH: Oftentimes, the
22 young girl tells us that she's been trafficked on
23 Backpage. She tells us that photographs were
24 taken, that in many cases that she's actually been
25 the one who, who the defendant has forced to post

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2 the ads on backpage.com, he's given her a credit
3 card. And so many times, she can actually guide
4 us right to the ad. And then, once we know that
5 there is an ad, then what we're doing is we're
6 subpoenaing backpage.com. And we're routinely, if
7 that's not the case, if the girl is not directing
8 us to backpage.com, we are routinely taking the
9 defendant's phone number, plugging it into Google,
10 and many times we find that that number is in fact
11 on backpage.com.

12 CHAIRPERSON FERRERAS: So, if an
13 executive or someone who is on the board of, or is
14 familiar with Backpage, if they just go on the
15 website, we can see the pictures of the young
16 girls on the website?

17 LAUREN HERSH: Yes, you can.

18 CHAIRPERSON FERRERAS: And what do
19 these ads generally look like, say--

20 LAUREN HERSH: So they vary. It
21 seems pretty clear to me that they're selling sex.
22 Some are more obvious than others. Some are real
23 photographs of children, some are not. We had a
24 case with a 13 year old girl, her actual
25 photograph was on backpage.com. And then we've

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2 also had traffickers who use what's, what they
3 call "stock photos," where they grab photos not of
4 that particular girl, and they post it on
5 backpage.com.

6 CHAIRPERSON FERRERAS: And just for
7 clarity, 'cause I know that we've talked about the
8 fact that the age, so if you're arrested at 16,
9 you can be charged for prostitution, but if you're
10 fond with someone that's 16, it's statutory rape.
11 So we're, I know we're working on this on another
12 level.

13 LAUREN HERSH: Yes.

14 CHAIRPERSON FERRERAS: So, when we
15 talk about minor, in this case, what age are we
16 discussing?

17 LAUREN HERSH: Well, we're really
18 talking about under 18 years old, because under
19 the federal law, under the TVPA, a person is, is a
20 trafficking victim, if she is involved in
21 commercial sex, and under the age of 18.

22 CHAIRPERSON FERRERAS: So in a lot
23 of our cases, it would be great to be able to
24 prove that trafficking is occurring, that you can
25 tie it to somewhere where, that their trafficking

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is occurring, as opposed to just prostitution.

LAUREN HERSH: Yes. And in most of the cases where we actually go in, and we have conversations with these young children, we find that there is an element of coercion and many times significant force.

CHAIRPERSON FERRERAS: Okay.

CHARLES HYNES: And it's so, it's so significant that this be given as much publicity as possible. When Lauren first took over the unit, when we created it like two years ago, two wonderful women who own an advertising agency came forward and gave us a pro bono advertising program. And so, we used that as the, the kickoff at the announcement of an indictment, which I announced a 24 hour hotline, which continues today. The advertising agency supplied us with posters and flyers in five different languages that we distributed to a thousand stores across Brooklyn. And as a result of that intensity, we have had an explosion of cases. I mean, before this, our first indictment two years ago, we knew trafficking was a problem, but we couldn't identify them because it's one of the

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2 most difficult cases to prove. First of all, in
3 many cases, the child is convinced that there's a
4 love relationship between she and the pimp;
5 secondly, she's terrified, afraid of physical
6 abuse. Many of these children are tattooed. It's
7 the most vicious kind of thing. So, to have this
8 explosion of cases because of the advertising and
9 the raising of the level of consciousness in
10 Brooklyn, has been very, very helpful to us in
11 our, in our prosecutions.

12 CHAIRPERSON FERRERAS: Thank you.
13 And I have, my colleagues have some questions, but
14 I just want to speak a little bit. After having
15 had these hearings, most people think of, when
16 they think of sex trafficking, they think it's an
17 international ring. They think that it's only
18 those that are coming from another country, that
19 are brought here. But having learned that, can
20 you speak a little bit about who these young girls
21 are, and that they're very much from New York or
22 neighboring states, and can you just speak to
23 that?

24 LAUREN HERSH: You're exactly
25 right. Most of the cases that we have are

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2 American born girls, many are New York City born
3 girls, and many are Brooklyn born girls. And you
4 know, I'm often asked the character--if there's
5 one characteristic that each of these girls share,
6 my response is always that there is significant
7 vulnerability. And I've never met a teenaged
8 girls who has not had significant vulnerability.
9 So, it's really an issue that we all need to focus
10 on, because our girls are vulnerable to it.

11 CHAIRPERSON FERRERAS: Thank you.
12 Council Member Lander, then Council Member Mark-
13 Viverito.

14 COUNCIL MEMBER LANDER: Thank you
15 very much, Chair Ferreras. Thanks so much to both
16 of you, D.A. Hynes and Ms. Hersh, not of course
17 just for being here today, but for the leadership
18 in establishing the unit and all you've done to
19 bring this issue to light, to prosecute, to
20 investigate it. Makes me proud to be a Brooklyn
21 Council Member that you've taken so much
22 leadership on this.

23 CHARLES HYNES: Thank you.

24 COUNCIL MEMBER LANDER: So, one
25 thing I was interested that, to hear you say is

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2 that I think the way that in some cases Village
3 Voice Media has tried to make it seem, they're
4 sort of the, how trafficking is identified. But
5 it doesn't sound like you are finding the cases
6 there, you're using it to, for proof. But because
7 of this adver--so tell me a little more about sort
8 of how you're reaching out to identifying and
9 finding the individual cases that then you follow
10 up to investigate.

11 LAUREN HERSH: So, we, I know that
12 Village Voice Media does reach out to law
13 enforcement. We have never had a case that has
14 been initiated--

15 COUNCIL MEMBER LANDER: Not one.

16 LAUREN HERSH: None one, by Village
17 Voice Media. [background comments] Sorry, I'll
18 move closer, too. And we get cases a lot of
19 different ways. We get cases as referrals from
20 NGOs, we get cases, calls from our hotline. We,
21 schools are becoming more educated, educators are
22 becoming more educated, and they're calling us
23 saying, "We think we may have a trafficking
24 situation." The police is going out and making
25 arrests and they're doing the trafficking unit

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2 under the guidance of Anthony Fevali [phonetic],
3 is doing a wonderful job of debriefing these girls
4 and, and making a determination if in fact they
5 are trafficking victims. And many times they find
6 out that they are. So, we, we get our cases a lot
7 of different ways.

8 CHARLES HYNES: And we had, as part
9 of the advertising campaign, Gabourey Sidibe, as
10 well as Sarah Jessica Parker, cut public service
11 announcements that were played on 23 radio
12 stations, and that's been reissued at least once.
13 So, all of this, raising the information, or the
14 level of information, and so our victims can come
15 forward or their family can come forward, as a way
16 in which we can generate more cases.

17 COUNCIL MEMBER LANDER: and I mean,
18 just to be clear, none of those sources--so, thank
19 you for establishing that for working on it--none
20 of those sources would be diminished or reduced in
21 any way if backpage.com shut down its adult
22 services site. You would continue to have all of
23 the same ability to do outreach and to have people
24 come forward - -

25 CHARLES HYNES: [interposing] Well,

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2 without question, because there's a lot of money
3 involved here. So, it'll be picked up by some
4 other site.

5 COUNCIL MEMBER LANDER: So, and I
6 think partly the hope is that obviously, to some
7 extent, and again as I mentioned in my testimony,
8 in my experience, creating easy online portals
9 increases commerce, and if it's harder to do,
10 there'll be less of it. But where it's there,
11 you'll still have a--you know, people will still
12 be doing all the things that you just said, of
13 reaching out to you. If you could sort of say,
14 you talked a little about the evidence that you
15 have from Backpage. But if you could just talk a
16 little bit about other kinds of evidence that you
17 develop and gather in proving cases, so again I
18 don't, I don't think, we're not naïve, we're
19 hoping that we'll reduce trafficking if
20 backpage.com is shut down, but we know that,
21 sadly, it's still going to take place, and your
22 unit is going to need to keep doing its work. So,
23 I just, what are the other kinds of evidence that
24 you gather and that you'll continue to use to keep
25 fighting trafficking even after backpage.com takes

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down their site?

LAUREN HERSH: Sure. We do a lot of search warrants, we're always looking for people's computers, we're looking for cameras, we--we're doing a lot of computer work, where we're looking for credit cards, we're looking at phones, at phone records. There's a lot of different methods to investigate cases.

CHARLES HYNES: And Lauren more than once, or many times, has gone to the police station, you know, early in the morning, to meet a kid who has been arrested for prostitution, to see if we could get information on whether she is being trafficked.

COUNCIL MEMBER LANDER: Which I know that, you know, I know the Chair's done a lot of work this, and I want to say another reason that we appreciate the way your office is approaching this, is looking for that and trying to think about this as part of the, the bigger problem that it is.

CHARLES HYNES: Right.

COUNCIL MEMBER LANDER: All right, I just, I think that's very helpful in

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2 understanding both the work you're doing, but also
3 the ways in which the elimination of the adult
4 services site on Backpage, while hopefully it
5 would have some impact on reducing trafficking,
6 would not harm your ability to continue
7 investigating and prosecuting folks that were
8 involved in it, so--

9 LAUREN HERSH: I think we'll just
10 need to be creative, we were creative initially,
11 in making these cases, we'll have to come up with
12 creative strategies, but I think it's certainly
13 worthwhile.

14 COUNCIL MEMBER LANDER: Thank you
15 very much.

16 COUNCIL MEMBER MARK-VIVERITO:
17 First of all, I want to thank you again for the
18 work. But first, I don't know if any of the other
19 D.A. offices are here, but if you can speak to
20 what other D.A.s may be doing. I think the
21 advocates will definitely talk about the fact of
22 how probably as a City, but also as a country,
23 we're not doing enough by this issue, or being
24 aggressive enough. But I also want to ask about
25 the social services, the support services, for the

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2 victims and the survivors. Right? So, I think
3 that that's an issue that we haven't touched on is
4 where, once this has been identified, what happens
5 to the victim, right, next? And ha--do you see
6 enough services that are being provided at the
7 City level? What can we do about it?

8 CHARLES HYNES: Laurent can give
9 you some specifics, but you know, we've always
10 been invested in what I regard as a great part in
11 that discipline, and that's social workers. I
12 have 36 social workers on staff. When I tell that
13 to some of my colleagues in the rest of the
14 country, they think I'm odd. But no one is a
15 better bridge between a victim of sex crimes or
16 domestic violence or child abuse than, than the
17 social workers who works with the victim and the
18 prosecutors. So, it's been very, very helpful.
19 In addition, a number of corporations have been
20 terribly responsible, giving us cosmetics for our
21 children, clothing. We've had a couple of
22 clothing drives where some very, very committed,
23 upscale young women professionals have donated
24 clothing for our kids. So, the important thing is
25 that our kids understand is a continuum of

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services and protection for them, after they come forward and help us prosecute.

COUNCIL MEMBER MARK-VIVERITO: Do you know, D.A., in terms of the other D.A. offices, whether they have a unit like yours, and how they're - -

CHARLES HYNES: [interposing] Well, I know Queens has had a couple of cases. Dan Alonso's the Chief Assistant District Attorney here in Manhattan, is here, and I assume he's going to address that issue.

COUNCIL MEMBER MARK-VIVERITO: Okay. In terms, I don't know about the social service component--

LAUREN HERSH: We work very closely with social services. I mean, every single--

COUNCIL MEMBER MARK-VIVERITO: What groups would you identify as being key in this?

LAUREN HERSH: Sanctuary for Families is critical, the Anti-Trafficking Coalition has been extraordinarily supportive. GEMS, JCA and Gateway is, we're on the phone with them constantly. We are, when we have a trafficking situation, the first thing that we do

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2 is we, we--we get a girl, an advocate. We want
3 her to feel that she is completely wrapped in
4 services. And so what we do is we make an
5 immediate assessment of what her immediate and
6 long term needs are. And then we make a
7 determination which organizations to bring on
8 board. So in certain situations, we'll call
9 Sanctuary for Families, and we'll say, "We have a
10 young woman that we would like you to start
11 working with." I've had many situations where in
12 the middle of the night we have a housing crisis.
13 We don't know where this young woman is going to
14 stay for the night, and there have been many times
15 that I've gotten on the phone with somebody from
16 Sanctuary for Families and said, "I need, I need a
17 bed." And if they can't provide me with a bed,
18 then they contact another social service agency,
19 and we have been very successful in wrapping these
20 victims with services, and only these services are
21 going to get the victim to a place where she is in
22 fact a survivor.

23 COUNCIL MEMBER MARK-VIVERITO: And
24 would you say that, I'm sure the answer's going to
25 be yes to this, but as a City, whether we could

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2 provide more services to this front. I mean, it
3 is something unfortunately that you're saying
4 you're seeing a rise in the number of cases. So,
5 I would assume that the need--'cause these are
6 very deep, extensive social services that you need
7 to provide.

8 CHARLES HYNES: They, they are
9 very, very difficult cases.

10 COUNCIL MEMBER MARK-VIVERITO: Yes.

11 CHARLES HYNES: And the only thing
12 that limits us by expansion, frankly, is money.
13 You know, the Brooklyn delegation in particular
14 last year, led by Brad Landers and others, exacted
15 a baseline change in our budget. First one I've
16 had in 21 years. And that baseline was increased
17 for every one of the D.A.'s office except
18 Manhattan, because I have a different funding
19 source. And I must say how frustrating it is for
20 me to know that we could expand and be much more
21 successful if we had the resources. But the, the
22 City Administration has frozen this baseline
23 budget increase, so here we are about to leave
24 this fiscal year, and all of us are going to be in
25 deficit as a result. And, you know, we're hopeful

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2 that the, the Council will stand up as they did
3 last year to restore these, or to have these funds
4 available for us.

5 COUNCIL MEMBER MARK-VIVERITO:

6 Well, I thank you for that. I think, you know,
7 your commitment to this issue is exemplary, and I
8 think it's something to be modeled by others. But
9 the idea also that you do have 36 social service,
10 social workers on, on staff, to not only deal with
11 this but I'm sure other issues, is I think very
12 visionary, and I appreciate that. So, thank you
13 very much.

14 CHARLES HYNES: Thank you.

15 LAUREN HERSH: Thank you.

16 CHAIRPERSON FERRERAS: Thank you,
17 Council Member Mark-Viverito. I'd like to
18 acknowledge that we've been joined by Council
19 Member Palma of The Bronx. Council Member Chin of
20 Manhattan and Council Member Wills of Queens. And
21 now we will have Council Member Palma.

22 COUNCIL MEMBER PALMA: Actually,
23 Council Member Viverito asked my question in
24 regards to the other boroughs in your
25 collaboration, but I want to take the opportunity

1
2 to commend you, D.A. Hynes, and Ms. Hersh for your
3 leadership and your commitment to this issue. In
4 regards to--so, when, let me ask this question.
5 When a child under the age of 16 is arrested for--
6 are all those being asked, are they part of a sex
7 trafficking how they came about, to their, you
8 know, to be in the position that they're in?

9 LAUREN HERSH: I hope so. I can't
10 be sure of what's happening--

11 COUNCIL MEMBER PALMA: So we don't
12 know--

13 LAUREN HERSH: --in the precinct.

14 COUNCIL MEMBER PALMA: Okay.

15 LAUREN HERSH: I can be sure that
16 when the Trafficking Unit is called, they are
17 routinely debriefing these children for
18 trafficking. But I don't know--

19 COUNCIL MEMBER PALMA: So we don't
20 know that part--

21 LAUREN HERSH: --quite honestly
22 what happens--

23 COUNCIL MEMBER PALMA: --of the,
24 one of the NYPD's line of questioning, I think
25 maybe we should have a conversation with NYPD to--

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2 it'll bring I guess more cases to light if that
3 was part of the questioning. Again, I commend you
4 for, for your leadership and I know that as Chair
5 of the delegation, in, in The Bronx, I would
6 definitely go back and reach out to the District
7 Attorney Johnson in The Bronx, and see how, you
8 know, how we can be of more help to his unit, to
9 make this a priority in The Bronx, as well.

10 CHARLES HYNES: Right, I mean, you
11 know, he had a \$2 million baseline budget, it's
12 just been frozen.

13 COUNCIL MEMBER PALMA: Right.

14 CHARLES HYNES: You know, it's just
15 it's--it's very frustrating, because, you know,
16 unless you folks supply the leadership and the,
17 you know, the support you can, this is not going
18 to happen.

19 COUNCIL MEMBER PALMA: And one more
20 question. In your evidence collection, when you
21 come across, when the sex trafficking unit goes
22 out to the precinct and come across these cases,
23 has it led you to other boroughs and where it's
24 happening?

25 LAUREN HERSH: It's led us to other

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2 boroughs, it's led us to other traffickers.
3 Oftentimes, we develop a really significant
4 relationship with the girls and women, and after
5 we've developed a rapport, and after they feel
6 very comfortable, they say, "I have a friend,"
7 and, and that leads us to another investigation.

8 COUNCIL MEMBER PALMA: Okay, thank
9 you, thank you, Madam Chair.

10 CHAIRPERSON FERRERAS: Thank you,
11 Council Member Palma. And we're going to be
12 writing actually a letter to Commissioner Kelly
13 specifically about the questions, kind of like
14 when you have a domestic violence case, the DVR
15 report that's taken. And we want to get more
16 details on when we have a sex traffic case. Or
17 doesn't necessarily come in as sex trafficking, it
18 comes in as prostitution. So, what, what are
19 there, the standards that they have? So we're
20 going to be following up with the Commissioner.
21 Now, kind of to piggyback on the question, can you
22 speak on--I know that the hotline is based out of
23 Brooklyn, but clearly I have the hotline posted in
24 my office, and I'm in Queens. So, how many calls
25 are you getting outside of Brooklyn, what's the

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2 ratio? So that we can also have a better
3 understanding, 'cause hotline isn't limited just
4 to your borough. Can you speak on people calling
5 outside of the borough of Brooklyn?

6 LAUREN HERSH: We have gotten calls
7 outside of the borough, and what we've done is
8 called our counterparts in other boroughs, and
9 said we have a referral for you.

10 CHAIRPERSON FERRERAS: Oh, okay.
11 And now we'll have a question from Council Member
12 Chin.

13 COUNCIL MEMBER CHIN: Thank you,
14 Chair. Is it on? What I wanted to ask was, in
15 terms of some of the victims, how many are like
16 immigrants with documents and without documents?
17 And how are they being, being held--

18 CHARLES HYNES: What, what--Lauren
19 addressed that, but I want you to understand that
20 in 21 years I've been privileged to be District
21 Attorney, I have never inquired, now has anybody
22 on my staff, inquired about documentation. It's
23 prohibited. We're concerned about the victim and
24 regardless of what her documentation is. Go
25 ahead, Lauren.

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2 LAUREN HERSH: So most of the cases
3 that we see, as I said, are American born victims.
4 But I, I know that there is a significant number
5 of international trafficking cases in Brooklyn,
6 that we just have not yet tapped into. And that
7 is in part because they're happening in very
8 insular communities. And so one of the things
9 that we have done, we've gone and we've done
10 trainings and we've begun to partner with agencies
11 who are really on the frontlines, so that they can
12 disseminate information, so that they can help
13 make these women, particularly international
14 women, feel comfortable coming forward and saying,
15 "I am a victim."

16 COUNCIL MEMBER CHIN: But also,
17 aren't you, if they do come forward, there's ways
18 that you can help them get documented, they're
19 undocumented.

20 LAUREN HERSH: Absolutely,
21 absolutely.

22 CHARLES HYNES: If they, if someone
23 cooperates with the prosecution, as a, a U visa,
24 which is a faster track to the green card. You
25 know, and our Family Justice Center, for example,

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2 we have immigration lawyers on staff to provide
3 that kind of help, once we become aware of their
4 documentation.

5 COUNCIL MEMBER CHIN: I think
6 that's also important in terms of the outreach
7 information, to get it out to the victims. And so
8 they can help spread the word in their community.

9 LAUREN HERSH: Yes.

10 COUNCIL MEMBER CHIN: That
11 resources are available and that might be a way to
12 sort of get them to come in.

13 LAUREN HERSH: Yes, I agree with
14 you.

15 COUNCIL MEMBER CHIN: The other
16 question I have is that, 'cause you were saying
17 that 70 percent of your case have the Backpage
18 component. So what would be the tremendous, you
19 know, positive effect, if Backpage, you know,
20 .com, closed down their adult services?

21 CHARLES HYNES: There would be
22 another website opened up. I mean, just--there's
23 too much money in this business, you know, it's
24 like saying, you know, do we really believe we
25 could ever rid the world of organized crime.

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2 There's too much money. And as long as there's a
3 lot, as long as that incentive is there, you're
4 going to have people to exploit children.

5 COUNCIL MEMBER CHIN: But, I guess
6 my question with that is that, I mean, first it
7 was Craig's List, I mean, they are well known,
8 right?

9 CHARLES HYNES: Yeah.

10 COUNCIL MEMBER CHIN: So the fact
11 that they shut down, it's an important message.

12 CHARLES HYNES: Mm-hmm.

13 COUNCIL MEMBER CHIN: Now
14 backpage.com is associated with Village Voice. IT
15 has a long history. So, if they were able to shut
16 down, it's, it's a big issue, I mean, it's a big--
17 it would make a big difference, 'cause some other
18 website might open up, but they're not as rep--I
19 don't know, reputable, or they don't have a known
20 name.

21 CHARLES HYNES: They don't have the
22 experience,

23 COUNCIL MEMBER CHIN: Yeah.

24 CHARLES HYNES: Well, experience
25 comes with practice.

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COUNCIL MEMBER CHIN: But--

CHARLES HYNES: It wouldn't take very long for another website to continue the exploitation of kids.

LAUREN HERSH: But I think it sends a very clear message to those who exploit and to those who are exploited, that we won't tolerate it. And I think that that's really the message that we need to send.

COUNCIL MEMBER CHIN: Mm-hmm, yes, I agree, I mean, I think that is, that's why we urge them, that they should really check it out, thank you.

CHAIRPERSON FERRERAS: And now we'll have Council Member Wills, who's going to ask questions, and I'm going to give him my chair. Don't get comfortable. [laughter]

COUNCIL MEMBER WILLS: Thank you, Madam Chair. First I just want to--I'm sorry, I knocked over your little thing--first I wanted to commend the D.A. on everything you're doing, not just work around this, but on your visionary programs across the board. What I wanted to know specifically was, although a lot of the victims of

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2 sex trafficking are minors, my question is have we
3 run into a lot of these victims that are minors
4 but may have children of their own? So let's say
5 there's a 15 or 16 year old young lady that is
6 wrapped up into this. Have we come across cases
7 where they may actually have children and if so,
8 a) what services are we doing to help them restore
9 the family and b) are those children products of
10 the sex trafficking?

