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Victims on Trial: New York's Response to Sex Trafficking

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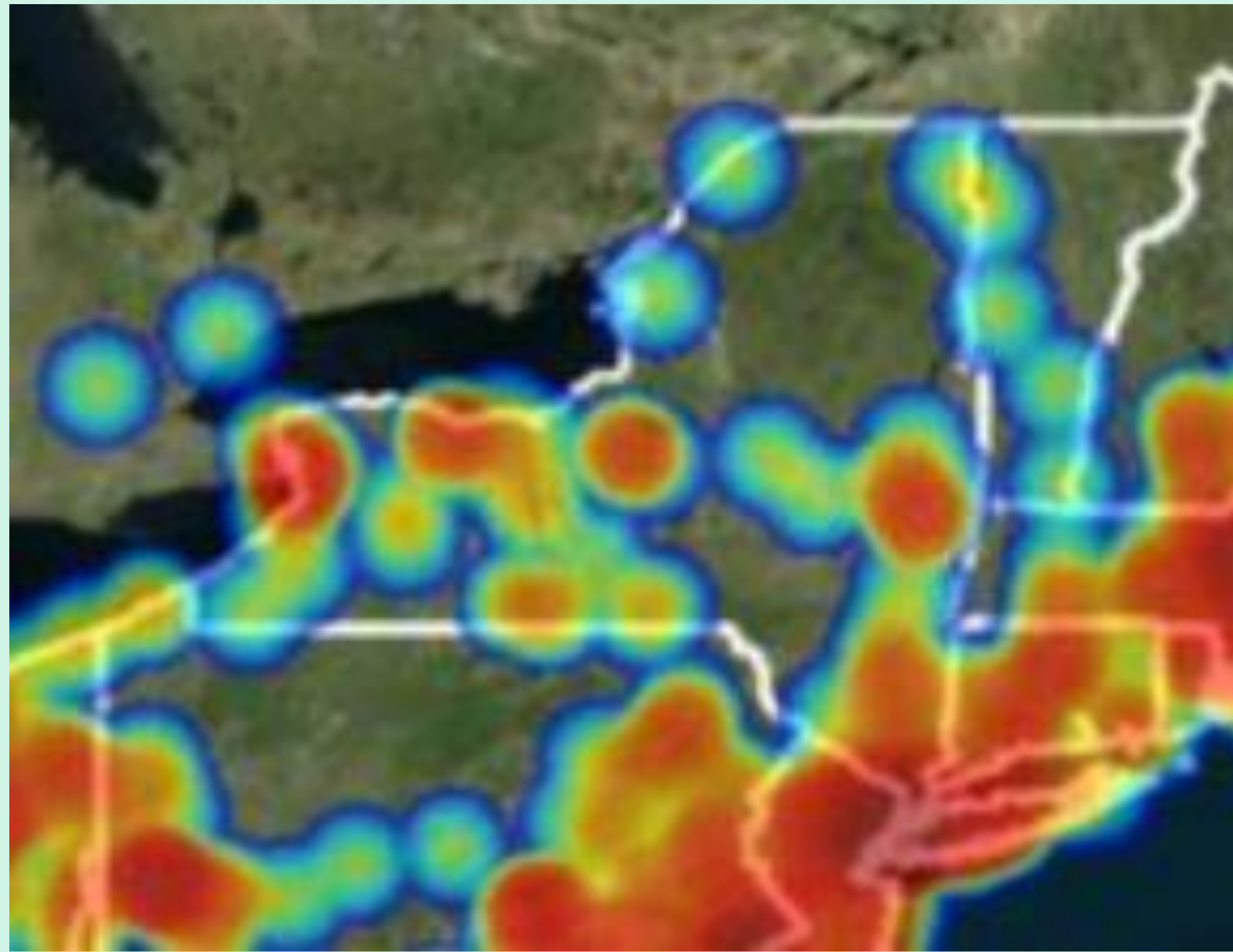
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Victims on Trial: New York's Response to Sex Trafficking

Jason Anglum

Introduction:

In 2013, New York State established the Human Trafficking Intervention Courts (HTICs) – special courts that adjudicate prostitution related cases



Incidences of human trafficking in the New York State region (2019)¹

Goals of the HTICS:

1. Combat human trafficking in New York State, which is most often in the form of sex trafficking²
2. Interrupt cycle of arrest, release, and exploitation for victims
 - Sentence is up to 3 months and/or up to \$500³
 - Common for victims to return to their abusers⁴

