

Memorandum Urging Approval

NYSBA #7-GOV

March 17, 2015

S. 7

By: Senator Lanza

A. 506

By: M of A Paulin

Senate Committee: Rules

Assembly Committee: Codes

Effective Date: Various

AN ACT to amend various chapters of New York State law, in relation to Human Trafficking Protection and Justice Act

This legislation would amend various sections of New York State law to improve the recognition of and response to human trafficking. Of particular interest, this bill would make sex trafficking a Class B violent felony and certain cases of labor trafficking a Class D violent felony. The bill would provide an affirmative defense to those prosecuted for prostitution when the defendant's participation in the offense was a result of having been a victim of compelled prostitution, a victim of a sex trafficking, or a victim of trafficking in person under federal law. In addition, the bill provides a civil remedy for trafficking victims to recover damages and reasonable attorney's fees from the perpetrator or those who knowingly advance or profit from trafficking.

The Association's Task Force on Human Trafficking, whose report was approved by the Association's House of Delegates in November 2013, recommended among many other proposals, to: reclassify sex trafficking as a Class B violent felony; create an affirmative defense for trafficking victims; and establish a civil private right of action for trafficking victims.

This legislation would be a step forward in addressing the complex issue of human trafficking.

The New York State Bar Association **URGES APPROVAL** of this bill.