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MEMORANDUM IN SUPPORT

Survivors of Trafficking Attaining Relief Together (START) Act

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AN ACT to amend the criminal procedure law, in relation to vacating convictions for offenses resulting from sex trafficking, labor trafficking and compelling prostitution

Covenant house New York (CHNY) has served youth experiencing homelessness in New York City since 1972. During the past year, over 1,500 homeless youth, ages 16-24, were served across all of CHNY's programs. Over 1,100 of these young people resided in CHNY's crisis shelter, the first tier of housing within the CHNY continuum. These youths were provided three meals a day, showers, clothing, intensive case management, medical and mental health care, development of Individualized Service Plans, educational and vocational training and referrals to additional support services as needed.

Unfortunately pimps and other exploiters often make homeless young people a primary target. Recent studies across the Covenant House federation have found that approximately 20%¹²³ of the homeless young adults we serve have had experiences that were consistent with the United States federal definition of human trafficking. Approximately another 10%, while not technically fitting the legal definition of human trafficking, at some point in their life felt the need to trade sex

¹ L.T. Murphy, R. Taylor, C.L. Bolden **Trafficking and exploitative labor among homeless youth in New Orleans** Modern Slavery Research Project and Covenant House (2015)

² . Bigelsen, S. Vuotto **Homelessness, Survival Sex and Human Trafficking: As Experienced by the Youth of Covenant House New York** Covenant House (2013) Available at [:https://humantraffickinghotline.org/sites/default/files/Homelessness%2C%20Survival%20Sex%2C%20and%20Human%20Trafficking%20-%20Covenant%20House%20NY.pdf](https://humantraffickinghotline.org/sites/default/files/Homelessness%2C%20Survival%20Sex%2C%20and%20Human%20Trafficking%20-%20Covenant%20House%20NY.pdf)

3Greeson JKP, Treglia D, Wolfe DS, Wasch S, Gelles RJ. Child welfare characteristics in a sample of youth involved in commercial sex: an exploratory study. *Child Abuse & Neglect*. 2019;94(1):1-11. Available at: <https://doi.org/10.1016/j.chiabu.2019.104038>



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for something of value. For these reasons, since 2015 CHNY has operated an off-site safe house where survivors of commercial sexual exploitation (CSE)/ human trafficking can heal and thrive. We have also embedded supportive services for those wishing to exit the sex trade within our main crisis and transitional housing programs.

Many of the trafficking survivors we serve at Covenant House New York have criminal records due to crimes they were convicted of while they were victims of human trafficking. These previous convictions prevent survivors from fully moving forward with their psychosocial recovery and healing. Finding legitimate employment and learning important vocational/educational skills are essential if a survivor of trafficking is to break free from exploitation and find a path toward self-sufficiency. In both Covenant House New York's legal and vocational and educational training departments, we see how having a criminal record imposes life-long, detrimental effects on trafficking survivors—limiting access to employment and educational opportunities, financial resources, housing, and unfairly stigmatizing victims for acts they were compelled to commit. A criminal record can also result in severe immigration consequences, including the threat of deportation and the inability to adjust immigration status or become a citizen.

Currently, New York state law only allows survivors of trafficking to clear a narrow subset of prostitution-related convictions. However, pimps and other traffickers often compel their victims to commit a wide-ranging spectrum of crimes in addition to prostitution. Therefore, the current law provides incomplete relief to a small group of survivors. The START Act is a criminal record relief bill which will enable victims of trafficking to clear from their records criminal convictions resulting from their exploitation beyond crimes related to prostitution. The START Act will remedy the shortcomings of the current law to account for the



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myriad other offenses that result from human trafficking so that many more survivors can benefit from an expanded criminal record relief statute.

Criminal records continue to haunt survivors long after they have escaped the victimization and exploitation of trafficking. It is imperative that the legislature recognize the ways a narrow record relief law hinders survivors' complete healing and reintegration. For these reasons, Covenant House New York is urging the New York State Legislature to pass the START Act, a comprehensive criminal record relief law, to alleviate the life-long impact that criminal convictions have on trafficking survivors.