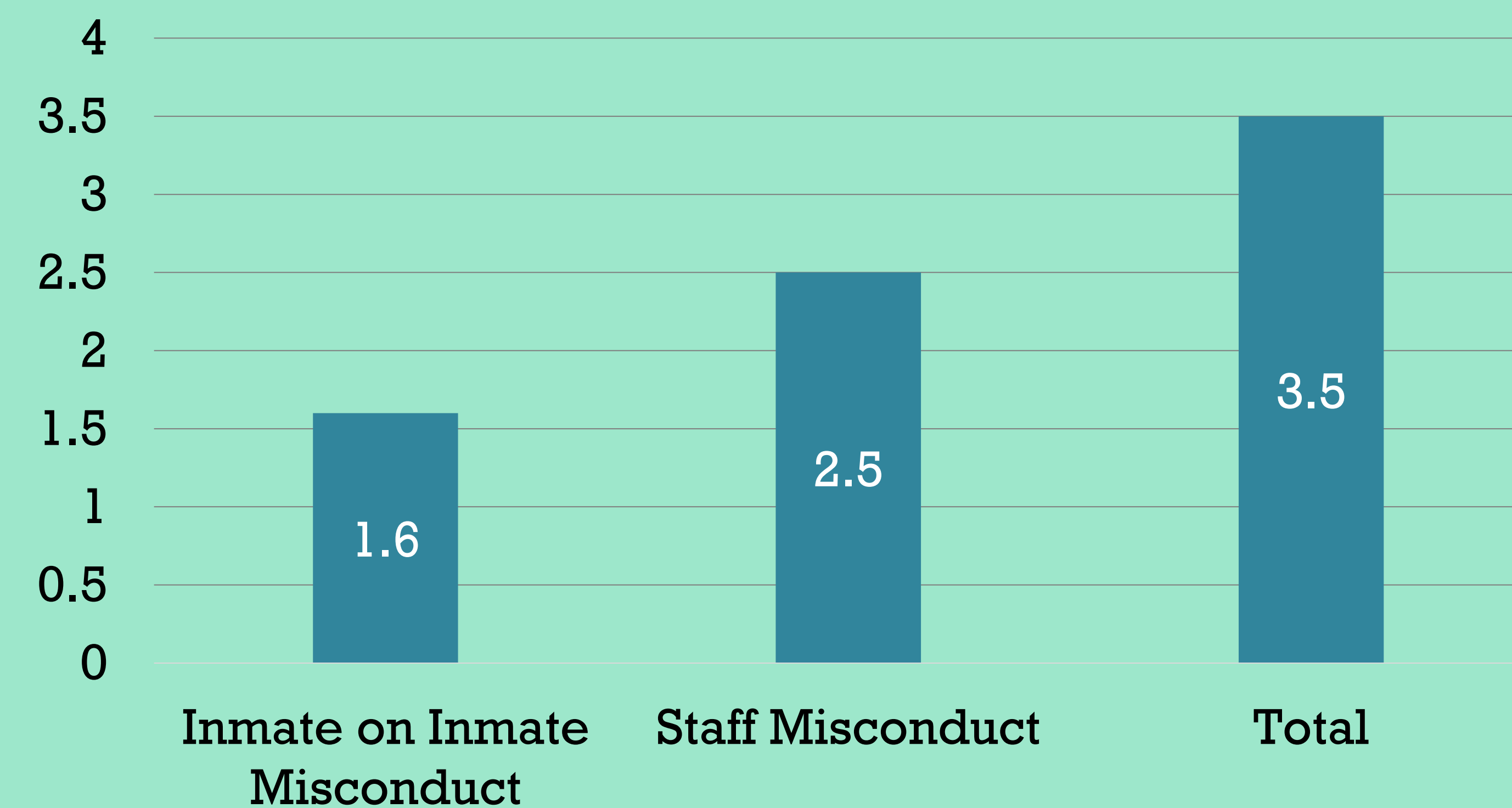
How do the HTICs work?⁵

1. HTICs receive prostitution case
2. Judges and lawyers evaluate the case
3. Identified victims are given resources such as job-training or drug treatment
4. Victims who accept services may have charges dropped