11 CHARLES HYNES: Okay.

12 LAUREN HERSH: All very good
13 questions. The answer is yes, we have had cases
14 where we have had minors who have children. ACS
15 is often involved in those situations. And, and
16 ACS is provide--ostensibly providing those
17 families with the services needed. We, our
18 office, is providing, providing counseling and
19 also making other determinations, what other types
20 of services this mother of this minor, who is also
21 a mother, needs. And we will continue to work
22 with her.

23 COUNCIL MEMBER WILLIS: And have we
24 found that any of the children were products of
25 the actual sex traffic, or the trade, or them

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being exploited?

LAUREN HERSH: So, we have found that there are children who are the products of a sex trafficking situation, unfortunately. And, and we also have many cases where the minor is pregnant or has a child with the trafficker. And those cases become extraordinarily complicated because there are significant trauma bonds that form between the trafficker and the victim, and those trauma bonds are even more complicated where there is a child involved.

COUNCIL MEMBER WILLS: Thank you very much. Thank you, Madam Chair.

[pause, background noise]

CHAIRPERSON FERRERAS: Thank you very much, Council Member Wills, for your questions, and thank you for your testimony, it has helped us a great deal. And we'll continue your good work.

CHARLES HYNES: Thank you so much for all your help.

CHAIRPERSON FERRERAS: Thank you, thanks.

LAUREN HERSH: Thank you.

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2 CHAIRPERSON FERRERAS: We're going
3 to call up the next panel. And it is Daniel
4 Alonso of the Manhattan District Attorney's
5 Office.

6 [pause, background noise]

7 DANIEL ALONSO: Should I begin?
8 All right. Good morning. I was going to thank
9 Chair Ferreras for having us, but I'll do that
10 when she gets back. My name is Daniel Alonso, I'm
11 the Chief Assistant District Attorney in
12 Manhattan. Thanks for allowing me to come here
13 and present District Attorney Cy Vance's views on
14 the proposed resolution. With me today is
15 Executive Assistant District Attorney Karen
16 Friedman-Agnifilo. By way of background, Karen's
17 and mine, we both have some extensive experience
18 with human trafficking that I think is relevant
19 today. Karen, when she worked for Mayor
20 Bloomberg, before District Attorney Vance became
21 D.A., was the Chair of the Citywide Human
22 Trafficking Taskforce. And I was a federal
23 prosecutor for nine years. And my very last case
24 in the U.S. Attorney's Office was a sex
25 trafficking case where the traffickers are now

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2 doing 50 years in federal prison. So, you know,
3 through that I was able to get a pretty good
4 understanding of how, how this stuff works. And
5 since we've come into, into office, District
6 Attorney Vance has very much made human
7 trafficking focused on sex trafficking, a
8 priority. So, these hearings could not be more
9 timely, in terms of our recently created human
10 trafficking program. Just two days ago, as part
11 of that program, we announced the largest sex
12 trafficking indictment we have had in our, in the
13 short time that we've had the program. The broad
14 based charges are, are worth mentioning to you
15 folks here. They include a multi-count indictment
16 against father and son defendants for sex
17 trafficking, money laundering and promoting
18 prostitution. We also charged significantly the
19 company that they used to launder their, their
20 money, it was seemingly legitimate, but was in
21 fact a money laundering vehicle, according to the
22 charges. In the next few days, we expect to
23 charge individuals who paid for the services of
24 the prostituted women. As typical in domestic sex
25 trafficking cases, the traffic victims were

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2 required to turn over their proceeds to the
3 traffickers who doled out only a few dollars a
4 night to buy food and other necessities. The
5 women had little control over their finances,
6 making them essentially helpless if they were to
7 leave their traffickers. The charges we've filed
8 also allege that they used psychological
9 manipulation and domination to maintain control
10 over the trafficked victims, such as branding them
11 with tattoos depicting their street names, and
12 demeaning them in other ways. One victim, as we
13 allege, was even branded with a barcode. We, we
14 have also accused these folks of various other
15 forms of threats and psychological manipulation.
16 Significantly, we've, we also are going after
17 their money. This investigation has allowed us to
18 seize under asset forfeiture laws with our federal
19 partners, ten vehicles, three houses in
20 Pennsylvania, and more than \$200,000 from bank
21 accounts all related to this operation. And we
22 are seeking forfeiture of that money through civil
23 authorities. As I'll say in a couple of minutes,
24 this is part of our integrated, holistic approach
25 to, to attacking these kind of cases. We look at

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2 these cases top to bottom, we want to dismantle
3 the entire organization or individual traffickers
4 put out of business. So we try to identify those
5 who are trafficked, we try to attack the demand by
6 prosecuting those who are buying sex from traffic
7 victims, and we look at the flow of money to try
8 to remove the financial incentives from
9 trafficking. Relevant to today's hearing, this
10 particular case actually does not have, does not
11 involve ads placed on backpage.com, but I will say
12 that they have played a role in nearly every other
13 sex trafficking investigation and case seen by my
14 office. As an example, just last month, we filed
15 an indictment against an individual who was
16 alleged, sadly, among other things, to have used
17 physical violence, threats of violence, and
18 psychological manipulation, to compel his victim
19 to work for him in prostitution and turn over the
20 money she received. He also incidentally stabbed
21 and raped the victim, according to the, to the
22 charges. That defendant, we discovered, like many
23 of this contemporaries, was advertising multiple
24 females for prostitution, using online advertising
25 on Backpage and other websites that he created, to

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2 locate potential clients. What we have seen, and
3 I think I want to echo D.A. Hynes on this, and by
4 the way commend that office for their leadership
5 in this area, as well, they obviously have a great
6 deal of expertise in this area. What we have seen
7 is that backpage.com and websites like it, in
8 effect, serve to enable trafficking by providing a
9 place for traffickers who are after criminals, to
10 drum up demand for what they view as a product.
11 We believe that Backpage should recognize its role
12 in facilitating these schemes and take immediate
13 measures to stop adult service advertising on its
14 sites. This idea, Council Member Lander, that,
15 that you alluded to, that there is a, an advantage
16 to law enforcement by having the transparency of
17 these ads on the internet, we don't buy that. You
18 know, the logical extension of that argument is
19 why don't we just say that drug dealers should
20 advertise on the internet so we can know where
21 they are to catch them? Or money laundering
22 services, wouldn't that be great? But the reality
23 is that we're doing just fine without having to
24 troll the internet, we use all the same methods
25 and others, that the Brooklyn D.A.'s office uses

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2 to find cases. So, I do want to echo those
3 comments. I do want to say just a couple, couple
4 of words about the District Attorney's human
5 trafficking program. And I think this is response
6 to your question, Council Member Mark-Viverito.
7 The, the nature of trafficking is murky, and it
8 is, it's difficult. We do it, but it is difficult
9 to identify the traffickers, their victims, the
10 flow of money, and all of the related issues that,
11 that are required in bringing a case to court, to
12 say nothing of the services that are required by
13 our fabulous NGO partners with the, the traffic
14 victims. So, what D.A. Vance has done is he's,
15 he's created this program which has essentially
16 three components that are worth, that are worth
17 mentioning to you briefly. As I said, we take a
18 holistic approach. The first and most important
19 thing is that our cases are handled by a highly
20 trained, multidisciplinary team. It's headed by
21 John Temple who is a veteran Assistant District
22 Attorney, and he works very closely with specially
23 trained attorneys and we have a designated sex
24 trafficking specialist in our witness aid services
25 unit, a social worker, like the ones D.A. Hynes

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2 was referring to. And we believe that having a
3 dedicated trafficking social worker is very, very
4 important. She acts as a liaison between our
5 assistant D.A.s and the NGOs that are so crucial
6 to provide, to provide these services. Our team,
7 our highly trained team, doesn't just wait for
8 cases to come to them, they screen also
9 prostitution and promoting prostitution cases,
10 they look for patterns, for keywords, for common
11 names, for tattoos, for arrest locations, and all
12 the various ways that we can identify these cases.
13 The second component is that we do a lot of
14 education, we train all our Assistant D.A.s, not
15 just our trafficking ones, or at least the ones in
16 the trial division, and we also provide training
17 to our law enforcement partners and we are
18 regularly having contact and events with our NGO
19 partners as well. And the, and the third part is
20 the, is the part about the, the idea that
21 trafficking is not just about locking people up,
22 despite the 50 year sentence I alluded to earlier,
23 which is very satisfying, it's not really just
24 about that. We really have to both prevent, as
25 D.A. Hynes said, and provide necessary services to

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2 the prostituted women. And that is a crucial part
3 of our, of our program. And when I say, "our
4 program," it's not really fair to call it our
5 program, it's Safe Horizon and Sanctuary for
6 Families, and Catholic Charities and, and GEMS. I
7 mean, these are, these are real heroes in this
8 effort. They're crucial. I don't think we can do
9 it without them. So, so I think that that third
10 part of the program really is very, very
11 important. So we do have a hotline, as well.
12 It's, the phone number's in our testimony. I
13 think that it would be a public service for, for
14 this hearing and for the members of the City
15 Council to publicize that we have that for anyone
16 who, who has information on human trafficking to
17 call. I hope that was helpful. I support the
18 Resolution. District Attorney Vance supports the
19 Resolution, and we'll be happy to take whatever
20 questions you have.

21 CHAIRPERSON FERRERAS: Thank you
22 very much, and thank you for coming to testify.
23 And I, I do agree with you, we should make your
24 hotline public. And it's the Office of Human
25 Trafficking Referral tip line, at (212) 335-3400,

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2 (212) 335-3400. And thank you for including that
3 in your testimony. So, in both your testimony and
4 that of D.A. Hynes, it seems I keep hearing, and
5 in a lot of hearings that I've had about this,
6 this is the fourth one on sex trafficking now,
7 that these traffickers post multiple girls. Now,
8 so clearly, it isn't cost prohibitive to place
9 these ads.

10 DANIEL ALONSO: I think in the
11 context of the amount of money they can make, it's
12 practically free.

13 CHAIRPERSON FERRERAS: Okay, and if
14 you can just, 'cause you know, we're, it's not our
15 business, right, when you talk about the moneys
16 and being able to actually seize a lot of, of what
17 these traffickers are doing, can you speak unto,
18 you know, what, what's the profit margin that
19 these off--you know, these traffickers are making
20 on one girl, or if they have multiple girls?

21 DANIEL ALONSO: I mean, I think it,
22 it varies like any other, like any other illicit
23 business. I think I don't know that I can speak
24 in terms of percentages and profit margins, like a
25 legitimate business might speak, but I can speak

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2 in terms of, it's a relatively recent phenomenon,
3 to think about, "Hey, where's their money going?"
4 Banks have actually been helpful, they file
5 suspicious activity reports from time to time,
6 that indicate the possible presence of human
7 trafficking, and we have partnered with, with
8 them. And we then use the techniques, the
9 investigative techniques that we've used for
10 decades in other kinds of crime, to follow the
11 money. And then--

12 CHAIRPERSON FERRERAS: So--

13 DANIEL ALONSO: Please.

14 CHAIRPERSON FERRERAS: I think, I'm
15 sorry, I think the profit margin was me using my
16 own, you know, like this is a legitimate business;
17 clearly it is not. So, my question is, what on
18 average are these girls being sold for? You know,
19 when the advertisements go up, is there a price on
20 the advertisement? When you have done these
21 investigations, what are these johns paying for
22 these clearly very young girls to perform these
23 sex acts on them?

24 KAREN FRIEDMAN-AGNIFILO: It
25 varies, but in a recent case that we did, we were

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2 seeing they were being charged anywhere from \$200-
3 \$500 per act. And the, they would have to turn
4 all of the money over to the traffickers, and the
5 traffickers would just give them very basic
6 necessities, like paying rent, giving them a car,
7 giving them a little bit of food, that sort of
8 thing. But they were keeping all of the money.

9 CHAIRPERSON FERRERAS: Okay, thank
10 you. And I'm sure Council Member Brad Lander,
11 Melissa Mark-Viverito are going to have questions,
12 and then I'll follow up. Council Member Lander?

13 COUNCIL MEMBER LANDER: Thanks very
14 much for being here, and for all the work that
15 you're doing, and I think you're helping both to
16 fight this in dramatic ways, and also shed a lot
17 of light on it. So, thanks very much. I wonder,
18 do you, we heard from the Brooklyn D.A. about the
19 trafficking victims being largely Brooklyn, do
20 you, because you're in Manhattan, see more
21 international trade, is it roughly the same? What
22 are you--?

23 DANIEL ALONSO: I know that we're
24 largely seeing Americans, as well, but I'll defer
25 to Karen on, on more detail on that.

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2 KAREN FRIEDMAN-AGNIFILO: It's,
3 it's very similar, most of our trafficking victims
4 that we see come through our door, are domestic.
5 They can come from in Manhattan, they can come
6 from out of Manhattan. The one thing we've seen
7 about trafficking victims is you can be male or
8 female, you can be adult or child, you can be
9 international, you can be domestic. It's, it's
10 really unfortunate that we're seeing that, that
11 human beings of all, from everywhere, are being
12 bought and sold.

13 COUNCIL MEMBER LANDER: And what I,
14 and I mean, and maybe it's obvious, but the thing,
15 what unifies them is essentially vulnerability and
16 desperation, or--?

17 KAREN FRIEDMAN-AGNIFILO: It, that
18 does seem to be the case, that at some point in
19 their life, they were vulnerable to being
20 trafficked. I mean, no, no little girl, you know,
21 says to herself, "When I grow up, this is what I
22 want to be." And you know, that's what we as
23 parents hope for our children, either. There's
24 something in their life that has, you know,
25 whether that has caused them to be in this

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2 situation, we've seen some of them have been
3 abused themselves, sexually or physically; we see
4 sometimes there's emotional or psychological
5 issues; we've seen, you know, we've seen all sorts
6 of things that make it so that for whatever reason
7 they are in this life. The one thing we, I will
8 say that we've found is even if our case are
9 involving adult victims, most of them started when
10 they were minors, or when they were young. So,
11 even though today it doesn't involve a child
12 trafficking victim, they were trafficked at some
13 point in their life.

14 COUNCIL MEMBER LANDER: Can you
15 give us a little sense of the, of the numbers
16 here, how many, you know, referrals you're
17 getting, how many cases you're investigating?

18 DANIEL ALONSO: We, we've filed, we
19 have filed ten indictments in sex trafficking
20 since D.A. Vance became D.A., and I think we had
21 filed zero before that. I just think that's the
22 nature of the law is new. So, we have filed ten
23 indictments, we have many cases under
24 investigation, there is, there's a state office
25 that keeps some kind of statistics on credible

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2 claims that they've received, and I think it was
3 180 in the last year or so, is that your
4 recollection as well? Yeah. So, it's, this has
5 been a, this has been an issue since sex
6 trafficking became, came to the public
7 consciousness. What's the baseline? How much is
8 it out there? I think that that's probably better
9 left to, to statisticians, but, but we certainly,
10 we certainly see it a lot.

11 COUNCIL MEMBER LANDER: And my last
12 question, you know, you make clear in your
13 testimony that you don't buy the argument that by
14 putting it out there, somehow Village Voice media
15 is being helpful. And I think the idea of like,
16 if we just had online market for drug, you know,
17 for the drug trade, or illegal weapons, or I don't
18 know what else we'd be able to--is very useful. I
19 do want to also ask the question, just 'cause I
20 know we'll hear it from them in a minute, that the
21 Brooklyn D.A. had, you know, if it is shut down,
22 you know, you're not going to relent, you'll
23 continue to have a lot of places to go to continue
24 just as you're doing now, getting referrals,
25 finding it, investigating and prosecuting.

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2 DANIEL ALONSO: Clearly, that's
3 true. We, it will, it will not have an effect on
4 our ability to bring these cases. I think the,
5 the question that we don't know is Council Member
6 Chin's question, which is, you know, will it sort
7 of crop up elsewhere? I think there is a value to
8 the traffickers to be on a, a brand name website.
9 So I mean, I do, I do think there's a value to
10 that, and I think that shutting down Craig's List
11 was huge. And if these folks withdraw it, that's
12 huge, too. I'm not sure that the average person
13 on the street can come up with where else they,
14 they might go. So, I think that that's, it's not
15 going to stop it, of course, District Attorney
16 Hynes is absolutely right. There will be other
17 outlets. As I just said, the case we, we filed
18 charges against two days ago, didn't involve
19 Backpage at all. It involved specific
20 instructions to the women on how to solicit
21 clients, which I won't get into unless you, you're
22 interested in it, but the, but there's no, it's,
23 there's no requirement that there be an online
24 site for there to be sex trafficking. We believe
25 it facilitates it, though.

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2 COUNCIL MEMBER LANDER: Thank you
3 very much.

4 DANIEL ALONSO: Thank you.

5 CHAIRPERSON FERRERAS: Thank you.

6 And I know that you made mention of your arrests,
7 and I just want to comment you on that, and
8 hopefully that trial will move swiftly and get
9 everybody that needs to be found guilty. Which is
10 another component this committee's working on,
11 which is the drivers, and the role that they play
12 in a lot of these cases. And I don't want you to
13 speak on it, 'cause I know you're, it's being
14 investigated and--but I just wanted to thank you
15 on that, because, so I've heard so many victims
16 say that these drivers play a role. And they
17 oftentimes can be the only lifeline that they
18 have. And they've turned on them in many cases,
19 and people are saying, "Well, we don't have
20 numbers, we don't have statistics." And because
21 of the work that you've done, you have given us
22 numbers, and--

23 DANIEL ALONSO: Well, what I can,
24 what I can say, is we've said publicly we have
25 charged six drivers of livery cabs in connection

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2 with promoting prostitution. They're not charged
3 with sex trafficking, but we have charged them
4 with promoting prostitution. And that's, that is
5 significant, as you, as you just said.

6 CHAIRPERSON FERRERAS: Thank you
7 very much on, on your work with that. And before
8 Council Member Mark-Viverito, who have the next
9 question, it seems that in a lot of the reading
10 that I've done, and even in, in some of the
11 investigating, I represent Roosevelt Avenue, which
12 is a very busy quarter for a lot of things. Many
13 good, and a lot of illicit stuff. But it seems
14 that the girls are taken out of the borough, and
15 are delivered to a john in a hotel in Queens, I
16 mean, in Manhattan. So, what's the role that is
17 played, you know, is it the Queens D.A. that's
18 responsible for that, or is it the Manhattan D.A.?
19 'Cause it seems like the john is in one borough,
20 and the trafficker might be in another borough.
21 So, how complicated does that make your
22 investigations?

23 KAREN FRIEDMAN-AGNIFILO: Well, the
24 case that we just did, the traffickers were
25 actually in Pennsylvania, and the acts were in

1
2 Manhattan, and we were able to prosecute that case
3 successfully. So, so long as there is a
4 connection to Manhattan, we can usually, we can
5 usually successfully bring that case.

6 DANIEL ALONSO: I will tell you
7 that our trafficking program is in the Special
8 Victims Bureau, and I have been amazed and so
9 pleasantly surprised by the level of cooperation
10 among the five district attorneys. You know, when
11 I came from a U.S. attorney's office that was part
12 of the Department of Justice, we used to compete
13 all the time with our fellow U.S. attorneys, and
14 it was not necessarily as congenial. With the
15 district attorneys we are absolutely all out for
16 making sure the case gets prosecuted in the right
17 way. It's not about fighting over the case, it's
18 about picking up the phone and making sure the
19 case gets handled right.

20 CHAIRPERSON FERRERAS: Excellent,
21 so if anybody's watching, or when people watch
22 this hearing today, it doesn't matter where it's
23 happening, they don't have to find out which D.A.
24 it is, they should just call.

25 KAREN FRIEDMAN-AGNIFILO:

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2 Absolutely. And if we can't do it, we will refer
3 it to the right people, absolutely. We just want
4 to, we just want to save, you know, the trafficked
5 victims.

6 CHAIRPERSON FERRERAS: Thank you.
7 Council Member Melissa Mark-Viverito.

8 COUNCIL MEMBER MARK-VIVERITO: Just
9 two quick questions. You indicated that there's
10 been ten indictments, but how, I mean, how many
11 questions are you dealing with? Or how many have
12 you been handling?

13 DANIEL ALONSO: Well, it's, we have
14 a lot of investigations that have not resulted in
15 charges--

16 COUNCIL MEMBER MARK-VIVERITO:
17 Right.

18 DANIEL ALONSO: --so, we can't
19 obviously talk about those. Some of the
20 indictments have multiple defendants. And so
21 it's, you know, it's not an exact science, I can't
22 tell you exactly how many defendants, but we can
23 get that information for you.

24 COUNCIL MEMBER MARK-VIVERITO: Just
25 curious to know. But you know, you talk about

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2 this human trafficking program in the D.A.'s
3 office. Now this was WASU [phonetic] unit, that's
4 within the D.A.'s office.

5 DANIEL ALONSO: That's right,
6 that's our general unit, which is made up largely
7 of social workers, that is trained and works with
8 witnesses and victims of crime, generally. We
9 have a specially trained trafficking specialist
10 within WASU.

11 COUNCIL MEMBER MARK-VIVERITO: So
12 then if this, in this human trafficking program,
13 how many staff are, are, are in it?

14 KAREN FRIEDMAN-AGNIFILO: We draw--

15 COUNCIL MEMBER MARK-VIVERITO: Are
16 assigned.

17 KAREN FRIEDMAN-AGNIFILO: Well,
18 what we do is we draw upon the resources of the
19 entire office, so we didn't want to limit
20 ourselves by one or two or three people. So, the
21 recent case we did drew upon the resources of the
22 major economic crime bureau, because it involved
23 things like eavesdropping and, you know, asset
24 forfeiture and that sort of thing. We have a case
25 with the cybercrime bureau, we work with the

1
2 special victims bureau, I mean, we really want it,
3 we're making sure that if there is an opportunity
4 to identify a trafficking victim, we have that
5 opportunity. So, we're mandatorily training every
6 single assistant D.A. who does domestic violence,
7 because we think sometimes this presents as
8 domestic violence cases. So we're trying not to
9 limit ourselves, we want the whole office to be
10 able to help us in this effort. You know, the
11 numbers that we have in terms of charging
12 trafficking, I don't think reflects the true
13 number of people who are trafficked. You know, we
14 have a lot of, we have lot of victims who aren't
15 in a place where they can cooperate with law
16 enforcement or even identify themselves as
17 trafficking victims, and so we might be prosecute-
18 -but we know it's happening. So, we might be
19 prosecuting and charging other charges, 'cause we
20 can't bring a trafficking charge. But we still
21 feel like we're successful because we're providing
22 services to these victims. We have many, many
23 more victims who are receiving services than are
24 related to our prosecutions, and it's okay, we
25 just want to get them out of that life, and help

1
2 them as much as we can. And make referrals, you
3 know, outside the office as well. So there's many
4 other ca-you know, I call them cases, even though
5 they're not necessarily prosecutions, because it's
6 people that we've been able to identify and
7 hopefully help get out of the situation.

