

Sex Workers' rights and Human Trafficking

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Stop Violence in the Sex Trades Act

Decrim NY, in collaboration with Assemblymember Richard Gottfried and Senator Julia Salazar, drafted and introduced the Stop Violence in the Sex Trades Act (A.8230/S.6419), a package bill to decriminalize and decarcerate the sex trades in New York, in June 2019. It is the first statewide bill of its kind in the United States. The bill amends statutes so that consenting adults who trade sex, collaborate with or support sex working peers, or patronize adult sex workers will not be criminalized. It also amends the law so that people can trade no-longer-criminalized sex in spaces where legal businesses are permitted, while upholding that maintaining exploitative workplaces where coercion and trafficking take place is a felony. New York state law has more than two dozen anti-prostitution penal codes, about half of which pertain only to sex work between consenting adults, while the other statutes focus on trafficking, exploitation of minors, and coercion in the sex trades. The bill upholds all of the felony anti-trafficking statutes that are designed to hold accountable traffickers and people who seek to buy sex from minors or otherwise sexually exploit minors. Read our June 10, 2019 [press release](#) about the bill and access the [full text of the bill](#).

Walking While Trans

Bills A00654/S02253 (Paulin/Hoylman) would repeal New York's loitering for the purposes of prostitution law, which was enacted in 1976 and has been incredibly damaging to the lives of countless New Yorkers by cycling them in and out of the criminal legal system. Its repeal sends the message that NYS values civil rights and dignity for those policed for being in the commercial sex industry and for those profiled as engaging in commercial sex. The law on its face has been unevenly and discriminatorily applied, especially to TGNCNB people, and repeal is necessary to protect against harmful arrests. This allows police to interpret lawful behavior such as repeatedly waving at a person in a vehicle, wearing a mini skirt, or talking to people in the streets as cause to arrest for loitering for the purpose of prostitution.

Record Relief

Bills A06983/S04981 (Gottfried/Ramos, Salazar) would expand the relief available to survivors of human trafficking who have criminal records for crimes their traffickers have compelled them to commit. Currently, New York State law only allows trafficking survivors to clear prostitution-related convictions from their records, although many are convicted of other types of offenses during the course of their trafficking. These bills expand the relief available to survivors by allowing them to move to vacate all types of criminal convictions resulting from their trafficking and exploitation.