Legislation Details (With Text)

File #:	Res 1234-2012	**Version:**	*	**Name:**	Define advancing or profiting from prostitution of an individual less than the age of sixteen as sex trafficking.
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Title: Resolution calling on the New York State Legislature to introduce and enact, and the Governor to sign, legislation that would amend the New York State Penal Law to define advancing or profiting from prostitution of an individual less than the age of sixteen as sex trafficking.

Sponsors:

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Date	Ver.	Action By	Action	Result
2/29/2012	*	City Council	Introduced by Council	
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12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 1234

Resolution calling on the New York State Legislature to introduce and enact, and the Governor to sign, legislation that would amend the New York State Penal Law to define advancing or profiting from prostitution of an individual less than the age of sixteen as sex trafficking.

By Council Members Vallone Jr., Ferreras, Halloran, Arroyo, Chin, Comrie, Crowley, Gentile, James, Koo, Koppell, Koslowitz, Lappin, Levin, Nelson, Rose, Van Bramer, Williams, Wills, Mark-Viverito, Palma, Rodriguez and Vacca

Whereas, According to the United Nations, human trafficking is the fastest-growing international criminal industry in the world; and

Whereas, According to the United States Department of Health and Human Services, victims of human trafficking are often subjected to force, fraud, or coercion for the purpose of sexual exploitation; and

Whereas, Victims of sex trafficking are often difficult to identify or track due to the nature of the industry in which they are involved; such victims engage in street prostitution and work for online escort

services; and

Whereas, According to the Federal Bureau of Investigation, sex trafficking is the most common form of modern-day slavery, with the estimated number of domestic and international victims in the millions; and

Whereas, According to the National Clearinghouse on Families and Youth, New York City is known by sexual exploiters as a domestic sex trafficking gateway that is used as a hub; children are often held in the City before they are transported to another U.S. state where it can be more difficult to identify those being exploited; and

Whereas, Victims are often lured into prostitution by sex traffickers with promises of employment, financial rewards or housing while some are abducted or are driven to prostitution by poverty; and

Whereas, A report released by the Center for Court Innovation and John Jay College of Criminal Justice estimates that commercial sexual exploitation affects nearly 4,000 youth in New York City annually; and

Whereas, In an effort to combat sex trafficking, New York State enacted the Anti-Human Trafficking Law, which amended the State's Penal Law to include sex trafficking, effective November 1, 2007; and

Whereas, Under Section 230.34 of the Penal Law, a person commits the crime of sex trafficking when he or she intentionally advances or profits from prostitution by: (i) providing a narcotic with the intent to impair a patronized individual's judgment; (ii) making material false statements to induce or maintain the individual being patronized to engage in prostitution; (iii) withholding or destroying government identification documents; (iv) requiring that prostitution be performed for the repayment of debt; and (v) using force or engaging in any plan to compel or induce the patronized individual to engage in or continue to engage in prostitution activity; and

Whereas, Sex trafficking in New York State is a Class B Felony with a maximum sentence of 25 years

imprisonment; and

Whereas, In an effort to further protect children targeted for recruitment into and exploited by the sex trafficking industry, the New York State Legislature should amend the Penal Law's sex trafficking section to define sex trafficking to include advancing or profiting from prostitution of an individual less than the age of sixteen; and

Whereas, Amending the Penal Law's sex trafficking section to include individuals who victimize those who are less than the age of sixteen would help ensure the safety of children and vigorously prosecute those who prey on vulnerable youth; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and enact, and the Governor to sign, legislation that would amend the New York State Penal Law to define advancing or profiting from prostitution of an individual less than the age of sixteen as sex trafficking.

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