8 COUNCIL MEMBER MARK-VIVERITO: And
9 the last thing I would ask, in terms of this
10 number that you have, is--would you, you said
11 referral tip line, would you consider it sort of a
12 hotline? Is it set up as a hotline? How, in
13 terms of the difference between your number and
14 D.A. Hyne's number, for instance? What he's
15 called a tip line.

16 DANIEL ALONSO: Well, D.A. Hynes
17 has been focusing resources for a little bit
18 longer than, than we have on it. I will say, by
19 the way, to echo his comments, this all comes out
20 of existing resources.

21 COUNCIL MEMBER MARK-VIVERITO:
22 Right.

23 DANIEL ALONSO: We don't have any
24 grants, we don't have any extra money from the
25 City. This is, this is trying to use existing

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2 resources. I'll also tell you another number that
3 I, that I was told earlier by our WASU and our,
4 the director of our human trafficking program,
5 about, with our NGO partners, we have, our program
6 has been responsible for transitioning 30 women
7 out of the life and into, you know, the various
8 places that they should be, school and jobs and
9 things like that.

10 COUNCIL MEMBER MARK-VIVERITO:

11 Right.

12 DANIEL ALONSO: So, you know, I
13 think even if those cases didn't result in sex
14 trafficking indictments, those are a success.

15 COUNCIL MEMBER MARK-VIVERITO:

16 Okay. And I think that the importance of these
17 hearings, in terms of raising awareness, is also
18 as policymakers, right, as looking at where the
19 need is services, and where we need more resources
20 and support. 'Cause I think that obviously we're
21 just scratching the surface about the numbers and
22 the real issues that we have with sex trafficking
23 in this City. And I think that we probably don't
24 have, and I'm sure that the advocates can testify
25 to that, enough resources to really deal with it

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2 effectively. And so we, we need to kind of look
3 at that. So I appreciate your work, thank you
4 very much for being here today.

5 CHAIRPERSON FERRERAS: [off mic]
6 Thank you. Margaret, Council Member Chin.

7 COUNCIL MEMBER CHIN: Hi. Wanted
8 to really thank you for your leadership on this.
9 The question I have is that I know from other
10 hearings that we had before, like from the law
11 enforcement side, they were telling us that how
12 difficult it is to really get Asian community and
13 the Asian traffic victim to come forward. So, I
14 just wanted to say that in terms of cases that you
15 have seen, have you had any dealings with traffic
16 victims from Asian communities?

17 KAREN FRIEDMAN-AGNIFILO: Yes, yes,
18 we have, and we work very closely with the New
19 York Asian Women's Center. And we're very much a
20 partner with them. And I think they do an
21 excellent job with Asian trafficking victims.

22 COUNCIL MEMBER CHIN: And also, I
23 guess, the other part will be like for victims who
24 are immigrants, undocumented immigrants. Are you
25 able to work with them to really get them to come

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forward or--?

KAREN FRIEDMAN-AGNIFILO: Well, we, when you say "come forward," to come forward to just get help, yes, we do. To necessarily prosecute cases, sometimes that's a little trickier. But yeah, we work very closely with them.

COUNCIL MEMBER CHIN: I guess that's, that's the next step, 'cause what we've heard at hearing, is that they might come forward to get service, but the, getting them to come and testify or to really help with the prosecution, it's very difficult.

DANIEL ALONSO: It's, it's very difficult, not just in immigrant communities, although we do work closely with them. It's very difficult in general. We learned many years ago in domestic violence cases that perhaps there are ways, methods that we can use to try to prosecute the offenders, even in the absence of the cooperation of the victim, and we are sometimes successful doing that. We're trying to do similar things with sex trafficking, also not always possible, but for example we stated in court

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2 during the recent case that we used court
3 authorized electronic eavesdropping. And when you
4 have audiotapes, I can't get into the details of
5 it here, but when you have audio recordings of
6 traffickers talking about trafficking, that
7 becomes a much stronger case and perhaps you don't
8 necessarily need victim testimony.

9 COUNCIL MEMBER CHIN: Mm-hmm. So,
10 in your hotline, are you, do you have the language
11 capacity in your hotline?

12 KAREN FRIEDMAN-AGNIFILO: We have
13 language capacity in our office, yes. If we don't
14 immediately have it, as soon as you pick up the
15 phone, we get it pretty quickly.

16 COUNCIL MEMBER CHIN: Oh, okay.
17 Because the thing is, I think it's the, getting
18 the community input, getting the word out, doing
19 the outreach in the community, to help, to get
20 people to help sort of get information to you.
21 because you see a lot of Asian women, girls, in
22 those advertisement. I mean it's really rampant.
23 But the fact is, how do we sort of like really
24 increase the awareness that there are help for
25 them? That's something that I, I hope that we can

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continue to work on that.

KAREN FRIEDMAN-AGNIFILO: I just want to emphasize and echo what Mr. Alonso said, which is that, you know, we are seeing, what we're trying to do, and what I think other prosecutors in the country are trying to do, they call it evidence based prosecutions, which you're try--you know, we, District Attorney Vance said once, he said, you know, "You prosecute every homicide without a victim, how come we can't do these other cases without victims? And let's think of other ways to do it and be creative." And they use things, you know, like, like other prosecutorial methods, to try and bring these cases. So that you don't have to have the cooperation of the victims. It's very complicated, I mean, especially in the Asian community, it's complicated because sometimes the traffickers have connections in a different country, and they make threats in a different country, and it's hard, no matter what services we provide, it's hard for us, you know, to do that. And so, what we're trying to do is see if we can make cases, and it's harder, but to see if we can make cases that don't

1 necessary rely upon the testimony of, of a victim.

2 And, but I agree with you, that we have to get

3 information out there, and find out who are the

4 traffickers and who are the victims. One of the

5 other things that we're doing is we're working

6 with the Police Department to debrief people who

7 are arrested and being charged with patronizing a

8 prostitute, what they call johns. We created a

9 john debriefing form in our office, to try to find

10 out not about the particular case necessarily

11 that, that they're being arrested for, but have

12 you ever done it, have you ever seen trafficking?

13 Have you ever seen someone who looks underage?

14 Have you ever been in a situation, in another

15 situation, assuming this isn't their first time,

16 of trafficking, in an effort to try and just find

17 where we should devote law enforcement resources.

18 So both our office is doing that and the Police

19 Department is working with us to do that, as well.

20 That's part of our human trafficking program.

21 COUNCIL MEMBER CHIN: Now, that is

22 really great, and thank you for your leadership on

23 it. I guess the issue that, to really help get

24 the information out to immigrant community, is

1
2 really publicizing every single victories that
3 you've gotten. Cases and victims getting help. I
4 think if we can really, every time you do a case,
5 you know, you get it out there, and when people
6 see more of that, they will feel more comfortable
7 that they could get help, or they could get some
8 services. I think that, that would be a big step
9 forward. Thank you, again, yes, thank you, Chair.

10 CHAIRPERSON FERRERAS: Thank you
11 very much for your testimony. It's really vital
12 for us to be able to move forward, and we're,
13 we're already talking about identifying and
14 helping to support the organizations that support
15 you. So, thank you very much for coming today.
16 And we're going to talk about the next panel.
17 There's going to be a slight change. We have a
18 victim that's coming to testify, and she needs to
19 get back to school. So, I'm going to ask the
20 press to please not take any images of the, of
21 this victim. We're going to set her up so that
22 you can record what she's saying, but we're trying
23 to protect her identity. [pause, background
24 noise] And again, as she's coming in, I want to
25 just say thank you and, and she's an amazing

1
2 person to be able to come and testify and, and
3 speak to us about her experience. So, thank you,
4 and we have Amy Cohen from JCCA. And you may
5 begin whenever you're ready.

6 AMY COHEN: On behalf of the Jewish
7 Child Care Association, I just want to thank you
8 very much for holding this hearing today. Amy
9 Cohen, I am the Director of Government Contracts,
10 and I am here with some colleagues and a program
11 graduate today. We have Lashawna Cuts [phonetic],
12 she is the Director of our Gateways Program, and
13 Danny Rosenthal is the Government Affairs
14 Specialist with us. And today, I'm not going to
15 read the entire testimony, we really do want to
16 give most of the time from--you to hear from a
17 program graduate, who for confidentiality purposes
18 we are calling Brianna. I will briefly tell you a
19 little bit about the agency, and Lashawna will
20 tell you about our program. And Danny will
21 conclude after Brianna with a little bit about the
22 dearth of services and a request we have pending
23 before the Council. So, JCCA has been around for
24 200 years, we're a very comprehensive child and
25 family service agency. You can read about us in

1
2 the material. But several years ago, we really
3 began to see throughout our continuum of child
4 welfare and mental health services, a number of
5 CSEC [phonetic] victims who, whose needs were
6 really not being met, with the generalized type of
7 program that we were providing in residential
8 treatment, family foster care, clinic services.
9 And actually in fact, I would like to acknowledge
10 Rachel Lloyd came up to do some training for us,
11 she is here today, and a wonderful advocate. And
12 she said, "I had--I have a dream, you guys, I
13 would love to see you guys have a specialized
14 program for this population that does, you know,
15 intensive residential treatment." And we have
16 developed a one year model of service, that
17 Lashawna will briefly tell you about. And some of
18 the girls we serve and what we see, that Backpage
19 does to our program participants. And then I'll
20 turn it over to Brianna.

21 LASHAWNA CUTS: Good afternoon,
22 everybody, my name is Lashawna Cuts, and as she
23 mentioned, I'm the Director of our Gateways
24 Program. So we have a one year treatment model.
25 And what I really want to focus on is the fact

1
2 that in my two year tenure as program director in
3 a program, more than 75 percent of our young
4 people that have entered the program have been
5 trafficked on Backpage. And for me, that's
6 incredibly frightening, because someone who's
7 seven years old, who can click and OK button, can
8 actually get on Backpage at their perusal, and
9 surf thousands and thousands of ads where girls
10 are actually trafficked. And I just want to share
11 with you guys a story from one of our other
12 graduates in our program, and I want to preface it
13 by saying that a lot of the stories that you will
14 hear and that you will continue to hear are
15 painful. But we really feel like these stories
16 need to be heard in order to properly understand
17 how terrible an issue this is, and how much work
18 needs to be done. So, in a language that I will
19 use, the girls are sexually objectified, they're
20 sexually objectified day-in and day-out. And
21 particularly on Facebook, they're naked. Their
22 faces aren't shown, but they're naked. And that's
23 really an issue. So, Jamie is a pseudonym I'm
24 going to give for one of our girls who's now 18.
25 She was 13 when she was trafficked by a 25 year

1
2 old man who she believed was her boyfriend. There
3 was a whole grooming process where she felt like
4 she got to know him, and she thought he really was
5 her boyfriend. After, unfortunately he raped her,
6 he forced her to have sex with friends, and he
7 commercially sexually exploited her on the streets
8 and on Backpage. Over the course of two years,
9 Jamie was traded for pimp to pimp to madam and
10 even branded with some of their names. At age 15,
11 Jamie was arrested as part of a prostitution ring,
12 and eventually made it to our treatment program,
13 which she graduated from. She had already had
14 more than 10 pimps and over 150 dates from
15 Backpage. One of the things, before I pass it off
16 to Brianna, that I really want to harp on, too, is
17 our girls have said that when a blade, which is
18 also known as the track, or street prostitution,
19 when the streets got too hot, they moved to
20 Backpage. So now matter what their physical or
21 emotional state was, they were put on Backpage and
22 expected to have somewhere in the quotas of ten
23 dates a day. Brianna's here with us now, she
24 actually unfortunately got involved in the
25 commercial sex industry at 12 years old. Her

1
2 aggressor was the older brother of a friend. He
3 put Brianna on Backpage and advertised her with
4 offensive language and in many offensive ways.
5 And Brianna's here today to share a little bit of
6 her story. Thank you.

7 BRIANNA: Ready?

8 LASHAWNA CUT: Mm-hmm.

9 BRIANNA: Good morning. I first
10 got involved with CSAC seven years ago, when I was
11 nine years old, and I was raped and kidnapped by a
12 school janitor. Shortly after I escaped from him,
13 my mother and I had an argument, and I ran away
14 from home. I started out just going to hang out
15 with some friends, but decided at the end of the
16 night that I wasn't going to go back home, and I
17 needed a place to stay. My friend introduced me
18 to his brother and from then on I ended up staying
19 with him. Later on that night, I found out he was
20 a pimp, and I tried to leave, but he didn't allow
21 me. He used the words, "You're mine." From then
22 on, although I've been exploited in several ways,
23 the main way that he felt that he made the most
24 money was through Backpage. At this time, I'm 12
25 years old, and Backpage sent me at least 35 dates

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2 a night. And I couldn't stop working until he
3 felt satisfied with the money. Guys would come in
4 the morning, in the night, during their lunch
5 hours, in the afternoon, whenever they felt that
6 they just wanted to have some of me. And this
7 was--this was allowed by my pimp. I just feel
8 like Backpage--I have little sisters, and I have
9 little brothers, and--and Backpage is so easy to
10 access, with no easy to access with no
11 confirmation of somebody's age. You click at
12 button and you're just exposed to all types of
13 abuse and--I'm about to cry. [pause] It was very
14 painful for me, because the dates that I've gotten
15 on Backpage have been the most violent. I just
16 feel that this is something that needs to be taken
17 down immediately.

18 [pause]

19 DANNY ROSENTHAL: Thank you,
20 Brianna, and I just want to conclude by--got to
21 collect myself for a moment, but I just want to
22 conclude by thanking the City Council for focusing
23 on this issue, for, for giving this venue today,
24 for the, for this information to be aired. It's
25 been too long, hidden, not understood. And I also

1
2 want to thank the City Council for being a partner
3 in our advocacy efforts, to raise additional
4 consciousness about this issue. And to raise
5 funds to allow us to address it from a service
6 standpoint. And I appreciate your inquiries into
7 that and your sensitivity to the, to the fact that
8 deep, comprehensive, ongoing, sustained services
9 are necessary. I know that we're doing phenomenal
10 work at Gateways, and that there are other
11 organizations in the room that's sim--that are
12 doing so similarly. But we have 13 beds in
13 Gateways. The estimates are that there are 3,000
14 kids in New York City that need these services.
15 We appreciate that the Council sent up a letter to
16 Albany with about 40 signatures asking to
17 actualize the Safe Harbor Act, and to put some
18 funding behind it, and our group along, you know,
19 with the New York Anti-Trafficking Coalition and a
20 group we put together called Campaign Against
21 CSAC, advocated very aggressively, and we were
22 able to get \$1.5 million in the State budget, and
23 we're currently approaching OCFS and the State
24 leaders to try to design how those funds can best
25 be spent, and that will be an improvement that's

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2 not nearly the amount of money that is necessary
3 to address this. Given that the City Council is
4 so sensitive to this, has been so supportive, we
5 are approaching in this budget season the City
6 Council to ask for financial support, in a way
7 that seems reasonable for the way the Council's
8 budgeting and budgeting negotiations with the
9 Mayor's works. We have put together a proposal
10 which we've shared with Council Member Ferreras'
11 Office asking for a million dollars, that would
12 enable additional services, awareness raising
13 activities, training and some documentation and
14 best practices work. I know we're in the process
15 of trying to set up a meeting with your office, it
16 was supposed to be this week, but hopefully that
17 will be soon. And we would like to engage with
18 the entire Council in raising consciousness across
19 the Council, hopefully on the other side of City
20 Hall, with ACS, and move forward of will to stop
21 putting some more money behind this. So, we
22 really look forward to having this conversation in
23 more detail with you, we're happy to talk to the
24 Mayor's Office, as well. Hopefully, we can all
25 come together in partnership and really start

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2 investing in something that so obviously needs
3 attention.

4 CHAIRPERSON FERRERAS: Thank you
5 very much. And Brianna, I know that you're,
6 you've been through some horrific, horrific things
7 that no woman, let alone a young child, should
8 have to ever go through. And although systems may
9 have failed you, I'm glad to see that these
10 organizations are here to give you a better life,
11 so that you will never have to go through any of
12 what you've been through. It's been a nightmare,
13 and I'm just glad to see that you have awakened
14 from that nightmare, and that you're here to
15 testify. As, especially the women in the City
16 Council, you know, I hope that someday you're
17 sitting here in this Chair, and that you are
18 advocating for not this resource anymore, because
19 we hopefully would have done away with it. But in
20 the event that we haven't, that you're sitting in
21 my chair and understanding that we're bringing a
22 voice to women's issues. And I am so proud of you
23 and you have moved me like you couldn't even begin
24 to imagine. I thank you, you're an amazing young
25 girl, and you will be a beautiful woman. Thank

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2 you for your testimony. We're going to continue
3 the questioning, but if my colleagues don't mind,
4 I'd like to give her an opportunity to walk out so
5 that she can get back to school. And, and
6 Brianna, if you need a mentor or a call, you know
7 you have a lot of people here, and you definitely
8 have 51 Council Members. We are very proud of
9 you. Thank you. So, if we can just walk her--

10 [pause, background noise]

11 COUNCIL MEMBER LANDER: While she's
12 leaving, let me just echo that from, from all of
13 us here, Brianna, thank you for your courage, I
14 know all of us, whether women or fathers are
15 deeply moved by, by what you did and the courage
16 that you had to come out, and thank you and JCCA
17 for the support you've provided to her.

18 CHAIRPERSON FERRERAS: Okay. Thank
19 you, Council Member Lander. And we're going to,
20 we, we want to have an opportunity to hear from--
21 [background comment] Yeah, thank you. I just
22 wanted to echo and, and I'm sure we're going to
23 kind of call you back up, I'm sure you want to
24 hear the testimony from Backpage, which is the one
25 that we're very eager to hear. But in the, in the

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2 interim, I know that you mentioned the initiative,
3 and we're going to be following up. I really
4 wanted to have this, my voice, I'm still kind of
5 taken--she's just so amazing. And I thank you for
6 the work that you've been doing. If you don't
7 mind, we're going to call up the next panel and
8 then all you back up, okay? Thank you. Now,
9 we're going to have Ms. Elizabeth McDougall from
10 the Village Voice Media Holdings, LL. [pause,
11 background noise] And you may begin your
12 testimony whenever you're ready.

13 ELIZABETH MCDUGALL: Thank you.
14 As you said, my name is Liz McDougall, and I am
15 here on behalf of Village Voice Media Holdings,
16 which owns backpage.com. I want to thank the
17 Council for the invitation to have us here and to
18 be heard today. This is a grossly complex issue,
19 and I think it's critical that all sides and all
20 opinions be heard so that the right solutions can
21 be reached. As a brief introduction, let me tell
22 you that I come to this position with Village
23 Voice quite new, I've been with them less than two
24 months now, but I have come a background, training
25 as a lawyer, and practicing for more than a decade

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2 in internet law and cybercrime law, as well as
3 doing pro bono work for almost two decades
4 regarding the abuse and exploitation of women,
5 children and other civil rights violations. And I
6 am not, I did not join Village Voice and Backpage
7 to, to sit and to defend a company for engaging in
8 illegal activity for profit; I came with their
9 commitment that I had the power and the free rein
10 to figure out the best ways to fight trafficking
11 online, and that I would be able to do that. And
12 that on those conditions, I accepted this role.
13 It is unquestioned, and unquestionable, that human
14 trafficking, especially the sexual exploitation of
15 children, is a social atrocity. It' a social
16 atrocity that must stop, and it must stop as soon
17 as possible. And it has regrettably gone ignored
18 because it has been underground in the United
19 States for far too long. It's really only in the
20 last less than decade that recognition of this
21 issue has, has existed in the U.S., and a large
22 part of that has been because of the internet,
23 which has increased its visibility. The internet
24 brings great tools for the public, but it also
25 regrettably brings great tools for criminals, and

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2 that's what we're seeing here. Without doubt,
3 criminals involved in human trafficking have
4 turned to the internet and have started to use the
5 internet and to abuse the internet, and all sorts
6 of websites and services on the internet to engage
7 in exploitation. But the key point is to stop
8 human trafficking online, you have to be able to
9 fight it online. You can't fight it elsewhere
10 because it's now moved into this different realm.
11 And the internet is a very different realm from
12 that on the ground. So traffickers are now on the
13 turf of online service providers. And what that
14 provides is an unparalleled opportunity for not
15 just visibility but for tools for law enforcement,
16 to fight human trafficking. When, when a
17 trafficker uses the internet, particularly where
18 there's a financial transaction involved, they
19 leave digital footprints, they leave clues, that
20 are far, far easier to track and to trace than any
21 of the on-the-ground clues that law enforcement
22 had available to them previously. As a result,
23 there is an opportunity through the internet to
24 fight human trafficking. And we should grasp that
25 opportunity and we should make the most of that

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2 opportunity. But the, the opportunity has to be
3 used intelligently, effectively, and that means
4 cooperatively. The way to fight human trafficking
5 is not pointing fingers at each other, but it's to
6 work together. We need to work together with the
7 online service provider community, with NGOs, with
8 politicians, and with law enforcement, and
9 collectively we need to figure out the best way to
10 fight human trafficking online. The reason that
11 we take the position, and from my experience in
12 cybercrime I agree with this position, that taking
13 down the adult category on Backpage is not an
14 effective countermeasure to human trafficking.
15 It's because as has been acknowledged, the
16 content, the adult advertising will migrate
17 somewhere else. And I hear the arguments that
18 having it migrate to what may be a less known
19 brand might have some value, but what terrifies me
20 is the notion that what is going to happen is that
21 this, this content, this advertising, is going to
22 go to what are known as the "black hat" websites,
23 the underground websites, and ultimately the
24 offshore websites. And when that happens, not
25 only will these websites not care to cooperate

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2 with law enforcement, when they are offshore, they
3 are outside the jurisdiction of U.S. law
4 enforcement, so U.S. law enforcement cannot get to
5 the incredible digital data that can help to
6 rescue these victims and to create the cases to
7 prosecute the traffickers. And then, when you
8 lose that evidence, you lose the opportunity to
9 rescue a victim. And the, the--what we're doing
10 by driving this traffic underground and offshore
11 is eliminating that, that opportunity. Let me,
12 let me turn briefly to a comment that was made
13 specifically with respect to the number of reports
14 that Backpage makes to the National Center for
15 Missing and Exploited Children. We're actually
16 very proud and we have been praised by that
17 organization, the CEO of that organization, for
18 the 2,600 report that we have made, because we
19 have, we try not just to assist law enforcement,
20 our goal is to prevent this exploitation from
21 happening online. So, employing and age of 21,
22 over the age of majority, we try to identify
23 potential cases of exploitation and we report them
24 before they go live online. So that, that number,
25 when you consider the millions of ads on the

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2 website, that's a number that we're very proud of,
3 because we are working collaboratively to prevent
4 the exploitation of potential victims. The
5 internet regrettably, perhaps, in this situation,
6 is not going away anytime soon. I think we all
7 know that. And the, it would be wonderful if this
8 issue of exploitation could go away sometime soon.
9 If there was a silver bullet to solve this
10 problem, we would, we would take that opportunity,
11 we would use that silver bullet, but there's not.
12 So the reality is that trafficking is going to
13 continue to exist for some time and the internet
14 is going to continue to exist for some time. So
15 what we have to do is figure out how to, how to
16 fight it online, not how to hide it online. To
17 fight it online, the best, the best approach, as I
18 said, is to do it collaboratively. What we need
19 are all of the online service providers coming
20 together. Or else, what we'll see happen is
21 exactly what happened with Craig's List. Craig's
22 List, under pressure, took down its adult services
23 category, and we saw clearly that was not the
24 right answer, the ads migrated elsewhere on the
25 site, a large number of the ads migrated to

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2 Backpage, and they went to other websites. And
3 that's going to be the same thing that happens if
4 Backpage takes down its adult services category.
5 We've heard reference already to girls being
6 forced to post their pictures on Facebook; we've
7 seen challenges by Senators to Google. This is
8 not a one website, one service problem, this is an
9 internet problem, and it needs to be fought
10 collectively as an internet problem. One of the
11 things that we're doing at Backpage then, taking
12 the lead on now, is trying to work collaboratively
13 with people who know the sex industry from the
14 victim perspective, from the law enforcement
15 perspective, from government perspective, to
16 determine what are the best practices to fight
17 human trafficking online? So we can absolutely
18 minimize this. And specifically, so that we can
19 make it so unattractive for the traffickers to use
20 the internet for their exploitation that they'll
21 move on to another crime. Because that's the way
22 these criminal elements work, you'll see they go
23 to whatever seems to be the quickest, easiest
24 money. There's, there's evidence that they moved
25 from drugs to trafficking because it was more

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2 lucrative and it was easier for them, because
3 drugs you can only sell once; a child you can sell
4 more than once. So we have to find a way to make
5 this grossly unattractive for the traffickers, so
6 that they give up, they find this so challenging
7 they give up. And eliminating one website at a
8 time is not going to do that. You can move to
9 another website within hours, and you can move a
10 business offshore within 48 to 72 hours. So, we
11 need to have a website, an online service provider
12 solution as a whole. We're working to establish
13 best practices, we already are the industry
14 leaders in doing that, both through our three
15 tiered moderation, including automated filtering,
16 two levels of manual review, and the additional
17 research that we do voluntarily for law
18 enforcement, to make sure that they have the most
19 solid case possible to convict the traffickers.
20 Based on what we determine as best practices, our
21 goal is set a national standard for online service
22 providers, and to hold all online service
23 providers to that bar. I think the brand point is
24 a very relevant point, and we intend to challenge
25 all of the other well branded service providers to

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2 meet these national standards. And that includes
3 all of the social networking sites, which are
4 being abused for exploitation, the, that includes
5 not just the, the Facebooks, the MySpace, but now
6 Twitter is being used for exploitation, we've all
7 read and heard about Google and Bing being used
8 for exploitation, so we intend to hold everybody
9 to that bar. And finally, the--well, we have to
10 fight this online, undoubtedly we have to fight it
11 online. I think this focus on Backpage, with--
12 well, let me say, the focus on Craig's List
13 initially I think was very valuable to drive much
14 needed attention to the issue of human
15 trafficking, because it had been ignored in the
16 United States for so long. We pretended as if we
17 were a culture that was above this, which is so
18 far from the truth, we've all, we've all seen
19 that, and I think everyone in this room recognizes
20 that. But the focus on Craig's List and now the
21 focus on Backpage means that we're, we're missing
22 focus on some of the really key issues for
23 fighting human trafficking. The lack of services,
24 the lack of services in this country is
25 abominable. There are, the numbers vary, but

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2 there are estimated to be only between 50 and 100
3 residential rehabilitation beds for child victims
4 of sexual exploitation--there's some have said
5 it's as many as 250. But it doesn't matter, that
6 is not enough. Twice, Senator Wyden has tried to
7 put through federal legislation to provide funding
8 for pilot programs for residential rehabilitation
9 systems, and it's fallen flat twice. Where is the
10 support for those services and for that federal
11 legislation? On a state level, in 19 states it's
12 not even a crime to have sex with a minor. It's
13 not even a crime. That, you know, that has to
14 change if we are going to truly fight human
15 trafficking on a meaningful level. [pause] I
16 guess I would, I--other than to say thank you for
17 hearing me out and recognizing the complexity of
18 this issue, I would say that everybody in this
19 room is here for the same reason: we want to
20 fight and we want to stop human trafficking. And
21 having a--that needs to be done through
22 collaboration, not confrontation, and that's why
23 I'm here today, and that's what I hope we will be
24 able to achieve even if different minds have
25 different ideas about solutions.

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2 CHAIRPERSON FERRERAS: Thank you
3 very much for coming to testify, and you know,
4 knowing that you've been with the company for two
5 months and in your back, your history, is I think
6 vital, so that you know that a lot of the
7 advocates that are here, and us as elected
8 officials, we are trying to find solution. But
9 in, in your testimony you said, you know, that
10 there is key parts to this problem. And I think
11 what you're missing is that you a key part of the
12 problem. And when I have a young girl saying just
13 before, stating that 35 men a night, and the ones
14 that they referred to on Backpage were the ones
15 that were worse to her, for you not to speak to
16 the point that you are playing a role in this
17 problem, and a key role, I--I have an issue with
18 that. I'm not understanding, when you're saying
19 that we're missing the approach of the key, you
20 know, your key points that you mentioned.

21 ELIZABETH MCDUGALL: Well, I don't
22 deny that Backpage is part of the problem, but the
23 problem is the internet. Backpage is part of the
24 problem to the extent that we are one service on
25 the internet. The internet is what created the

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2 opportunity for traffickers to advertise more
3 broadly, to make the exploitation more broadly
4 available. That's an internet problem. Are we,
5 as a service provider, out there? We are, because
6 we are being abused by these criminals. And we
7 don't want to be abused by these criminals. We
8 outlaw it on our terms of use, we are trying to
9 prohibit it, we're trying to be active when there
10 is a conviction that is coming up, we're trying to
11 be active in supporting that. But we are not the
12 only problem. The internet is the problem, which
13 is why we have to fight this on an entire internet
14 level.

15 CHAIRPERSON FERRERAS: Okay, and I
16 get that you're saying the internet is a problem,
17 I think it's a little bit more complicated than
18 that. And I don't understand how you could be a
19 victim when you're profiting. Because these
20 people are paying you with their credit card,
21 wherever the credit card, if it's a prepaid credit
22 card or regardless what it is, you're making a
23 profit off these pimps putting these girls on your
24 website, and for you to sit here and tell me--and
25 I'm sorry, I'm just, I have to tell you, this is

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2 something, this is the fourth hearing that I have,
3 and I've said this throughout this afternoon.
4 Every one of my hearings, Backpage is mentioned as
5 being a key player in allowing for these pimps to
6 place ads. And it's not just one or five girls,
7 we've just heard 35 girls. When you're 70 percent
8 of a D.A.'s case, are ads that are placed on
9 Backpage, and you're making a profit, I want to
10 know, what's the revenue that the Village Voice
11 gets from their, their adult advertisements?

12 ELIZABETH MCDOUGALL: You've raised
13 a couple of different issues. And the first thing
14 I would say is that I'd like to have a dialogue
15 with you, not a confrontation and not an argument--
16 -

17 CHAIRPERSON FERRERAS: Well, this a
18 hearing, so I'm questioning you.

19 ELIZABETH MCDOUGALL: And that's--
20 you're welcome to question me.

21 CHAIRPERSON FERRERAS: Okay, so--

22 ELIZABETH MCDOUGALL: But I don't
23 appreciate being shouted at when I'm trying to
24 have a constructive dialogue.

25 CHAIRPERSON FERRERAS: Can you

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2 lower my mic, then, 'cause I'm coming across a
3 little loud, so lower my mic, 'cause I don't mean
4 to shout.

5 ELIZABETH MCDOUGALL: Okay.

6 CHAIRPERSON FERRERAS: So please--

7 ELIZABETH MCDOUGALL: Let me make
8 the point, first of all, we could offer these ads
9 for free and make no profit, that actually is what
10 Craig's List did initially, until the attorneys
11 general went to Craig's List and said, "You need
12 to charge for these ads, because the financial
13 trail is one of the most reliable trails for
14 identifying the traffickers and rescuing the
15 victims. So at the request of the attorneys
16 general, Craig's List imposed a charge. We
17 impose a charge, which provides a financial trail
18 that is one of the most reliable ways to identify
19 and locate victims and traffickers. The revenue
20 that comes in from adult services, and we, we
21 charge elsewhere, too, the revenue that comes in
22 is used towards the moderation, the policing that
23 we do. We hired 100 people to do manual review,
24 in addition to creating a whole variety of new
25 technologies. We now have an evolving technology

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2 that bans and filters over 25,000 terms. It also
3 bans and filters IP addresses and email addresses.
4 So, yes, there is, there is revenue coming in. I
5 don't deny that, but that is not, that is not the
6 point and that is not why we're not choosing to
7 take this down. We're not taking this down
8 because as a matter of principal, based on the
9 history of cybercrime, based on the looking at the
10 effective Craig's List, based on looking at what
11 happened with online gambling, taking it down is
12 going to drive this traffic offshore and we're
13 going to lose the ability to rescue more victims
14 and to prosecute more pimps.

15 CHAIRPERSON FERRERAS: So who's the
16 person who--or is this your assumption as the
17 attorney, that taking it down--because we've had
18 two D.A.s testify before, and none of them
19 testified to what you believe would be pushing
20 people off to other sites. So, I mean, other,
21 other than, or pushing them to out, out of the
22 country. I know that one of them said it would
23 push them, but one of the things that we talked
24 about is that you have incredible name
25 recognition. So, I don't understand, who, whow--

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2 where did this, where did this advice come from
3 that if you shut down your adult services part of
4 your Backpage, that it will then force it--you're
5 preventing traffickers, you're actually part of
6 the prevent program of sex trafficking, then.

7 ELIZABETH MCDOUGALL: Well, first
8 of all, I think you did hear actually the law
9 enforcement representatives recognize that the
10 traffic will migrate somewhere else, somewhere
11 else. That is going to happen, and that is
12 recognized. What you maybe didn't hear before is
13 that it's going to go offshore. And I say that
14 based on my exper--my over a decade experience
15 fighting cybercrime, where I have brought cases
16 and we have obtained injunctive relief from courts
17 and multimillion dollar judgments. And it's been
18 absolutely ineffective to stop activity within the
19 United States because the, in those cases, the
20 criminals just moved their businesses offshore,
21 within days they were offshore. And they continue
22 to conduct their same activities in the U.S., just
23 as if a website, if, if a trafficker moved his
24 advertising to an offshore website, he would still
25 be advertising girls in the U.S., but we could no

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2 longer get the information from the website to
3 find out where, where are they? Where, where are
4 the traffickers, where are the victims, to track
5 them down. We would lose that. We would lose the
6 opportunities for families to search for missing
7 children on the web, which is actually a very,
8 very effective tool for rescue. They might be
9 able to identify the child, who once they identify
10 the child there's nothing they can do about it
11 because the offshore website will not cooperate.
12 This same example, you can see with online
13 gambling. Online gambling was outlawed, did it
14 stop in the U.S.? Didn't stop in the U.S., people
15 continued online gambling in the U.S., using
16 offshore websites.

17 CHAIRPERSON FERRERAS: Okay, I'm, I
18 know my colleagues have questions. I just, you
19 know, I want to commend you for the 2,600 cases
20 that you were able to refer to the, to the
21 authorities on a national level. On average, how
22 many ads, adult ads do you run on your page?

23 ELIZABETH MCDOUGALL: You know, I
24 don't know the, the average changes month to
25 month, depending, it fluctuates based on a lot of

1
2 different variables. So I don't have a specific
3 number for you off the top of my head. I can tell
4 you--

5 CHAIRPERSON FERRERAS: If you could
6 get that to the Committee, we'll follow up with
7 you, I would love to know what the number, the
8 average number of cases, of ads are posted on your
9 site, on a daily basis or monthly basis, just so
10 that I can have a better understanding of the
11 activity that's happening on Backpage.

12 ELIZABETH MCDOUGALL: Mm-hmm.

13 CHAIRPERSON FERRERAS: Okay? Thank
14 you.

15 ELIZABETH MCDOUGALL: I'll accept
16 your question.

17 CHAIRPERSON FERRERAS: And I'll
18 have some follow up questions, but like, I'd like
19 to open now to Council Member Melissa Mark-
20 Viverito, followed by Brad Lander.

21 COUNCIL MEMBER MARK-VIVERITO: But,
22 you know, I do appreciate that you're here, but
23 the message you're putting across is that you're
24 all well intentioned and altruistic in your
25 efforts, and that really is, I think, not genuine

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2 at all. But I want to get back to the question of
3 revenue. Can you please quantify how much in fact
4 is it that you are generating with regards to the
5 operations of backpage.com? How much revenue is
6 it bringing it to Village Voice Media?

7 ELIZABETH MCDOUGALL: Backpage.com
8 generates revenue from a number of categories, and
9 it's a private company and those figures are
10 private, so I'm not at liberty to disclose that.
11 But--

12 COUNCIL MEMBER MARK-VIVERITO: So--

13 ELIZABETH MCDOUGALL: --I think
14 it's important that you recognize that, well, yes,
15 this is a business that operates for profit,
16 there's a far stronger reason for--we, we also
17 offer many, many ads and categories for free. And
18 this is one that we could do for free, except that
19 law enforcement attorneys general have said that
20 that is not a good idea.

21 COUNCIL MEMBER MARK-VIVERITO: So
22 what the, what would you say is the percentage,
23 then, understanding that you provide all these
24 other services, what is the percentage of adult
25 section of Backpage is adult section? What

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percentage is that of the total?

ELIZABETH MCDUGALL: Percentage of revenue are you asking?

COUNCIL MEMBER MARK-VIVERITO: No, percentage of the services that is offers, offered through Backpage, all the advertisement, what percentage is adult services?

ELIZABETH MCDUGALL: It's one of hundreds and hundreds of categories that we offer. I don't, I don't have, as I said, the numbers, they fluctuate monthly, they fluctuate daily, I don't have those immediate numbers for you. Adult, adult category, since the shutdown of Craig's List has increased dramatically, there's no question that when Craig's List shut down its adult category, there was an enormous migration to Backpage, that increased the volume of ads on Backpage tremendously. And we can, we can, we could shut down and drive that somewhere eels; only, right now, we're doing more than anybody else to help in the fight--

COUNCIL MEMBER MARK-VIVERITO: I mean, just, I--I want to just stop, you know, I just really want to stop hearing this level of,

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2 you know, this is all your, and here for the good
3 reasons and well intentioned. If you are talking
4 about being genuine, then you need to be
5 transparent and accountable. When it comes to
6 actually what it is that you're doing. You know,
7 knowing how much you profit out of it, knowing
8 what percentage of adult services out of all the
9 services provided through Backpage, you want to be
10 genuine, then you got to be transparent and
11 accountable. If you're not going to do that, then
12 really you're not being truthful. And you're not
13 being honest in what it is that you're saying, and
14 the reasons that you will continue to operate and
15 keep the adult section online. So, I think that
16 that's something that you should take into
17 account. Now--

18 ELIZABETH MCDOUGALL: I will take
19 that into account, but of course the things that
20 you're talking about are really distraction from
21 effective--

22 COUNCIL MEMBER MARK-VIVERITO: Of
23 course.

24 ELIZABETH MCDOUGALL: --measures to
25 fight human trafficking, and that's what we're

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2 focused on, and that's what we think this entire
3 group of people interested in fighting human
4 trafficking should focus on, what are really the
5 effective measures to take on and to combat this
6 issue online and on the ground.

7 COUNCIL MEMBER MARK-VIVERITO:

8 Well, as been indicated, we're working with the
9 reality that is before us. And when we talk about
10 our D.A.s indicating that the majority of the
11 cases they're handling, and our social service
12 providers saying, that a lot of that is coming
13 from Backpage, that should be of concern. When
14 you have a 12 year old child that is talking
15 about, you know, being forced to have sex, being
16 raped, 35 times in a night, that is of concern. I
17 mean, it should break your heart, it breaks my
18 heart, it breaks our hearts.

19 ELIZABETH MCDUGALL: It breaks my
20 heart--

21 COUNCIL MEMBER MARK-VIVERITO:

22 These are the realities of what we're dealing
23 with. And if you are all genuine about being,
24 wanting to end this, then you, you've got to,
25 you've got to acknowledge your role that you play

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in it. So--

ELIZABETH MCDUGALL: I do
acknowledge the role that we play in it.

COUNCIL MEMBER MARK-VIVERITO:
Well--

ELIZABETH MCDUGALL: And I've said
that. I have a 15 year old daughter, my heart
breaks for these children, and the last thing I
would ever want is my daughter exposed to
something like this, which is why I am so adamant
about fighting this.

COUNCIL MEMBER MARK-VIVERITO:
[sigh] I mean, I want to ask one more question, I
mean, it's just, it's really, I just don't, it's
hard to even sit here, I'll be honest. You talk
about this verification system that you are
implementing. Can you, other than, I understand
there's at least 2,600 cases that you're talking
to. But within the way that you operate
internally, the verification systems, what
successes an you point to, in terms of what you've
been able to do with it?

ELIZABETH MCDUGALL: We've been
responsible for over two dozen rescues, direct

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2 rescues. We also have cooperated, we
3 unfortunately haven't tracked the numbers till
4 now, but we're starting to track the numbers and
5 we've been responsible for cooperating in the
6 prosecutions and convictions of hundreds of cases.
7 We respond to law enforcement subpoenas, typically
8 at least three to four, sometimes as many as ten
9 in a day. One of the difficulties is that law
10 enforcement has such limited resources that we
11 always ask, "Please let us know what happens with
12 this case, how it resolves, if you need more," but
13 they don't have the time to get back to us. And
14 we'll follow up, but we don't want to become more
15 of a burden because law enforcement already is
16 lacking so many resources in this area.

17 COUNCIL MEMBER MARK-VIVERITO: So
18 when you, when you come across some sort of
19 potential criminal activity, what is your protocol
20 for action? What do you do next?

21 ELIZABETH MCDUGALL: It depends on
22 the type of criminal activity. If it is an
23 underage, potential underage victim, and as I
24 said, we use a standard not of the age of majority
25 but we use a standard of 21 to try to identify

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2 somebody who might be underage. We also use a
3 variety of key term slang in the industry, we have
4 people who are constantly keeping up with the
5 slang for underage victims. We immediately report
6 anything that might be exploitation of a minor to
7 the National Center for Missing and Exploited
8 Children--which, as you know, is a clearinghouse
9 for cases of potentially exploited children--and
10 then they provide the report almost
11 instantaneously to the appropriate law
12 enforcement, which may be state or may be federal
13 or may be both.

14 COUNCIL MEMBER MARK-VIVERITO: So
15 you don't deal with the local law enforcement
16 directly, you go through - -

17 ELIZABETH MCDOUGALL: [interposing]
18 We deal with them directly if it's not a case of
19 potential child exploitation. I mean, this
20 reporting of potential child exploitation to the
21 National Center is a federal program that's been
22 set up and that's the way that we're required to
23 make those reports. Where there are other cases
24 of potential criminal activity, we report, we go
25 directly to law enforcement. And we have very

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2 strong relationships with frontline law
3 enforcement on the ground in almost every state
4 across the nation, both at the, with the FBI and
5 with sheriff's offices and other local law
6 enforcement.

7 COUNCIL MEMBER MARK-VIVERITO: I
8 know Council Brad Lander has some questions, I let
9 him ask questions. Thank you.

10 COUNCIL MEMBER LANDER: So, how is
11 it with all of that that you haven't made one
12 referral to the Brooklyn District Attorney?

13 ELIZABETH MCDOUGALL: We've worked
14 frequently in answering subpoenas--

15 COUNCIL MEMBER LANDER: In
16 answering their subpoenas. But you were just
17 talking about how you identified--

18 ELIZABETH MCDOUGALL: Yeah, could I
19 finish.

20 COUNCIL MEMBER LANDER: --things
21 online. I'd like you to answer my question,
22 though, not a different question. How is it that
23 you haven't made one upfront referral to the
24 Brooklyn District Attorney, with all of those
25 processes in place.

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2 ELIZABETH MCDUGALL: Okay, have
3 you finished your question so I may answer?

4 COUNCIL MEMBER LANDER: I have.

5 ELIZABETH MCDUGALL: Okay. The
6 answer to that is where there have been cases that
7 have been relevant to the Brooklyn District
8 Attorney, they've involved the potential
9 exploitation of minors, so we've made the reports
10 to the National Center for Missing and Exploited
11 Children, who has then put the reports out to the
12 Brooklyn District Attorney. We've received many
13 subpoenas as a result of that from the Brooklyn
14 District Attorney and we've cooperated with them,
15 as you heard the Brooklyn District Attorney
16 acknowledge.

17 COUNCIL MEMBER LANDER: As you or
18 the Brooklyn District Attorney say, he said they
19 actually haven't had one case that came referred
20 from you that the backpage.com connections have
21 come after they've done investigation.

22 ELIZABETH MCDUGALL: Yes, but did
23 you hear me say that when it's a case of an
24 exploited minor, you have to go to the National
25 Center for Missing and Exploited Children, and

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that's what we do, and they make--

COUNCIL MEMBER LANDER: You're saying you're legally prevented from providing those referrals to the Brooklyn District Attorney--

ELIZABETH MCDUGALL: We're legally--

COUNCIL MEMBER LANDER: --in your great relationships with law enforcement?

ELIZABETH MCDUGALL: We're legally required to report directly to the National Center, and they have a procedure for sending out reports to local law enforcement. We could--

COUNCIL MEMBER LANDER: Doesn't sound like it's working, if the Brooklyn D.A. wants - - set up here.

ELIZABETH MCDUGALL: Well, if I could finish my question again.

COUNCIL MEMBER LANDER: Your question?

ELIZABETH MCDUGALL: We could--my answer. [laughter] I'm sorry, are we here to have a sarcastic back and forth, or would you like to exchange useful information.

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2 COUNCIL MEMBER LANDER: Well, so
3 far you haven't given us any information on the
4 volume of what's happening on backpage.com, you
5 haven't given us any information on your profits,
6 you get to get up there and make statements. The
7 way a hearing works, is that we ask tough
8 questions. Yes, that's how it works.

9 ELIZABETH MCDUGALL: You're
10 welcome to ask tough questions, but you have to
11 give me the opportunity to reply fully, and you've
12 interrupted me twice. I'd appreciate it if you'd
13 let me answer fully. My points is, there's a
14 protocol with the National Center for Missing and
15 Exploited Children. We could follow that protocol
16 and then we could also make direct referrals to
17 law enforcement, and when there is a case of a
18 potential imminent rescue, we've done two things:
19 we have an expedited line to the National Line
20 Center for Missing and Exploited Children, that we
21 created, so that there can be a rescue. In those
22 cases, we will reach out directly to local law
23 enforcement, as well. But to date, there haven't
24 been instances where we have referred directly to
25 the Brooklyn D.A., not to my knowledge, and I

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2 trust them if they say that we haven't, because
3 those cases have gone through the National Center.
4 If they would like us to make referrals to them
5 directly, that's going to--we're welcome to
6 explore a system like that, but so far the system
7 that exists works well, to my knowledge. If they
8 think it would work better for us to report both
9 to NCMEC and to them, I am very glad to have that
10 conversation with any law enforcement, and we
11 would be very glad to create that kind of a
12 process.

13 COUNCIL MEMBER LANDER: So, let me
14 follow up on this idea that you kind of take
15 advice from law enforcement, isn't it convenient
16 that you listen to law enforcement when they urged
17 you to charge, but you don't listen to law
18 enforcement when they've asked you to stop taking
19 the ads?

20 ELIZABETH MCDOUGALL: Well, the
21 only people that have asked us to stop taking the
22 ads that you're deeming law enforcement were the
23 attorneys general, and the attorneys general for
24 all of their great wisdom, are not experts in
25 cybercrime. And they have had very political

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2 agendas in their demands. Well, we hear them, and
3 we hear the cries of protesters, everything that
4 we have learned, and if you look at the expert
5 research of Dana Boyd at Harvard, of Dr. Mark
6 Latonaro at USC who came out with the report on
7 human trafficking and technology, Dr. David
8 Finklehorn with the National Center for Exploited
9 Children, I don't think I got that name exactly
10 right, Dr. Varikatesh [phonetic] at Columbia--

11 COUNCIL MEMBER LANDER: Venkatesh.

12 ELIZABETH MCDOUGALL: Venkatesh,
13 thank you.

14 COUNCIL MEMBER LANDER: You're
15 welcome.

16 ELIZABETH MCDOUGALL: They all
17 acknowledge that technology provides an extremely
18 valuable tool in fighting human trafficking
19 online, and that's what we are trying to do.

20 COUNCIL MEMBER LANDER: You're
21 aware of the Brooklyn D.A.'s cybercrimes unit, and
22 their work?

23 ELIZABETH MCDOUGALL: Yes, I'm
24 aware of them.

25 COUNCIL MEMBER LANDER: The

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Manhattan D.A.'s cybercrimes unit?

ELIZABETH MCDOUGALL: Yes, I was here for the testimony today.

COUNCIL MEMBER LANDER: No, no, they weren't talking about their cybercrimes units today.

ELIZABETH MCDOUGALL: Okay.

COUNCIL MEMBER LANDER: They were talking about their sex trafficking units today, but they also each have cybercrimes units, and so who I listen to, yes, I do think that when 48 district attorneys say something, and I do think, I don't just "deem" them law enforcement, I think a lot of them--

ELIZABETH MCDOUGALL: They were attorney generals.

COUNCIL MEMBER LANDER: --know actually something about--well, there's 48 attorneys general, we heard from two district attorneys' offices, each of who have cybercrimes units. And so, I think it's convenient to say-- anyway, I just find it remarkable that you say you were hired to find the best ways to fight trafficking online, and yet I guess, I mean, it

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2 seems to be clear that you believe you know better
3 than the Brooklyn District Attorney, the Manhattan
4 District Attorney, and 48 attorneys general, about
5 the best ways to fight trafficking online. Is
6 that correct?

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ELIZABETH MCDOUGALL: No, I'm
8 relying on the expert opinions of people like Dr.
9 Dana Boyd, and Dr. Mark Latorno, and the others
10 who have looked at this with a critical eye, with
11 a background both in commenting, combating
12 trafficking and civil rights violations, but a
13 deep, deep background in understanding of the
14 workings of the internet. And that we're now
15 fighting this battle on the internet--

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COUNCIL MEMBER LANDER: Have they
17 prosecuted anyone?

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ELIZABETH MCDOUGALL: I'm sorry,
19 you're interrupting me again.

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COUNCIL MEMBER LANDER: Have they
21 prosecuted anyone?

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ELIZABETH MCDOUGALL: These are
23 academics, no they haven't.

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COUNCIL MEMBER LANDER: So wouldn't
25 you think--

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ELIZABETH MCDUGALL: And if I

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could finish--

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COUNCIL MEMBER LANDER: --expertise

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would come from people who had prosecuted internet

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crime?

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ELIZABETH MCDUGALL: You know,

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it's, I'm not going to answer questions if you

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just continue to interrupt me. If someone else

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has a question, I'd be glad to answer.

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[background comment]

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CHAIRPERSON FERRERAS: I'm sorry,

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this is City Council hearing, and the Council

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Member is asking questions. You can't choo--if

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you decide that you don't want to answer the

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question, you can say, "I don't want to answer

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that question," but you also have to have a

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certain amount of respect for the Council Members

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that are here. And this hearing is just as

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important to them as it is to you. So I'm going

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to ask you to also be respectful of the Council

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Member. He has not finished his questioning. If

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you choose not to answer that question, you can

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say that for the testimony. That's - -

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ELIZABETH MCDUGALL: [interposing]

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2 I would appreciate it if you would admonish him to
3 stop interrupting me, then.

4 CHAIRPERSON FERRERAS: We don't
5 admonish here. We are colleagues here, this is a
6 City Council hearing, a public hearing, and he's
7 going to ask every question that he needs to ask.
8 If you choose not to answer it, that is your
9 choice. [off mic] Council Member Lander.

10 COUNCIL MEMBER LANDER: Thank you,
11 Madam Chair. Are you thinking about setting up a
12 drug dealing section of the backpage.com website?
13 [laughter]

14 ELIZABETH MCDOUGALL: I refuse to
15 answer that question.

16 COUNCIL MEMBER LANDER: How about
17 a, how about a gun trading or weapons trading
18 section.

19 ELIZABETH MCDOUGALL: I refuse to
20 answer that question.

21 COUNCIL MEMBER LANDER: By your
22 logic, wouldn't they be extremely helpful in
23 prosecuting drug dealing and weapons trading,
24 because if they could just be brought online,
25 taken out of offshore websites and brought into

1
2 the light, it'd be far easier to refer them to law
3 enforcement for prosecution?

4 ELIZABETH MCDUGALL: I don't
5 believe that sarcasm and a rhetorical questions
6 like this are constr--

7 COUNCIL MEMBER LANDER: They aren't
8 rhetorical or sarcastic.

9 ELIZABETH MCDUGALL: Oh, I'm
10 sorry, are you interrupting me again?

11 COUNCIL MEMBER LANDER: What's the
12 difference between how that would help prosecute
13 drug dealing and, and weapons trading, then your
14 argument about how you're helping in the
15 prosecution of sex trafficking? I don't
16 understand the difference.

17 ELIZABETH MCDUGALL: I'm here to
18 talk about human trafficking online, and I have
19 explained to you how we can be a valuable tool for
20 that, and moreover what the danger is if you don't
21 allow a U.S. based website to be the tool for
22 that.

23 COUNCIL MEMBER LANDER: Sounds like
24 there's a danger that we're not allowing the U.S.
25 website to trade guns or drug dealing. But, all

1 right, I will [background noise] I guess I do want
2 to get to this volume question. Because I do
3 think that there really is an important thing
4 here. There is no doubt, as you have said, and as
5 the D.A.s said, that they are able to use
6 information that they get from Backpage in their
7 prosecutions. But I don't think there's any doubt
8 that doing it on forums like Backpage and Craig's
9 List dramatically increases the volume of sex
10 trafficking that happens. And so that to me is
11 the trade off here. Maybe there are a few
12 prosecutions being made as a result of what you're
13 doing and as a result of what they're doing with
14 your data, but if it's at the cost of a dramatic
15 increase in the volume of sex trafficking, then
16 there's no way that argument holds up. So, I
17 guess I would like to--and it just seems to me
18 self-evident that for the exact reasons you argue
19 in terms of transparency, what the internet does
20 is boosts the volume of things that are bought and
21 sold, in all kinds of commodities and goods and
22 services. So, have you, I don't know how you, if
23 you're not going to give us specific numbers, it's
24 hard to measure this, but what has been the growth
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2 in volume of adult service advertising, from the
3 beginning of backpage.com until today? Do you
4 monitor that, and do you pay attention to what it
5 means in terms of the growth and the volume of sex
6 trafficking?

7 ELIZABETH MCDOUGALL: First, I
8 agree with you that the advent of the internet has
9 likely increased the volume of human trafficking.
10 Those no empirical data to that effect, but as a
11 matter of common sense, I think that we, we all
12 see people buying more things online, that they
13 wouldn't go out to buy, especially if they had to
14 drive street corners to buy sex before, the fact
15 that they can buy it on the internet now has
16 likely increased it. But again, there is not yet
17 any empirical data to that effect. We have not
18 been tracking specific numbers except I can tell
19 you, yes, there was a significant increase in
20 traffic in the adult category when Craig's List
21 shut down. Just as if Backpage shut down its
22 adult category, there would be, there will be an
23 enormous spike on one of the other, one of the
24 other websites. And already, if you look, if you
25 monitor the numbers and talk to researchers like

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2 the Columbia professor, there, the increase in
3 advertisements for human trafficking on social
4 networking sites is grossly alarming. As is the
5 increase in traffic on search engines for human
6 trafficking. This, this is broad internet
7 problem.

8 COUNCIL MEMBER LANDER: But you
9 don't think that putting it one place and one
10 portal under one category called adult services,
11 with one very popular brand, makes it far easier
12 to buy and sell than being done in a bunch of
13 random places where it's much harder to find?

14 ELIZABETH MCDOUGALL: Well, I don't
15 think that you could say that, you know, Facebook,
16 Twitter, Google, Bing, that those are random,
17 unknown places. I think--

18 COUNCIL MEMBER LANDER: They don't--
19 -can I go, tell me where to go right now on
20 Facebook, Google or Twitter, to find ads of people
21 that I, for where I can find solicitations of this
22 stuff.

23 ELIZABETH MCDOUGALL: You can, you
24 can--

25 COUNCIL MEMBER LANDER: 'Cause I

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know where I can on Backpage.

ELIZABETH MCDUGALL: You can run searches for escorts on any of those websites, and you will find the ads. But I am not here to finger point at other service providers, because as I said, we all need to be collaborating on this problem, and pointing to them, it doesn't help, because whether it's them or us, this is an internet problem.

COUNCIL MEMBER LANDER: But this is where I actually think that the weapons trading and the drug dealing examples are actually extremely instructive. There isn't a lot more weapons trading or drug dealing as a result of online commerce, than there was prior to the internet, and anything near the volume of adult services.

ELIZABETH MCDUGALL: Well, I'm not sure you get your statistics, but I don't have statistics--

COUNCIL MEMBER LANDER: Well, I'd love to have some, so if you'd send them to us, it would be very helpful.

ELIZABETH MCDUGALL: I don't track

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2 drug tr--I don't track drug trafficking and gun
3 sales, because I'm interested in fighting human
4 trafficking.

5 COUNCIL MEMBER LANDER: So, if you
6 would just give us those numbers, then that would
7 be a helpful starting point, and then we could try
8 to figure out--but I do think it's actually pretty
9 clear. So, anyway, I do appreciate your being
10 here, you have made clear that in your opinion the
11 issue is grossly complex. To me, I think it's
12 pretty clear that it's just gross. Thank you.
13 [laughter, background noise]

14 CHAIRPERSON FERRERAS: Thank you,
15 Council Member Lander. Now we will have Council
16 Member Chin.

17 COUNCIL MEMBER CHIN: Okay. Hi.
18 Thank you for being here today. I actually saw
19 your interview last night, on Channel 7. I think
20 it was on Nightline. So, a lot of what you said
21 in the testimony you gave in the interview, but
22 one of the questions that was not answered, I
23 think we tried to ask you, it is the amount of
24 revenue that are, that is generated, from this
25 service. And I think that, that number is

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2 significant, because it is, we're talking about
3 money. Right, back page is generating a lot of
4 money from providing these ads. Because you
5 could've charged it for free, right?

6 ELIZABETH MCDOUGALL: Right.

7 COUNCIL MEMBER CHIN: Yeah. But
8 you're not.

9 ELIZABETH MCDOUGALL: No.

10 COUNCIL MEMBER CHIN: And so you're
11 generating millions and millions of dollars and
12 that's a profit to your company.

13 ELIZABETH MCDOUGALL: Yes, that is
14 a profit to the company. And as I said, the
15 attorneys general asked Craig's List to charge
16 because it creates a much more reliable trail to
17 the traffickers and to rescue victims.

18 COUNCIL MEMBER CHIN: Yeah, and--

19 ELIZABETH MCDOUGALL: So we could
20 let it happen for free, and not make a profit, but
21 that according to the attorneys general would be
22 the wrong thing to do.

23 COUNCIL MEMBER CHIN: Yes, but also
24 from your testimony, is that you were just hired
25 by Backpage Media, you know, Village Voice Media

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2 company, and I guess because they're getting a lot
3 of pressure from the public about shutting down
4 the adult services, so they hire you. I mean,
5 with your expertise to come in. And you're giving
6 us a very strong testimony about your convictions
7 to fight trafficking. Right?

8 ELIZABETH MCDOUGALL: Right.

9 COUNCIL MEMBER CHIN: So, my
10 question is that, when you talk about referring it
11 to, you know, the missing children, but a lot of
12 the victims are not listed as missing children.
13 By their families. Right? So, why can't you sort
14 of like, if you are taking an active approach to
15 help fight trafficking, why aren't you referring
16 cases? 'Cause you have all these people working
17 in the office, you know, doing the tracking, or
18 whatever, so why aren't--why don't you take this
19 active approach to refer cases to the Manhattan
20 D.A. or the Brooklyn D.A. when you see, you know,
21 underage minor being sold in the ads?

22 ELIZABETH MCDOUGALL: Okay, well,
23 first, when there is someone that's potentially
24 underage, we make the report to the National
25 Center for Missing and Exploited Children, and

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2 that is what the National Center has asked us to
3 do. And we haven't been asked directly by law
4 enforcement to send referrals directly to them.
5 And my understanding was that's because they have
6 a clear process in place with the National Center.
7 And so, it confuses matters and it confuses the
8 National Center's ability to track cases, if we
9 don't report through them. And just to be clear,
10 with the National Center, we're reporting any case
11 where it appears to us it might involve a minor.
12 It's not just looking for cases where they have
13 the report of a missing child. So, that's
14 something that they do, but that's something that
15 they do separately. We're looking for anybody who
16 might be an underage minor. We also do, where we
17 see potential exploitation in other fashions, we
18 do report to law enforcement. Usually, the FBI,
19 but also local law enforcement, if it may be a
20 local issue. We do make those reports, as well.

21 COUNCIL MEMBER CHIN: Well, I think
22 that, I mean, it shows that in terms of, 'cause
23 they have hotlines available, and if you want to
24 take an active role, I mean, that's something
25 that, for you to really show that that's what

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2 you're doing, right. And the other thing you also
3 mentioned, you know, if all of us really wanted to
4 fight against trafficking, and there's not enough
5 resources and whatever, so, I mean, my question to
6 the company is that you're generating all these
7 profit that you don't have to generate because you
8 could've charged it for free.

9 ELIZABETH MCDOUGALL: Mm-hmm.

10 COUNCIL MEMBER CHIN: And so this
11 money, you could use this money to help a lot of
12 the social service agencies - - here--

13 ELIZABETH MCDOUGALL: Abs--

14 COUNCIL MEMBER CHIN: --to provide
15 services to the victim, if you think that--

16 ELIZABETH MCDOUGALL: Absolutely.

17 COUNCIL MEMBER CHIN: --you know,
18 you are doing that.

19 ELIZABETH MCDOUGALL: Absolutely.
20 Absolutely. And--

21 COUNCIL MEMBER CHIN: But you
22 haven't done that.

23 ELIZABETH MCDOUGALL: Well, right
24 now, any giving that we do is done privately, and
25 that's for two reasons. One, we don't want to be

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2 accused of trying to buy our way out of this
3 problem, because that's not what we're trying to
4 do. Our, our goal is to fight this problem to an
5 end, not to buy some better publicity. And
6 secondly, right now it's very difficult for
7 advocacy groups to accept money from Backpage
8 because there is a lot of public outcry that they
9 would be taking money from pimps or from
10 traffickers. So, philanthropy is significantly
11 important to the company, and philanthropy in this
12 area is very important to me. But we cannot
13 announce anything that we're doing publicly, for
14 the reasons that I have explained.

15 COUNCIL MEMBER CHIN: Yeah, I just
16 want you to take back to the company, I mean,
17 Village Voice had a strong reputation, you know,
18 for fighting corruptions and expo--you know,
19 exposing scandals and ills of our society, and for
20 them right now to be doing this, and kind of in
21 some way promoting, sex trafficking, because
22 you're allowing these ads to happen, it's really
23 unfortunate. So, if you are talking about taking
24 an active role in fighting against human
25 trafficking, especially trafficking of minors, you

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really got to think about this more, as to where you stand and how you can really work on this.

But I thank you--

ELIZABETH MCDOUGALL: That's--

COUNCIL MEMBER CHIN: --for coming in and you've been--

ELIZABETH MCDOUGALL: Thank you.

COUNCIL MEMBER CHIN: --there only for two months, so--

ELIZABETH MCDOUGALL: Well--

COUNCIL MEMBER CHIN: But--

ELIZABETH MCDOUGALL: You raise an important point, Village Voice is a company that has always stood on principal, and that's why they're standing fast by this position, because after listening to the experts, and not just listening to, you know, an easy, an easy fix would be to take down Backpage the way Craig's List did, and then Craig's List got praised as a hero. But it had no practical effect. And so, Village Voice is committed to its tradition of standing on principal to try to do the right thing, despite the incredible pressure that they're getting. There, can they do more? Absolutely, and that's

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2 why I joined them, I joined them with the promise
3 and the commitment that we're going to do more.
4 Because one, you can always do more, but two, I
5 think they and all of the online service providers
6 can make improvements to the existing systems.
7 And there will be improvements, you will see
8 improvement in the coming future. But I would
9 just say even though we all want to fight this,
10 that doesn't mean that there is one right way to
11 fight this. And I'm listening to the researchers
12 and the academics and trying to figure out the
13 right thing, and I'm listening to the advocacy
14 groups, and we might not all agree, but that
15 doesn't mean that we need to be fighting publicly
16 and detracting attention from the this, the other
17 serious issues around this problem, like the lack
18 of resources, like the gross lack of services,
19 like the real need for law enforcement, education
20 and training, especially so that these kids are
21 treated as victims and not as criminal
22 prostitutes. But thank you.

23 COUNCIL MEMBER CHIN: Thank you
24 again for coming today.

25 CHAIRPERSON FERRERAS: I just want

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2 to kind of go on something that you said about
3 having government involved or the politics behind
4 it. The reason why this has to happen is because
5 the advocates come to us to ask for taxpayer
6 dollars to be able to provide a service or to be
7 able to support what is happening on Backpage. So
8 that we can have beds, so that we can provide
9 counseling, publicly, so that, you know, this is
10 moneys that we can give publicly that we don't
11 have to give through a philanthropist, so that the
12 image of what you're trying to protect from your
13 company. So, there is a role in government in
14 fighting this fight. So, when you say that we're
15 having a public debate on it, it's because it's
16 been brought up in other public hearings. And
17 this is an issue that's very important to us all,
18 including the advocates that are here in this
19 room. And I do thank you for coming. You
20 could've chosen not to come. Which has happened
21 on other issues, that we all as Council Members
22 see, where the representative doesn't even come to
23 show face. So, I thank you for coming. But
24 before we bring up the next panel, is there a
25 disclosure statement when someone's going to put

1
2 up an ad saying, "If you put up anything of a
3 minor, we are going to refer you immediately to
4 the Police Depart--to an authority" when someone
5 wants to put up an ad?

6 ELIZABETH MCDOUGALL: Yes, and it's
7 red, it's in red print.

8 CHAIRPERSON FERRERAS: What does it
9 say?

10 ELIZABETH MCDOUGALL: I can't quote
11 it exactly off my head--

12 CHAIRPERSON FERRERAS: No, but just
13 the summary--

14 ELIZABETH MCDOUGALL: --but it says
15 that the, the exploitation of minors is not
16 allowed and will be reported to law enforcement,
17 or it says to the National Center, I believe it
18 says to law enforcement. But when you go to post
19 an ad on the adult category, you go through two
20 warning pages that say expressly that there is no
21 exploitation of minors permitted, there's no human
22 trafficking permitted. But in addition, on I
23 believe it's the first posting page, in red, we
24 say clearly, "Child exploitation is prohibited and
25 will be reported to law enforcement."

1
2 CHAIRPERSON FERRERAS: Now, is
3 there any space for like a public service
4 announcement on your page that if a young girl is
5 forced to sit in front of a computer, to put up
6 ads that there's numbers that she can get help
7 for?

8 ELIZABETH MCDOUGALL: That's an
9 excellent question, that's one of the changes that
10 actually is underway. It takes about a month to
11 make these programming changes, but we are putting
12 out the 211 number as a resource for--

13 CHAIRPERSON FERRERAS: What's the
14 211 number?

15 ELIZABETH MCDOUGALL: 211 is the
16 National Rescue number, so the girls can call that
17 and they'll be referred to services in their area
18 that can provide rescue and support.

19 CHAIRPERSON FERRERAS: And that's
20 going to be part of the new--

21 ELIZABETH MCDOUGALL: That's going
22 to be part of the posting page, in ca--for
23 instances where the girls are required to post
24 themselves.

25 CHAIRPERSON FERRERAS: Okay. I

1
2 just want to say that, you know, I know that
3 you're here in an, and trying to put your best
4 foot forward, but if you can take anything back to
5 your company ,is that I still believe that you are
6 a key part of this problem, and if we're talking
7 about identifying people that, or companies that
8 are allowing for this behavior to happen, you are
9 one of those companies. And I understand, and we
10 can debate this, and I don't--I think that you've
11 done a great job of presenting your point. But
12 you are a key player, and I would hope that--you
13 said it takes 30 days to make some corrections,
14 that some of these corrections will be that you
15 choose to take down Backpage. Thank you. And the
16 next panel will be.

17 ELIZABETH MCDOUGALL: Okay, thank
18 you, panel, Council.

19 CHAIRPERSON FERRERAS: Ms. Rachel
20 Lloyd and Dorchen Ledeholt? Leidholt, of
21 Sanctuary for Families. I knew that, I don't
22 know--[laughs] [pause, background noise] I feel
23 like we're all exhaling now. [pause, background
24 noise] I thank all the advocates for hanging in
25 there, and now we're going to have Ms. Lloyd and

1
2 you may begin your testimony whenever you're
3 ready.

4 [pause, background noise]

5 DORCHEN LEIDHOLDT: Thank you so
6 much. I'd like to express my gratitude to the
7 Women's Issues Committee for holding these
8 hearings. Sanctuary for Families is New York
9 State's largest nonprofit provider of services
10 exclusively for victims of domestic violence, sex
11 trafficking and other forms of gender based
12 violence. Founded in 1984, as a small network of
13 safe homes, Sanctuary offers integrated,
14 wraparound services to adult victims and children
15 including legal representation, case management,
16 crisis and transitional shelter, individual and
17 group counseling, economic empowerment skills and
18 training, and other critically needed services.
19 Operating out of four offices, including the three
20 New York City Family Justice Centers, where our
21 attorneys do all of the immigration legal work,
22 and five shelters throughout New York City,
23 Sanctuary's 150 staff members deliver services to
24 over 11,000 adult victims and children annually.
25 Sanctuary has long recognized that domestic

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2 violence and sex trafficking are interconnected
3 practices of gender based violence, involving
4 often identical tactics of power and control. In
5 both domestic violence and sex trafficking
6 victims, primarily women and girls, are lured into
7 situations of domination and exploitation by
8 perpetrators, frequently men who hold themselves
9 out as protectors and loving partners, only to
10 reveal their true colors after securing control
11 over their prey. In numerous cases, sex
12 trafficking victims escape situations of
13 enslavement by marrying or becoming romantically
14 involved with sex industry buyers who all too
15 often turn out to be abusers themselves.

16 Recognizing the clear link and frequent overlap
17 between these two forms of gender based violence,
18 Sanctuary's anti-trafficking initiative was
19 established in 2008. Last year, the initiative
20 provided direct legal, clinical, shelter and
21 economic stability services to 285 domestic and
22 international trafficking victims, outreach to
23 educate communities about this horrific human
24 rights violation and crime, and trainings to legal
25 social service healthcare and other professional

1 audiences. Many of the sex trafficking survivors,
2 I must say, all of our sex trafficking survivors,
3 suffer from severe trauma, especially post
4 traumatic stress disorder, and other acute mental
5 and physical health problems. The result of their
6 physical and psychological torture--I think we
7 need to use that word--at the hands of their
8 traffickers and pimps, and rape and other abuse
9 inflicted on them by as many as 30 sex industry
10 buyers per day. Among these victims that we've
11 served are women who have been bought and sold on
12 backpage.com. Sanctuary applauds New York City
13 Council's Women's Issues Committee for its
14 proposed resolution calling on backpage.com to
15 immediately stop accepting prostitution ads.
16 Owned by Village Voice Media, backpage.com
17 inherited the mantel of shame and the huge
18 revenues, more than \$2 million per month, of its
19 competitor Craig's List, after Craig's List bowed
20 to national and international pressure, and agreed
21 to halt its adult services section. When it shut
22 its adult services section down, Craig's List was
23 expected to generate \$44.6 million from
24 advertisements for prostitution. In 2010, after
25

1
2 Craig's List exited the market, backpage.com raked
3 in at least \$23.9 million. Here's some of the
4 numbers that I think we haven't really heard until
5 now, in revenue from advertisements for
6 prostitution. At present, backpage.com corners
7 the market in online prostitution advertising,
8 reaping approximately two-thirds of the \$35.7
9 million annually generated by online advertising
10 for prostitution in the United States. Without
11 question, backpage.com is in the business of
12 promoting and profiting from prostitution, a crime
13 in New York State, and in every state of the
14 United States, with the exception of a small group
15 of counties in Nevada. This inescapable fact
16 deeply implicates backpage.com in criminal
17 activity, although it has been shielded from
18 liability by the Communications Decency Act, which
19 has made it difficult to hold backpage.com
20 accountable for its flagrant transgression of
21 anti-pimping laws. Even more deplorable, however,
22 since the demise of Craig's List's adult services
23 section, backpage.com has become the venue of
24 choice for criminals and criminal enterprises
25 trafficking in adults and children. After

1 tracking more than 50 instances in 22 states over
2 three years of charges filed against trafficking
3 of children on backpage.com, obviously a tiny
4 percentage of the total number of sex trafficking
5 cases, since so few traffickers are brought to
6 justice, the National Association of Attorneys
7 General sent a letter to Village Voice Media
8 citing its concern about human traffickers use of
9 backpage.com. Since then, the evidence linking
10 backpage.com to sex trafficking has become even
11 stronger, with the Brooklyn District Attorney's
12 Office, as we heard this morning, alone indicting
13 close to 40 cases involving sex trafficking over
14 the website. It is fair to say that backpage.com
15 has become the virtual auction block of the 21st
16 Century global slave trade. Why are internet
17 provide--prostitution websites like backpage.com
18 so insidious? The first reason is that they
19 confer anonymity on the criminals who use them to
20 engage in the buying and selling of human
21 merchandise. Unlike their precursors in the
22 transatlantic slave trade, and those are their
23 precursors, the flesh peddlers and purchasers of
24 internet prostitution websites are invisible when
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1
2 they engage in their brutal and dehumanizing
3 transactions. This enables them to engage in
4 crimes against their victims, from sex trafficking
5 to murder, with impunity. It is tragic, though
6 not surprising, that before their deaths, four of
7 the ten probably prostituted women whose bodies
8 were recovered near Gilgo Beach, Long Island, had
9 been advertised for prostitution on Backpage's
10 predecessor, Craig's List. And while
11 backpage.com's sellers and buyers are hidden, what
12 is on display in the most humiliating manner
13 imaginable are images of women and girls posed and
14 captioned to promote the lie that they seek out
15 and revel in their exploitation. A lie intended
16 to exonerate their exploiters of responsibility.
17 Finally, the fact that backpage.com is not an x-
18 rated outlet, but a Main Street internet platform,
19 supported by major financial institutions, as we
20 learned from Nicholas Christoph's column,
21 recently, investors and advisors legitimizes its
22 promotion of prostitution and its facilitation of
23 sex trafficking. Those who argue that Village
24 Voice Media can stay in the prostitution business
25 but through better policing keep out sex

1
2 traffickers, are wrong. Backpage.com has become a
3 mainstay of today's brutal, multi-billion a year
4 sex trafficking industry, and operates according
5 to its rules. One of those rules is that the most
6 valuable merchandise, the flesh most profitable to
7 sex traffickers, and most in demand by sex
8 industry buyers, is fresh, "exotic," vulnerable
9 and unconditionally available. That translates
10 almost invariably into girls and young women,
11 especially girls and young women in conditions of
12 poverty, girls and young women without family
13 support, girls and young women from communities of
14 color, girls and young women with histories of
15 sexual abuse; in other words, girls and young
16 women in such desperate circumstances that they
17 must submit to anything that their sellers and
18 buyers demand of them. Backpage.com exploits this
19 vulnerability and reaps obscene profits from it,
20 while subjecting the most marginalized girls and
21 young women among us to incalculable and
22 irreparable harm. There is only one solution:
23 backpage.com must stop selling prostitution ads.
24 Given the huge profits Village Voice Media reaps
25 from these ads, we are not going to achieve that

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2 goal by naming and shaming them alone. The only
3 way to stop them is to cut into their profits, by
4 persuading investors and advertisers who can be
5 named and shamed, to stop supporting internet
6 pimps and traffickers, and to hold Village Voice
7 Media accountable through legal action. If we are
8 united and strategic and grow our movement, we can
9 stop sex trafficking on backpage.com. A
10 Resolution by New York City Council demanding that
11 Village Voice Media stop selling prostitution ads
12 is an important step forward and I commend you for
13 that.

14 RACHEL LLOYD: Good afternoon, my
15 name is Rachel Lloyd, I'm the Founder and
16 Executive Director of GEMS, Girls Educational and
17 Mentoring Services. Just briefly, GEMS is 14
18 years old, we're the only survivor led
19 organization in New York State that is working to
20 provide direct services to victims of commercial
21 sexual exploitation and trafficking. Last year,
22 GEMS served 348 girls and young women, ages 12 to
23 24, who had been victims of commercial sexual
24 exploitation and trafficking. So, I actually want
25 to, we can a little bit more about services if you

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2 have questions, and there's a lot I could say
3 about that, but I kind of want to respond kind of
4 directly to some of the stuff that's been said
5 earlier. And so I'd like to say, just kind of
6 the, the few points that I agree with Ms.
7 McDougall and Backpage on. Right, we are in
8 agreement, as Ms. McDougall has said, that this is
9 a heinous crime. I think one of the challenges
10 with hearing Backpage and Village Voice Media talk
11 about this as a heinous crime, and how concerned
12 they are about this issue, is their campaign over
13 the last year through their journalism arm,
14 through the Village Voice, to put out articles, an
15 investigative series about the truth about sex
16 trafficking. Wherein they called children
17 hookers, teen hookers, they diminished the idea
18 that this was even happening, they called
19 advocates money hungry, we're all making lots and
20 lots of money off this issue, and getting rich,
21 and this is why we do it. And I mean, if you
22 haven't seen those articles, I encourage you to
23 look at, right, this ongoing kind of pattern. And
24 right out there, are the stats that are put out
25 there sometimes by the anti-trafficking movement

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2 that aren't particularly accurate, and right as an
3 anti-trafficking movement, we need to be
4 responsible, absolutely. Does that mean that this
5 issue isn't happening, or that it's not real,
6 right, you could come and talk to 348 girls and
7 young women, right, at GEMS. And that's just
8 GEMS. So, I think, you know, to now hear them,
9 and obviously this is a new kind of shift in
10 perspective that they're trying to take, right,
11 the, the denying that this issue happens. And
12 mocking the anti-trafficking advocates, and
13 calling girls and young women in the sex industry
14 names, hasn't really paid off that well in the
15 last year. And so, it appears that, you know, the
16 new strategy is to talk about, right, this is our
17 goal to protect children, this is terrible. But
18 right, they've put out a year's worth of, of kind
19 of media designed to make people believe that this
20 doesn't happen. We've spent, right, I've been
21 doing this work for 15 years, GEMS has been in
22 operation for 14, there's many other people in the
23 roof who've been working for many, many years, to
24 get to the point where we're at right today, where
25 we've got media, where we've got City Council

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2 Members, and thank you so much for your commitment
3 to this issue. But we've worked really hard to
4 get to the point where people are taking this
5 issue seriously, and are recognizing that this is
6 a real problem. And right, the irresponsibility
7 of Village Voice Media to put out this series of
8 articles that absolutely denied--and this idea,
9 well, maybe it's not 300,000, right, maybe it's
10 just 100. I mean, right, and I'm not making the
11 argument if it's just one. Right, like, if it's
12 just one it's a terrible thing, but then that
13 doesn't necessarily warrant, right, kind of
14 funding or the social services that we need. But
15 it's not just one, and whether it's 300,000 or
16 100,000, right, we are talking about a serious
17 problem in this country. The other area where I
18 would say I agreed with Backpage, is that they do
19 respond in a timely fashion to subpoenas. Yes,
20 they do do that. Do they initiate cases? No.
21 And there has been a, you know, I know there's
22 been some fogginess around numbers. And I'll say
23 I'm, I'm quoting right now from Polaris Project,
24 who's a national anti-trafficking organization,
25 based in D.C., that does a ton of advocacy work,

1
2 and policy work. They have counted in the last
3 week, actually, they had volunteers, sit and count
4 three nights in a row how many ads were on
5 Backpage nationally. They came up with 19,000.
6 So, referring 2,600 cases, and I believe I've
7 heard Ms. McDougall say on television and in
8 several interviews that it's 400, they're
9 referring about 400 cases a month, 400 cases a
10 month out of 19--right, 19,000 in one night, is a
11 drop in the bucket. And right, and for law
12 enforcement to be able to respond, right, you've
13 got to be able to put the operation toge--I mean,
14 the anti-trafficking unit who we work with very
15 closely in New York, is absolutely incredible.
16 Right, it's incredible men and women who work
17 very, very hard. There's like nine of them.
18 Right, for the whole City. They have to put a
19 whole operation together, they have to make sure
20 that the young person or the adult gets connected
21 to services, they have to bring it, right, a case
22 isn't, right, you don't do a case and then an hour
23 later do another case, and then, right, I mean,
24 the volume of cases on Backpage, makes it very,
25 very difficult for law enforcement for truly make

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2 a dent in it. So, this idea that Backpage is
3 providing a service to law enforcement, and making
4 it easy for law enforcement, just isn't true.
5 And, right, I, you've heard from the district
6 attorney's offices, right, and we've, we've worked
7 with all of the district attorneys' offices, in
8 the City, and have current cases, actually, with
9 four different boroughs, and in three of those
10 cases, Backpage was absolutely used to traffic
11 young people and adult women. Right, and I think
12 it's critical whether we're going on Backpage to
13 look for 12 year olds, maybe you can tell a twelve
14 year old. Right, I'm a woman, I've worked with
15 teenage girls for the last 15 years, I cannot go
16 online and tell whether she's 15, whether she's
17 16, whether she's 19, whether she's 22, and
18 frankly, right, if she's being exploited and
19 abused, it doesn't really matter. It's not like
20 she turns 18 years old and has a birthday and now
21 it becomes empowerment. And even for, right, even
22 for women and adult women who are not being held
23 under the control of traffickers, I mean, right,
24 you know, I think the media would like us to
25 believe that, you know, that all the other adult

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2 women who are not trafficking victims, and the
3 Voice has definitely put this kind of story out,
4 you know, middle aged adult women or middle class
5 women who have college degrees and lots of
6 options, and are choosing to this 'cause it's
7 something that they want to do, right, is there a
8 portion of women for whom that may be true? Yes.
9 Is that representative of the larger issue of
10 women and girls both globally and here in New York
11 City? Right, isn't about choice it's about lack
12 of choices. If you go on Backpage to put an ad on
13 there yourself, not because a pimp, but if you go
14 on Backpage to put an ad on there, because you're
15 about to be evicted, because you can't feed your
16 children, because you've been unemployed for
17 months and months and months and you, right,
18 that's not a choice. That's desperation, that's
19 feeling like the system and the services and the
20 support isn't set up, and that generally looks
21 like a very specific person in our City, right.
22 That's generally low income women and girls of
23 color, right, overwhelmingly it's people who are
24 coming from low socioeconomic communities. So, I
25 mean, and for Village Voice as, right, people have

1
2 talked about, as a voice for marginalized and
3 disenfranchised folks, for so many years, and
4 right, like the kind of go-to newspaper that put
5 out stories about poverty, and put out stories
6 about police brutality, that called out, right,
7 some of these real social justice issues, to now
8 be part of this problem, is so incredibly
9 challenging to me, I mean, I'll say just one
10 example, right, and over the last kind of decade,
11 we've done stories with the Village Voice, I went
12 back and counted, we've been featured in the
13 Village Voice six times prior to Backpage popping
14 up. Right, so they were on board with this, they
15 did one of the first really good features on
16 commercial sexual exploitation of girls. They
17 were a big supporter of the Safe Harbor for
18 Exploited Youth Act, which was critical, right.
19 And yet, since Backpage, they have not talked to
20 GEMS, they have not wanted to interview any
21 survivors, they have gone to like these three
22 experts, who, quite frankly, they have quoted,
23 taken out of context, in many cases, and are using
24 lines that bolster, right, their credibility. So
25 I mean, right, the Voice seems to be throwing away

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2 its history and its commitment to serving this
3 City's most disenfranchised people, because there
4 is ultimately a profit in there. And we can,
5 right, don't surround this idea, oh, money, and
6 it's not really the issue of money. I mean, we're
7 talking about 22 million, 23 million, 24--right, I
8 mean, we're talking about substantial figures of
9 money. And I will say, I can't speak for
10 everybody else in the room, I think I can speak
11 for some people in the room, service providers, I
12 can speak for GEMS, I say that we would not take
13 money from Backpage, we didn't take money from
14 Craig's List, and there were many service
15 providers who were put in that horrible position
16 of having to mail back checks to Craig's List,
17 even though they were absolutely desperate for
18 services, because we recognize, right, I've got
19 girls coming in my office every single day, who
20 are on Backpage. And I would be profiting, right,
21 we would be providing services. Now, if Backpage
22 shut down and decided to take the profits that
23 it's made over the last three years and pay
24 restitution to the field [laughter] that's a very
25 different kind of model, right. I mean, victims

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2 restitution is definitely something we support,
3 but his idea that we would continue, we would
4 partner or be an ally in this continued kind of
5 exploitation, the idea that it'll go elsewhere,
6 absolutely. But this kind of idea that, "Well, if
7 we don't do it, someone else will, but we're
8 nicer," right, is, I don't know how that becomes
9 an argument, I don't know it needs to be discussed
10 much further. I will say of all the girls that we
11 work with, I cannot think of anybody who was
12 exploited on Twitter. Right, that's just not
13 coming up. Facebook, MySpace, was an issue.
14 MySpace is kind of right, fallen off, in terms of
15 popularity. Are there other companies that really
16 need to step its standards up? Absolutely.
17 Could, right, all social networking sites, Google,
18 Facebook, all of these places, really think about
19 what long term strategies are in addressing his
20 issue, absolutely. They are not creating an
21 entire kind of section specifically for adult
22 service ads, and making large amounts of money off
23 it. I also agree with, with Ms. McDougall that
24 this is absolutely a part of a bigger picture.
25 When Craig's List, and we, we cautioned folks,

1
2 right, winning the Craig's List battle, it was, we
3 won the battle, we didn't win the war. Right, we
4 didn't see a drop off in the amount of girls and
5 young women that were being sexually exploited.
6 Yes, it went to Backpage. Is this part of a much
7 larger issue and do we need to be addressing the
8 systemic issues of poverty and gender inequity,
9 and racism, and classism and, right, we're, the
10 young people in our City who are the most
11 vulnerable, for recruitment into the commercial
12 sex industry, are low income, girls of color,
13 girls who've been in the child welfare system,
14 girls who have histories of abuse, right, we know
15 who is at most risk, and we need to be providing
16 better prevention services and better kind of,
17 right, really addressing these systemic issues,,
18 we need to be addressing the demand, right,
19 shutting down a website doesn't necessarily
20 address kind the demand, and so we need to be,
21 right, increasing penalties, we need to be kind of
22 focusing attention on that. And so, there are
23 many, right, we need to be providing better
24 services, we need to be empowering victims, we
25 need to be creating an economic empowerment, and

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2 educational opportunities. But I think the
3 challenge for me is to hear Backpage say it's part
4 of a larger issue, is a little challenging. When,
5 right, I feel comfortable saying that, because I'm
6 part of the solution that is working to address
7 all those issues. Right, we're doing training,
8 we're addressing the demand side, we're
9 addressing, we're providing services, we're,
10 right, we're changing public perception, we're
11 working around like these larger systemic issues
12 and trying to get people--we're part of a solution
13 and so we can say, "Yes, this is, right, part of a
14 bigger issue." Backpage doesn't get to do that.
15 When it is not part of a solution, to address any
16 of those other issues, right, and it is part of
17 selling and creating this kind of hub for women
18 and girls. I mean, we know that, and Polaris did
19 a count several years ago on Craig's List, the
20 numbers at that point were 14,000 on an average
21 night. Right, we're talking about 19,000. I
22 think you talked about, right, that are they, are
23 they creating the demand? No. Are they
24 exacerbating it? Absolutely. Right, there is a
25 center for it, and it is increasing. Some and I

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2 think there are real challenges with that
3 perspective, and right, I think we can, we can
4 have a conversation that is about the larger
5 systemic issues, and that isn't just about kind of
6 going off to one website after another. But that
7 doesn't mean that Backpage still shouldn't shut
8 down now. And it's the right thing to do. I
9 mean, the idea that right, like the internet's,
10 exploits people, Backpage does it, it's, I mean,
11 it sounds like an NRA type argument, right, like
12 guns don't people, people kill people. Right, but
13 like gun manufacturers, we hold those folks
14 accountable. So, I mean, I think that there are
15 many, many issues that we need to address on this,
16 this is one small part and we can't think if we
17 manage to win this that we've like done it, and
18 we've ended sexual exploitation. But that doesn't
19 mean we don't keep pushing this site to shut down.

20 CHAIRPERSON FERRERAS: Thank you
21 very much for your testimony. And I must say, Ms.
22 Lloyd, that as I'm looking at my questions, you
23 answered every one of them [laughter] in your
24 testimony. And that just speaks to the fact that
25 you live this, you breathe it, and you're an

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2 amazing advocate about this. And both
3 organizations clearly. If we could just, if we
4 could just kind of reiterate, 'cause it seems that
5 she kept, with the, the Backpage representative,
6 kept saying, "Oh, my god, if we shut down it's
7 just going to go somewhere else." Now, is there a
8 second website that you guys have seen somewhere,
9 you know, close second to Backpage that even
10 exists? So this fear that they're speaking of,
11 have you heard anything of, you know, where they
12 might be going to?

13 RACHEL LLOYD: I mean, we've seen,
14 there's Eros, that we've seen, there's My Red
15 Book. But absolutely not at the volume. Right,
16 and that's not to say that they won't get to that
17 point, but then at what point do we not keep--and
18 I think, look, I mean, I will say that, I think
19 this idea that there's only one alter--right, like
20 it's either we stay in operation and we try to do
21 it in a nice way, or it'll go somewhere else,
22 like, well isn't there a third solution that we
23 need to come up with? Right, I mean, this was the
24 whole idea around Safe Harbor. Well, either girls
25 are in detention or they go back to their pimps

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2 and they're on the street. Well, maybe there
3 needs to be services and support, right, like that
4 can't be the default setting, and so this idea
5 that it's one or the other, right, this is not
6 going away, the internet is not going away. Where
7 do we want to be in ten years, in terms of
8 addressing this issue? There's enough smart
9 people and enough experts, technology experts, we
10 need to start thinking about how do we address
11 this frontier of technology, technology and
12 trafficking? And so that it isn't a choice
13 between like it's either Backpage or it's someone
14 worse.

15 DORCHEN LEIDHOLDT: And if I could
16 just speak to that for a minute. So, Craig's List
17 and Backpage, and both big, mainstream, internet
18 platforms, and they both legitimizing. You know,
19 the other options, it's probably going to be the
20 pornography industry. And yeah, we really don't
21 like the pornography industry, but the pornography
22 industry doesn't confer the kind of legitimization
23 that backpage.com, and Village Voice Media, with
24 its mantel of, you know, social progressivism
25 confers. That's one of the things that makes

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2 Backpage so insidious. And we saw it recently
3 with all of these mainstream investors, from major
4 financial industries feeling that it's okay to
5 invest in backpage.com, and advertisers feeling
6 that it's okay to advertise on backpage.com. So,
7 I think that's why, taking down adult services ads
8 and Backpage is of such critical importance to
9 stopping sex trafficking.

10 CHAIRPERSON FERRERAS: Thank you.
11 Council Member Lander and Council Member Mark-
12 Viverito. You're--okay.

13 COUNCIL MEMBER MARK-VIVERITO: I
14 just wanted to ask specifically on the social
15 service front, and thank you very much both for
16 all your work. Because I think that that's
17 something that we just, I think needs to be also
18 heard and said. I mean, this is you work with 360
19 young women a year.

20 RACHEL LLOYD: 48.

21 COUNCIL MEMBER MARK-VIVERITO:
22 What?

23 RACHEL LLOYD: 348.

24 COUNCIL MEMBER MARK-VIVERITO: 348,
25 I'm sorry. And it's been said that here may be

1
2 about 3,000 young women that, or girls that are
3 exploited in the State of New York. That's a
4 rough number, I guess, besides some of the
5 information. So, obviously you're not reaching,
6 you know, and I'm sure between all the advocates
7 we're not reaching the number of women, young
8 women that we need to. But there's a complexity
9 also, of serving the young women. If you could
10 talk about the length of time that you typically,
11 you know, work with them and I was maybe a little
12 bit of what's involved in terms of the complexity
13 of these cases.

14 RACHEL LLOYD: I mean, just to
15 address the numbers, I think is really critical to
16 recognize that the, right, it's 26, an estimate
17 2,600 in the State, 2,200 in the City, that came
18 into contact with services. We're talking about
19 any young person under the age of 18, boy, young
20 boy, girl, transgender youth, who came into
21 contact with services, who had exchanged sex for
22 something of commercial value. So, right, I mean,
23 I think we have to be careful about saying that
24 there's potentially like 3,000 12 year olds in New
25 York City who are being like trafficked, 'cause,

1
2 right, I don't, I don't necessarily know that
3 that's true. Obviously, we--and so I mean, there
4 are organizations, runaway and homeless youth
5 organizations, and I think I do have to say, I
6 mean, I think one of the challenges that we've
7 seen in the last year is the lack of funding and
8 support for runaway and homeless youth, who are
9 the same young people who end up getting exploited
10 and how much that puts young people at risk. We
11 provide very long term services, I mean, we have
12 services the young people can access, we have
13 housing, we have 14 beds, we have actually two
14 provided through City Council discretionary
15 funding, six through DYCD, and then one private.
16 So, we have nine beds for 16 to 21 year olds,
17 another six for 18 to 24 year olds, 'cause that's,
18 right that's the critical age, too, once you age
19 out of other services, and people stop caring,
20 'cause you're not a child anymore. But there's
21 absolutely no resources, you know, for that age
22 group, particularly. So, we can serve girls, you
23 know, anywhere from when they come in at the age
24 of kind of 15, all the way up until their early
25 20s, and that begins to look like college, and

1
2 employment, and right, giving girls long term
3 empowerment. I think the idea that we just need
4 to rescue victims is kind of short sighted and it
5 needs to be about long term empowerment for young
6 people.

7 CHAIRPERSON FERRERAS: Right.

8 DORCHEN LEIDHOLDT: And I think a
9 difference between the population that GEMS serves
10 and the population Sanctuary serves, is our
11 clients are adults and children, but usually the
12 children of our adult clients. So, our service
13 aren't focused on trafficked teens, although we
14 have served some, and 110 of our sex trafficking
15 victim clients are immigrants. They come from
16 primarily Latin America, Asia and Eastern Europe.
17 We provide them with services in their own
18 language, and that holistic, multi-disciplinary
19 wraparound approach, which is shelter, counseling,
20 legal services, we have Kathleen Slocum, who is
21 one of our immigration legal services providers,
22 and happily I can say we do all of the immigration
23 legal work for the Family Justice Centers, as I
24 mentioned, which is a way that we're meeting many
25 more and serving many more trafficking victim

1 clients. But we could help so many of these
2 victims move from being on the margins, in the
3 underground economy, you know, into the mainstream
4 by helping them obtain legal immigration status.
5 And yes, it often involves cooperation with law
6 enforcement. And we see that many of our clients
7 want to cooperate with law enforcement, they want
8 their exploiters behind bars and held accountable.
9 Often, they're terrified because they've left
10 behind family members who were at the mercy of
11 international trafficking rings, we worked to
12 bring their children and family members here in
13 many cases as derivatives, once they've gotten
14 legal immigration status, and work on family
15 reunification here. But I think it's under, it
16 needs to be understood that there are many reasons
17 that trafficking victims are terrified to
18 cooperate with law enforcement, and it's not
19 because they don't want to see justice done. Most
20 of our clients very much want to see justice done.

21
22 CHAIRPERSON FERRERAS: And thank
23 you. Are you done? Okay. I just have a quick
24 question. If we were, you know, we're having
25 conversations about the potential of doing an

1
2 initiative. And, so, just when it comes to the
3 beds, because I think most people are astounded at
4 how few beds there are for victims. What does an
5 on average, what does it cost? And I know that
6 I'm kind of, you don't have to give me the answer
7 specifically, but a general answer of if we wanted
8 to provide additional beds, or additional support
9 services from that perspective, what would be the
10 average cost per girl, so we're not making it
11 specific?

12 RACHEL LLOYD: I mean, I, that
13 obviously looks different whether it's a
14 residential treatment bed or a runaway and
15 homeless youth kind of transitional independent,
16 or crisis housing. I'll say, right, the, the
17 average cost and the funding we get through City
18 Council is about \$30,000 for transitional
19 independent living bed for our young people. And
20 that provides, right, like support and--

21 CHAIRPERSON FERRERAS: All the
22 service.

23 RACHEL LLOYD: --I mean, it
24 provides some of that. Obviously, not all of
25 that. So, that's about on average. And but I

1
2 think it's critical to, that we think about kind
3 of all the, the wraparound services that Dorchen
4 talked about, as well, because right now every
5 young person is going to need--or every adult,
6 right, is going to, not necessarily program is the
7 best fit, right, ideally young people,
8 particularly in families, when that can happen,
9 and when we can reconnect them with families or
10 foster family, right, like being able to kind of
11 address that. But making sure that young people
12 have comprehensive and long term services
13 regardless of where they're living, I think is
14 really critical.

15 CHAIRPERSON FERRERAS: Thank you
16 very much. Thank you. And we're going to call up
17 the next panel, again, thank you for testimony.
18 We're going to have Norma Ramos, Coalition Against
19 Trafficking in Women; Jane Beagleson [phonetic],
20 Covenant House International--I'm sorry if I
21 mispronounce your name, they mispronounce mine all
22 the time--and Anna Morris of EPAC [phonetic] USA.
23 [pause, background noise]

24 Well, I first want to congratulate
25 members of the elected officials at the table for

1
2 your persistence in getting answers from the
3 attorney for Backpage. It was not reveal--is she
4 here? 'Cause she said she's, she wants to help
5 the anti-trafficking movement, did she leave?

6 FEMALE VOICE: She's in back.

7 [background comments]

8 NORMA RAMOS: Okay. I don't know
9 if she disclosed or not, but she was Craig's
10 List's attorney. So she may have worked at
11 Backpage for two months, but she has been
12 gainfully employed by websites that are
13 facilitating sex trafficking for quite some time.
14 So, I think your constituents would be proud, and
15 I'm saying this to each and every one of you, for
16 the leadership you showed here today in your
17 persistence in holding her accountable for the
18 lack of transparency I think we all witnessed
19 here, when she testified. :So, I'm going to read
20 my formal testimony, which is only a page, and
21 then I'm going to make some comments to address
22 what was said. I offer this testimony today on
23 behalf of the Coalition Against Trafficking in
24 Women, which is the world's first organization to
25 fight human trafficking internationally. It is

1
2 now 25 years old, and we are the world's leading
3 abolitionist organization, with over 400 partners
4 worldwide. And I travel all over the world to
5 meet with our partners who are struggling with
6 varying levels of human trafficking, and many of
7 them with absolutely no resources, fighting human
8 trafficking in their communities. And I travel
9 there to support what they're doing, and to hear
10 from them, and we all need to keep in mind that
11 Backpage is not only operating in all 50 states of
12 the United States, but it is operating in ten
13 countries around the world. One, for example,
14 South Africa, which is reporting high levels of
15 sex trafficking. So the harm that is being
16 generated from this company's activities is not
17 just limited to the United States or to this City,
18 it is actually an international problem. So, I
19 testify here in support of your Resolution, which
20 calls upon the Village Voice Media to cease
21 serving as a platform for sex trafficking by
22 hosting ads that are facilitating prostitution. A
23 large portion of Village Voice Media's profits now
24 arise in the form of its role as the leading
25 online facilitator of the sex trafficking

1
2 industry. Village Voice Media mainstreams online
3 pimping, by providing a vehicle for sex
4 traffickers to reach buyers of human beings for
5 prostituted sex. By providing traffickers and
6 johns with a virtual red light district, Village
7 Voice Media is now a sex industry based
8 corporation. So they have departed from their
9 role of being a voice for the underdog, or being a
10 vehicle for social justice. They have now moved
11 their corporate base into being a sex industry
12 based corporation. Sex trafficking is fueled by
13 the demand for prostituted sex. Websites like
14 backpage.com provide buyers of prostituted sex
15 with anonymity and impunity. Publishers of online
16 and print classifieds must take responsibility for
17 the ads they choose to publish and profit from.
18 Failing to do so, makes them complicit in the rank
19 exploitation that is human trafficking. 51
20 attorneys general describe Backpage as a sex
21 trafficking hub, and call on Village Voice Media
22 to cease being a vehicle for human trafficking.
23 Village Voice Media is turning a deaf ear to this
24 clear and unified directive from the attorneys
25 general. Village Voice Media is also ignoring the

1
2 growing voice of the human rights community that
3 is also unified on this, who are demanding that it
4 cease facilitating and profiting from sex
5 trafficking. The question remains: will Village
6 Voice Media continue to choose profits to the tune
7 of \$24 million a year, over the safety and
8 wellbeing of women and girls? And I want to
9 emphasize again the importance of including women.
10 Please do not take the easy road out and just
11 focus on children, it is important and all the
12 advocates before me addressed the importance of
13 including women. Just having your 18th birthday
14 after having been prostituted since you were 12 or
15 13--actually prostitution is very hard to get out
16 of, is what we're learning. Very hard to get out
17 of, so that if you've been prostitute since you
18 were 12 or 13, and you now are 18, we do, we must
19 not turn our backs on those ex-children, is who I
20 call them, who will more than likely still remain
21 in prostitution, in the commercial sex industry,
22 and then people will turn their backs on them and
23 say, "Well, you're not under 18, so we don't
24 care." So, the importance of including women in
25 our analysis, because if a woman can be

1
2 trafficked, it is adults that protect children.
3 So that if we don't draw the line on adults, we
4 don't stand a chance on protecting children. And
5 this is what our partners all around the world
6 have taught us: to be principled and strong on
7 this. So, will they choose the safety and status
8 of women and children over their profits? I'm not
9 that hopeful, after what I heard from their
10 attorney today. Now, it would be an act of
11 corporate responsibility if they did, if they
12 ceased facilitating sex trafficking. And thereby
13 helping us to create a sex trafficking free
14 internet, which we actually could do. Instead,
15 Village Voice Media makes the specious claim that
16 by hosting these ads, which are widely dispersed
17 throughout backpage.com, they are not just found
18 under the adult section, that it is helping law
19 enforcement. Well, that's a lot like claiming
20 that we have to have the rape in order to catch
21 the rapist. Shouldn't we be in the business of
22 preventing the rape? Not providing a mechanism
23 for the rape to continue, and then we can say,
24 "Well, we had to have that to continue so we could
25 catch the rapist." Let's prevent the rape. Now

1
2 this claim also ignores the fact that it is a
3 well, it is a well settled, under the First
4 Amendment jurisprudence, that commercial speech
5 related to criminal activity is actually not
6 protected. That's William--United States v.
7 Williams (2008). This claim also ignores the fact
8 that by facilitating prostitution by hosting these
9 ads, Village Voice Media is the leading online
10 platform for the sex trafficking industry. This
11 is not what being part of the solution looks like,
12 Backpage. This is aiding and abetting an
13 egregious, growing, human rights violation, which
14 is now the second, is tied with illegal arms
15 dealing as the world' leading source of illegal
16 earnings. CATW will continue to build pressure on
17 Village Voice Media, until this corporation truly
18 becomes part of the solution, not a fake solution,
19 one that protects the ongoing profits. We are
20 hosting our second demonstration, which we will be
21 coming to your offices on June 20th. We were
22 there in November, we brought 120 leading human
23 rights organizations and prominent individuals
24 supported that action. We will be back on June
25 20th, and this time we will be bringing the

1
2 endorsement of over 150 leading human rights
3 organizations, and prominent individuals. So, if
4 you don't understand today, after hearing from the
5 advocates, you must get it then that you are not
6 helping to end human trafficking by continuing to
7 host these ads. You are a vehicle for it to
8 continue and grow. A:nd when you said that we
9 were the ones, by the way, that organized the
10 protest that took place in front of Craig's List
11 in San Francisco, that had the support of 85
12 leading human rights organizations, and prominent
13 individuals, and it's been pointed out, "Well,
14 that didn't end it." Well, what that did was, and
15 this is very significant, what Craig's List was
16 set the industry standard. What they said was,
17 this is not the way we are going to earn profits.
18 Yes, they arrived there under incredible pressure,
19 and that is what needs to happen with Backpage.
20 Now, they said, I find this claim absolutely
21 astounding, that they are already the leader in
22 establishing best practices? No, you're not.
23 Geebo is. They refused--there are companies out
24 there that are profitable, not to the tune of \$24
25 million, but they would rather earn their profits

1
2 without having blood on their hands. So, Geebo is
3 one of those, and they supported our action in
4 front of Craig's List, that are, they are a leader
5 in best practices. How? They don't accept ads
6 that facilitate prostitution. It's very clear,
7 it's very simple, I also heard the statement made
8 that they are required to report to the Center for
9 Missing Children, there is nothing in law
10 prohibiting Backpage from working directly with
11 the Manhattan district attorney, Cy Vance, or with
12 the Brooklyn District Attorney, they could do
13 both. Over and over again, I heard things this
14 morning that just did not add up. And I think
15 that you really don't do the citizens of this City
16 justice and I think that in the end, you're going
17 to have to do the right thing, because as of one
18 of my favorite quotes is that the "Ark of the
19 universe is long, but it tilts towards justice."

20 [background noise]

21 CHAIRPERSON FERRERAS: 'Cause then
22 the Sergeant-of-Arms has to take you out.
23 [laughter] Thank you very much for your
24 testimony. And you may begin.

25 JANE BIGGLESON: Okay. Good

1
2 afternoon, my name is Jane Biggleson, I'm the
3 Director of Anti-Human Trafficking at Covenant
4 House International. First I'd like to say thank
5 you for the opportunity to testify today. But
6 also for sponsoring the resolution and for your,
7 all of your leadership in the fight against human
8 trafficking. Covenant House New York is the
9 national largest, privately funded, nonprofit,
10 adolescent care agency serving homeless runaway
11 and at-risk youth. During the past year alone,
12 we've served over 3,000 young people between the
13 ages of 16 to 21, and on a nightly basis, we
14 provide shelter to over 300 young people. Sadly,
15 in this economy, we are having to turn over 300
16 young people a night because we don't have the
17 capacity to provide them with shelter. We still
18 try to provide them food, clothing, a place to
19 shower, and other services, but personally it
20 breaks my heart that we are turning away 300 young
21 people a night. As everybody knows, homeless and
22 runaway youth are at high risk for begin targeted
23 by sex traffickers. In order to meet the demand
24 for people willing to buy sex, traffickers prey on
25 homeless youth. They offer promises of romance,

1 security, a place to stay, a better life. The
2 pimps often loiter in Port Authority and they say
3 things to homeless young people, saying, "You know
4 what? The shelters are full. Where are you going
5 to go? You can come with me, we can make some
6 money." These same pimps later abuse them and
7 force them to sell their bodies, both on the
8 street and online." We've always known this to be
9 true, but we're working on the mis--we're in the
10 middle, I'm on the middle of working on a study,
11 to obtain a scientifically valid, prevalence rate
12 of the number of Covenant House youth who've
13 experienced trafficking. We haven't finished the
14 study yet, but so far we've already found that
15 with a sample of 70 young people, 20 percent have
16 experiences that fit the federal definition of
17 human trafficking. If that number holds true for
18 the entire 3,000 population, that's sadly an awful
19 lot of trafficking victims. A full 40 percent of
20 the sample admitted to at one point trading sex
21 act for something of value. And the number one
22 reason cited for trading sex for something of
23 value, was a lack of a place to stay. So many of
24 our clients reported that in a state of
25

1
2 desperation, no money, nowhere to go, they felt
3 like they had no choice but to sell their bodies
4 in exchange for a place to stay. Honestly, at
5 this point, we don't know what percentage of our
6 clients have been sold through Backpage, and we
7 plan to ask that question in the second phase of
8 our study. But I do know this: anything that
9 increases the demand for trafficking, makes the
10 job of protecting the young people that we work
11 with that much more difficult. The more ways
12 pimps have to sell homeless young people and the
13 more lucrative those ways are, that increases the
14 number of pimps who are trying to recruit our
15 kids. And at this point, I want to thank both
16 Norma and Rachel Lloyd who spoke before, about
17 bringing up the point that trafficking victims can
18 be over 18. Because at Covenant House we work
19 with young people who are 18 to 21. And I know
20 the Village Voice says that they try to screen out
21 people who are under 21, but I just wonder how
22 effectively you can screen out a 19 year old who's
23 been forced to lie about their age, or any woman
24 who's been forced, or any trafficking victim who's
25 been forced to pretend that this is consensual and

1
2 willing. And even for the young people that I
3 spoke to in this study, who are not forced by a
4 pimp, their introduction to prostitution was
5 rooted in desperation and trauma. They were 18 to
6 20 years old, fragile, scared, traumatized by
7 prior abuse, and terrified of having nowhere to
8 sleep. Every single one of the young people I
9 spoke with who had previously engaged in
10 commercial sex, whether they had a pimp forcing
11 them, or whether they were just desperate and
12 homeless, they all reported regretting the
13 prostitution experiencing, and finding it
14 traumatizing and degrading. So, any person or
15 corporate entity that would contribute to or
16 expedite that exploitation must be stopped. In
17 closing, it should go without saying that New
18 Yorkers and corporations who do business in our
19 great City, should be our partners, in protecting
20 our kids from traffickers. These shouldn't be on
21 the side of the traffickers. So we implore the
22 Village Voice to immediately cease accepting adult
23 service ads on backpage.com. Thank you.

24 CHAIRPERSON FERRERAS: [off mic]

25 Thank you very much for your testimony. You may

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begin.

ANNA MORRIS: Thank you. My name is Anna Morris, I'm the President of the Board with ECPAT [phonetic] USA, and I want to thank you all for having us here for presenting this resolution. 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 were trafficked in the US, 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 our work is with the travel industry, especially hotels. We've 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

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2 private sector in two ways: with hotels and
3 online. Typically, this is the way it works: a
4 pimp rents a hotel room and puts his girl in it,
5 the pimp posts an ad on Backpage with a phone
6 number, and the men who call that number are sent
7 to that hotel room. While we are successfully
8 obtaining the support of the hotel industry,
9 currently we have four hotel chains that have
10 signed our code of conduct in the US, we need to
11 go even further and eliminate the online
12 classified ads that are an important note in this
13 system. It's clear the internet has taken
14 prostitution off the streets and online. A quick
15 glance through the adult classified section of
16 Backpage demonstrates this all too well. Pages
17 and pages and pages of advertisements for sex with
18 women and girls from every ethnicity and every
19 age. Though Backpage has not allowed to post
20 advertise sex with minors and has guidelines
21 stating their policy, there appears to be little
22 enforcement of those guidelines. Instead,
23 Backpage effectively relies on traffickers to
24 abide by the honor system, and obey the
25 guidelines. Not surprisingly, traffickers are

1
2 freely posting ads of their young victims while
3 Backpage collects the profits. Backpage generated
4 at least \$2.5 million in online prostitution ad
5 revenue in March alone, according to the - - .
6 Over the last twelve months, Backpage generated
7 \$26.7 million in prostitution advertising in just
8 23 cities. And traffic is at a whole record high
9 with 3.4 million unique visits in March. It's up
10 33.4 percent from March of last year. Village
11 Voice Media claims they work with law enforcement,
12 dedicating hundreds of staff to screen adult
13 classifieds to ensure minors are not involved.
14 The staff has clearly been failing to catch those
15 ads selling children, giving the number of cases
16 just that we know of in which victims state they
17 were advertised on Backpage. Village Voice Media
18 also claims that Backpage makes it easier for law
19 enforcement to find traffickers and their victims.
20 We argue the opposite. And I think law
21 enforcement seemingly agrees, given that attorneys
22 general from 48 states have asked Backpage to stop
23 accepting and running those ads, citing cases in
24 which pimps use Backpage to sell minors in 22
25 states. Fair Girl is a D.C. based advocacy group

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2 also working on this issue, have been monitoring
3 the ads on the site. In a conversation with a
4 detective just two days ago, Fair Girl learned
5 that law enforcement is having new difficulties in
6 searching ads on Backpage, not being able to
7 search by word, phone number or poster ID as they
8 used to. The fear is that Backpage might actually
9 be reducing the functionalities that allow law
10 enforcement to search for these ads, for the same
11 poster, which is one way that they keep track of
12 suspected traffickers. Fair Girl's research also
13 shown a huge spike in ads in the greater D.C.
14 area, which is in line with the findings anther
15 D.C. based group, Polaris Project, which Rachel
16 mentioned earlier. Polaris had volunteers
17 manually count the number of ads nationally over
18 the past two months and have found the number of
19 ads jump from 14,000 to 19,000. Fair Girls also
20 reports seeing more ads featuring teenage girls.
21 The ads have become more violently worded
22 according to them, with some stating outright that
23 violence is permissible when buying a teenager.
24 We do not believe that taking adult services ads
25 off Backpage will solve the sex trafficking

1
2 problem. However, it will make it harder for the
3 pimps until they move onto the next thing. And
4 that's exactly where our frustration lies. We
5 strive to be a step ahead of the traffickers, but
6 it's difficult to do this when people in
7 organization such as Village Voice Media block us
8 from even catching up with them. Mayor Bloomberg
9 and the mayors of all the large cities in the U.S.
10 have been contacted by a consortium of
11 organizations, including ours, asking him to take
12 a stand against Backpage escort ads. To date,
13 there has been no response from our Mayor. We
14 think it's time for City government to take a
15 proactive approach, so we really would like to
16 reiterate our thanks to the Council Members for
17 holding this hearing and proposing this
18 Resolution.

19 CHAIRPERSON FERRERAS: Thank you
20 very much for your testimony and for your
21 patience. I know we started about four hours ago,
22 it feels like. But this is very important for us
23 to have on the record, and for us to circle back
24 and speak amongst ourselves as colleagues, but
25 also with our Speaker and our Mayor, to hopefully

1
2 continue the pressure. So thank you very much for
3 testifying today. Our next panel is Kate D'Amato
4 from Sex Workers Outreach Project, and Brittany
5 Wollman of the Sex Workers Outreach Project, also.
6 [pause, background noise]

7 BRITTANY WOLLMAN: Thank you. Good
8 morning, Council Members. My name is Brittany
9 Wollman. I'm a Community Organizer with the Sex
10 Workers Outreach Project of New York City, a
11 volunteer based, grassroots organization made up
12 of current and former sex workers, their allies
13 and advocates. As such, we are in a unique
14 position to testify as to the effect policies have
15 on se workers' lives, with an on-the-ground
16 perspective on the sex trade in all its forms.
17 [background comments] Okay. Hello? Yeah. Thank
18 you. While prostitution or sex work is a
19 commercial transaction between two consenting
20 adults, sex trafficking involves coercion and
21 often violence. The Sex Worker Outreach Project
22 is very proud to be an anti-trafficking
23 organization. However, with the expansion of the
24 internet, the sex trade has become increasingly
25 visible. While this often raises alarm, it is

1
2 important to note how the internet is transforming
3 our ability to track an underground market that
4 has always exist but was previously inaccessible.
5 After the Craig's List adult advertising section
6 was shut down, law enforcement around the country,
7 including our own NYPD, said it was, became harder
8 to identify trafficked persons. It follow
9 logically that closing Backpage would have the
10 same effect. Backpage is a window into a
11 marginalized world that we don't often get to look
12 into, and I know that sometimes that's scary.
13 Backpage cooperates with law enforcement and is
14 based on US shores, unlike many of the estimated
15 5,000 other adult advertising websites. I think
16 it's really important to pause here, because we
17 have discussed the fact that Backpage is a name
18 brand, Craig's List was a name brand, but they
19 became name brands because of the demand online.
20 And the fact that is that there are at least a
21 dozen websites I could name off the top of my
22 head, that are, you know, lining up to be the
23 next, the next advertising website for this
24 demand, whether it's consensual or nonconsensual
25 sex work. So, I think that needs to be mentioned.

1
2 We spoke already about the automatic word filters
3 and real people manually reviewing each ad before
4 it is published. And the National Center for
5 Missing and Exploited Children. I think the key
6 part is that every advertisement placed on
7 Backpage leaves a footprint that includes IP
8 addresses, and credit card details, crucial
9 information in the pursuit of traffickers. Shut
10 down a website like Backpage and things go further
11 underground, most likely to a plethora of smaller,
12 less established websites without the resources or
13 possibly even the interest in doing any kind of
14 screening. Never mind that many of them are not
15 under US jurisdiction, as we've heard. While
16 taking down Backpage may make some feel better,
17 and I know we all want to feel better about this
18 problem, 'cause it's horrifying. There is no
19 evidence that doing so will help victims of
20 trafficking, which has to be our mission. What we
21 do know is that it will have many unintended and
22 dangerous consequences for those involved in the
23 sex industry, by consent. Backpage is a low cost
24 advertising site that has allowed many people in
25 the sex industry to break away from a pimp or

1
2 madam, get off the streets or out of a working
3 house, and work independently. What happens when
4 you shut down an advertising site that services so
5 many people? Further marginalization leads to
6 increases in violence, HIV, and other STIs, stigma
7 and discrimination. Without sites such as
8 Backpage, it is much harder for sex workers to
9 screen their clients for their safety, and
10 negotiate terms of service, such as condom use.
11 Closing down low cost advertising sites makes it
12 harder to be independent and forces sex workers to
13 rely again on third parties, leading back to the
14 same exploitation and trafficking that we'd all, I
15 think we can agree, like to avoid. In conclusion,
16 shutting down Backpage will have many unintended
17 consequences. They say the road to hell is paved
18 with good intentions. Let us not act hastily when
19 recommending a policy that will affect such a
20 broad range of people. The problem of sex
21 trafficking is extremely complex, and deserves a
22 thoughtful, multilevel approach to prevent its
23 occurrence and facilitate the rescue of its
24 victims. Thank you for taking the time to hear
25 sex workers' voices, and I hope that City Council

1
2 will continue to reach out to impacted groups when
3 discussing policies affecting the sex industry.

4 Thank you.

5 KATE D'AMATO: Thank you - -

6 [background comments] Thank you. Good morning,
7 Council Members. The Sex Workers Outreach Project
8 of New York City thanks the Council for the
9 opportunity to speak on proposed Resolution 1226-
10 A. My name is Kate D'Amato, and I'm a Community
11 Organizer with Swap NYC, we're a grassroots
12 membership based organization of current and
13 former sex workers, as well as allies, dedicated
14 to improving the lives of current and former sex
15 workers, on and off the job. We're excited that
16 the City Council is making inroads to try and
17 combat the issue of human trafficking in New York
18 City. We do have concerns that the this
19 Resolution and the larger push to close
20 advertising venues will have no impact on reducing
21 or preventing trafficking and will instead cause a
22 range of unintended harms to both sex workers and
23 trafficked persons alike. As we have noted,
24 further marginalization means increased physical
25 and sexual risk, HIV and STI transmission and risk

1
2 of exploitation. We urge the City Council to take
3 a strong anti-trafficking stance which prioritizes
4 human rights based approaches which do not lead an
5 already marginalized population to be further
6 victimized. To this end, we would like to make
7 two recommendations: first, for an increase in
8 the number of shelter beds made available to
9 youth, and a resolution calling on the NYPD to
10 stop prosecutions of youth for prostitution
11 related crimes. According to the John Jay College
12 Study, the commercial sexual exploitation of
13 children in New York City, 95 percent of youths
14 interviewed said they exchange sex for money
15 because "it was the surest way to support
16 themselves." And this is not an issue of not
17 knowing where to go, and not knowing where
18 resources are available, 68 percent had visited at
19 least one youth service agency. And while 87
20 percent express a desire to leave the sex trade,
21 60 percent said they would require stable, legal
22 employment, 51 percent identified educational
23 needs, and 41 percent required stable housing
24 before this was possible. These are clear,
25 decisive places to start that we know will have a

1
2 huge impact on this population. The most frequent
3 request for services: stable long term housing.
4 And the 90 day maximum that most have is
5 completely insufficient. In 2007, before the
6 financial crisis, one study identified 4,000
7 unaccompanied youth in New York City, every single
8 night. And this number is woefully low. To meet
9 this need, the City funds roughly 300 beds. This
10 year, Bloomberg is trying to--Mayor Bloomberg is
11 trying to cut this number even further. Funding
12 emergency shelter services could be a silver
13 bullet in this population. While no one can say
14 that closing Backpage will cut trafficking, it is
15 not a stretch to say that cutting resources to
16 this vulnerable population will increase
17 vulnerability of exploitation. Another challenge
18 we would like to highlight is the criminalization
19 of this population. Despite the focus on youth
20 engagement in the sex trade, persons under the age
21 of 18 continue to be arrested and convicted of
22 prostitution and prostitution related crimes.
23 This means, in addition to the already discussed
24 barriers of leaving the sex industry, some will
25 also be attempting to find stable employment,

1
2 basic resources and social services with a
3 conviction on their record. We urge the City
4 Council to pass a resolution requesting the NYPD
5 to stop arresting and convicting youths for
6 prostitution and prostitution related crimes. IT
7 would be a powerful statement in favor of human
8 rights and of the incredible need to support and
9 not further marginalize this population. One of
10 the greatest travesties of this crime is that
11 there are concrete ways to prevent it. We focus
12 so much on the day after trafficking occurs, when
13 we can instead focus on the day before. These
14 human rights based approaches mean we can take
15 huge steps in the fight to end trafficking and put
16 New York City on the forefront of this work. We
17 must end demand for affordable housing, and demand
18 for shelter beds, and end demand for living wage
19 work. We thank you for your time on this
20 important matter and your desire to help and even
21 prevent victims of trafficking.

22 CHAIRPERSON FERRERAS: Thank you
23 very much for your testimony. And just so that
24 you know, we were--this Committee has already put
25 out a letter, a formal letter to Commissioner

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2 Kelly, it is that age requirement is a State
3 issue, but we've already, we're proactive in
4 addressing the age issue that you discussed about
5 pros--being arrested for prostitution and not
6 being seen as a statutory rape. So, I thank you
7 very much for your testimony today.

8 KATE D'AMATO: Sure, the one
9 additional thing I would like to say is that
10 street based youth are not only often arrested for
11 prostitution and prostitution related crimes, but
12 a number of smaller violations, which also have
13 overlapping occurrences with prostitution.

14 CHAIRPERSON FERRERAS: Okay. Thank
15 you very much. And now we're going to call up--is
16 this the final panel?--the last but not least
17 panel, Kenneth Frasbois [phonetic], Equity Now;
18 Reverend Dr. Katharine Henderson of the Auburn
19 Seminary; and Peter Gleason.

20 [pause, background noise]

21 CHAIRPERSON FERRERAS: Okay. And
22 this is actually an all male panel. We don't have
23 those often in the Women's Issues Committee now.
24 [laughter] You may begin your testimony.

25 [background noise]

1
2 KENNETH FRANZBLAU: Madam Chair and
3 Members of the Committee who have departed, but
4 for the--

5 CHAIRPERSON FERRERAS: [off mic]
6 They're here in spirit.

7 KENNETH FRANZBLAU: --for the
8 record, thank you for the invitation and
9 opportunity to speak with you today in support of
10 Proposed Resolution 12260-A and about the role
11 played by backpage.com in sex trafficking. I'd
12 like to start by deviating from my statement and
13 answer a question that you asked earlier about the
14 volume of ads placed on Craig's List--sorry, on
15 [background comments] on Backpage's escort
16 section. And we received just two days ago, a
17 survey conducted by Polaris Project, which you
18 probably know is a national anti-trafficking
19 organization that has been monitoring the number
20 of ads on Backpage. They focused on four
21 particular days, February 22nd, there were 14,540
22 such ads; February 29th there were 16,282 such
23 ads; Tuesday, March 6th, 16,643 said ads; and
24 Wednesday, April 18th, 18,911 ads. And I have a
25 copy of that report, I only have one copy, but if

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you'd like it. Sure.

CHAIRPERSON FERRERAS: [off mic]

Thank you.

MALE VOICE: Okay, you're welcome.

So, 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 exploration 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

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2 true whether we are talking about legal regimes
3 that legalize or regulate prostitution, such as in
4 Germany or the Netherlands. It is true even if
5 pimping and patronizing those in prostitution is
6 illegal but where those crimes aren't treated
7 seriously by law enforcement, such as in the
8 Philippines or Thailand. And it is also true
9 online, as evidenced by the scores of sex
10 trafficking cases that resulted from
11 investigations of Craig's List's former adult
12 services section. It is confirmed every day as
13 the number of sex trafficking cases emanating from
14 backpage.com postings continues to rise. Village
15 Voice Media claims that they seek to prevent sex
16 trafficking; however, there is no method of
17 monitoring thousands of ads per day from around
18 the world that can reliably detect sex
19 trafficking. The use of false identities, false
20 pictures, and false claims of age are the norm in
21 sex trafficking. Using the threat of force or
22 coercion, pimps direct their victims to post
23 themselves online so the pimp can avoid being
24 linked to the ad. Short of extensive face-to-face
25 interviews with all of those posting ads on

1
2 backpage.com, the discovery of trafficking on that
3 site will never be better than haphazard. In any
4 event, Village Voice Media's monitoring is a
5 failure, proven by the number of sex trafficking
6 cases where the victim's prostitution was
7 facilitated through Backpage. Even if we suspend
8 reality and enter into a hypothetical universe
9 where all of the ads on Backpage are posted
10 willingly by the women themselves, and where all
11 the women are over the age of 18, the contempt for
12 the law and arrogance of Village Voice Media is
13 still evidence. And to me, infuriating. Whether
14 they like it or not, promoting prostitution,
15 prostitution and patronizing people in
16 prostitution are still crimes in New York and
17 almost everywhere in the United States. What
18 gives Village Voice Media the right to decide
19 which crimes they will profit from? As Council
20 Member Lander said, if Village Voice Media can
21 profit from the sale of women, why not from the
22 sale of narcotics or stolen property? Why not
23 have a section on that page for those seeking
24 arsonists or offering hitman services can
25 advertise? How about illegal gambling? If

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2 Village Voice Media can profit from prostitution,
3 there is no logical reason they cannot profit from
4 any other crime of their choosing. Their
5 arrogance in this regard is as obvious as the
6 prostitution they exploit. I would like to say,
7 there was one comment by Ms. McDougall that I did
8 agree with. And that is that the fact that people
9 could buy sex online has likely increased it. And
10 what I would urge the panel to do and I'm not sure
11 if you've done it already, is to hold a hearing on
12 the role of demand in sex trafficking, because I
13 believe this is an area where much progress can be
14 made in the fight against sex trafficking. I also
15 want to point out to the representatives from the
16 Sex Workers Outreach Project, nobody here today
17 that I heard, whether Council Members, law
18 enforcement advocates, is talking about
19 victimizing people in prostitution. I think we
20 all recognize that people, that nothing is gained
21 by arresting people in prostitution, that the
22 emphasis needs to be on the pimps and the men who
23 patronize them. I would also take issue with the
24 statement that closing Craig's List made it harder
25 to find trafficking. It may have made it harder

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2 but it may have made it harder because there was
3 less of it. And you know, this I think gets
4 ignored as well. Equality Now thanks you for
5 these hearings, we strongly endorse Proposed
6 Resolution No. 1226-A, and we urge its adoption by
7 the full Council. Thank you.

8 CHAIRPERSON FERRERAS: [off mic]

9 Thank you very much for your testimony. And I
10 believe you're reading a statement, right?

11 Yes.

12 CHAIRPERSON FERRERAS: [off mic]

13 Read quickly.

14 I will do that.

15 CHAIRPERSON FERRERAS: [off mic]

16 All right.

17 MALE VOICE: I'd imagine--

18 [background comments] Instead of a short Jewish
19 boy from Brooklyn, imagine a 50 something blond
20 Presbyterian minister delivering this statement.

21 [laughter] Okay, this is a, "First of all, a
22 special thanks to the City Council, Speaker Quinn,
23 and the original City Council member cosponsors of
24 the Village Voice Resolution at hand today, Brad
25 Lander and Melissa Mark-Viverito. I am the

1
2 President of Auburn Seminary, a multi-faith think-
3 act tank, that works nationally and is based here
4 in New York City, on the Upper West Side. One of
5 our signature social action campaigns this year
6 has been to try and convince backpage.com to close
7 the adult section of its website until they can be
8 sure that no children or teens will be sold for
9 sex via ads posted by others on the site. But I
10 come here today as a mother, concerned about the
11 safety and security of my children, and as a
12 person of faith motivated by my scriptures to care
13 for the least among us. Eight months ago, when we
14 started this campaign at Auburn, we wanted to add
15 voices of faith leaders to the vital work already
16 being done by nonprofits and advocates many of
17 whom you heard from today. And as we all know,
18 you don't need to have to a clergy collar to know
19 that what the Village Voice is doing is just plain
20 wrong. This campaign has gained momentum. A
21 quarter of a million people have signed a petition
22 on Change.org, we have added the voices of more
23 than 600 religious leader from around the country
24 and across faiths to our ranks. Hundreds of NGOs,
25 19 U.S. Senators, the State of Washington, have

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2 joined this fight, and we soon hope to see the New
3 York City Council do the same. The message we are
4 sending is unmistakable: Village Voice Media's
5 leadership, Jim Larkin and Mike Lacey, must shut
6 down the adult section of their website,
7 backpage.com. To them, we say young girls and
8 boys have been exploited by pimps posting
9 advertisements on your website, despite the
10 safeguards you have implemented. This is an
11 undeniable fact, and confirmed by court documents
12 and news reports over and over again. You cannot
13 practice getting it right while our kids are at
14 risk. According to some estimates, their business
15 generates more than \$20 million a year in revenue
16 on those ads. And as a reverend and as a mother,
17 I believe that doing anything less than everything
18 in their power to stop exploitation from happening
19 on their website is immoral and unacceptable. It
20 was in this spirit that Auburn has joined U.S.
21 Senators Blumenthal, Rubio, Kirk and Cornyn, as
22 well as activists based here in New York City and
23 on Change.org, and urging Village Voice Media's
24 advertisers to think long and hard about their
25 relationship with Village Voice Media while their

1
2 backpage.com adult section remains online. We are
3 educating these advertisers and other
4 organizations with business relationships with the
5 Village Voice, and we are happy that a growing
6 list of national brands and local companies now
7 including AT&T, Miller Coors, Macy's, Starbucks,
8 the New York City Film Forum, TriBeCa Performing
9 Arts Center, REI, Brooklyn Academy of Music and
10 others have decided to join the effort to convince
11 Village Voice Media to shut down backpage.com's
12 adult section either by communicating these views
13 publicly or deciding not to continue advertising
14 with Village Voice Media publications until the
15 adult section of Backpage has been shut down.
16 Village Voice must take down the adult section of
17 backpage.com and take away an avenue others have
18 used to exploit children and teens. And they
19 should know that advocates like us will not rest
20 until they do so. Thank you.

21 [background noise, feedback]

22 PATRICK GLEASON: I think it's on.

23 [background noise]

24 PATRICK GLEASON: Great. Thank you
25 so much, Chairwoman Ferreras, for giving me this

1
2 opportunity to address the City Council concerning
3 this very important issue, of which the Resolution
4 I support. My name is Peter Gleason, and I am a
5 resident of Lower Manhattan. I have a personal
6 story to share about the Village Voice. The
7 Village Voice first placed themselves on my radar
8 in 2009 when I ran for City Council, a so-called
9 journalist by the name of Wayne Barrett utilized
10 what he claimed to be stolen FDNY medical records
11 in an attempt to disparage my service to the City
12 of New York. Based on this article, I looked
13 further, because in the FDNY I was an arson
14 investigator, so something's placed on your radar,
15 you look into it. And I looked into the mystery
16 of who Wayne Barrett was and who he worked for. I
17 was shocked to learn he was working for what I
18 would consider by definition a publishing pimp.
19 Black's Law Dictionary defines as a pimp quite
20 simply as: "someone who--a pimp is one who
21 obtains a customer for a prostitute." That's what
22 the advertisements in print are doing in the
23 Village Voice. And even buttressing this notion
24 was the prince of pornography in New York City, a
25 fellow by the name of Al Goldstein. Al Goldstein

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2 in a 2003 interview called what he bemoaned during
3 the demise of Screw Magazine, as, and I quote,
4 "The Village Voice took away all my hooker ads."
5 Goldstein called it what it was. What I also
6 learned, unfortunately, during this 2009 election
7 cycle, was the incestuous relationship between the
8 body politic and certain media consultants. I
9 bring this up because media consultants need media
10 outlets to ply their trade. In 2009, at the very
11 same time, my medical leave records were stolen.
12 Lobbyist George Arts [phonetic], who was lobbying
13 the incumbent Councilman that I was running
14 against, was also working for the incumbent
15 Councilman at the same time as his media
16 consultant. As a sidebar, and perhaps more
17 currently, Mr. Arts, according to the New York
18 City lobbying website, has lobbied the embattled
19 Comptroller, John Liu, while representing him as
20 his spokesperson. Now, I brought everything I
21 just shared with you to the Manhattan District
22 Attorney's office. The three things I noticed
23 them about were the Village Voice possession of my
24 stolen medical records, the conflicting manner in
25 which George Arts conducts business, and more

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2 importantly and succinctly relating to what we're
3 here today, the Village Voice's use of public
4 property to promote and illegal activity.

5 Unfortunately, the Manhattan D.A.'s office did
6 nothing to address these complaints. Now, my
7 solution to the problem that I had on hand where,
8 with the Village Voice was quite simple. As in a
9 budding land owner, living blocks from this
10 Committee, I had the right to obtain an attorney
11 to send a letter, and eviction notice, to the
12 village voice newsstand that was on the street, in
13 front of my home. It was an eviction proceeding,
14 I had standing to do so under New York State law.
15 The Village Voice, rather than engage me in some
16 sort of legal battle, an eviction process at
17 landlord-tenant court, which I assure you they
18 would've ultimately lost, chose to remove the
19 Village Voice newsstand. My point is, the Village
20 Voice in their print publication, is promoting
21 prostitution, that is an illegal activity, they
22 are using the public sidewalks of this City,
23 they're using the public sidewalks of the City to
24 brand the Village Voice name, which in essence
25 brands backpage.com. A first step of any cancer

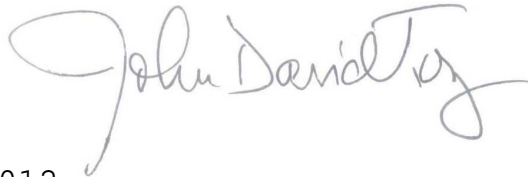
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2 is to get the tumor out. Those Village Voice
3 newsstands on the streets are tumors. And the
4 City Council and the District Attorney's Office
5 has the power to say, "You're not using this
6 sidewalk, this corner, to promote an illegal
7 activity"; in the same realm, nobody has the right
8 to stand on any street corner and sell drugs, or
9 sell weapons. I thank you for your time.

10 CHAIRPERSON FERRERAS: Thank you
11 very, very, very much for your testimony. I wish
12 the attorney was still in the room, she left. I
13 think you bring a very fresh--yeah, you bring a
14 very and new perspective to this debate. I thank
15 you all for your testimony, clearly it's going to,
16 it's instructed us to be able to have a more
17 educated and a different debate and battle now. I
18 just want to say thank you, it's been an
19 incredible morning, now afternoon. And it is my
20 pleasure to call this hearing to a close. And we
21 will continue. And we, we will be following up
22 with a johns hearing, I like it. Thank you.
23 [gavel] [laughter] All right.

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date May 18, 2012