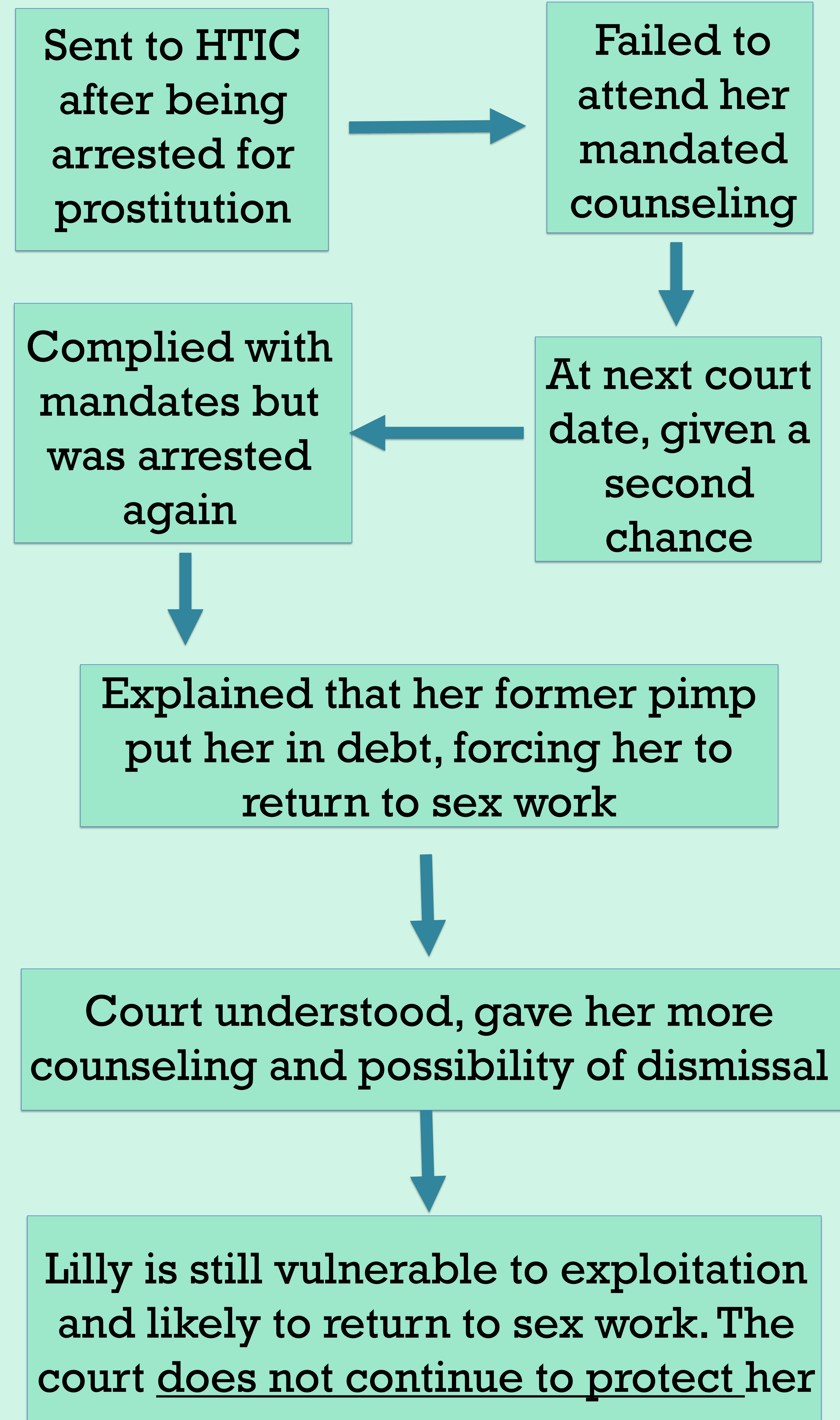
Victims are treated like criminals:

- Identified only after being arrested
- Many held in prison and mistreated⁶
- Court proceedings can be traumatic and embarrassing⁷
- Some sentenced to prison⁸

Percentage of Sexual Victimization in Jails (2012)⁹



Lilly: A Success Story?¹⁰



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(1) "Myths, Facts, and Statistics." Polaris Project. Polaris, December 17, 2020. <https://polarisproject.org/myths-facts-and-statistics/>. (2) Lippman, Jonathan. "Announcement of Human Trafficking Initiative." NY Courts. Accessed April 16, 2021. <https://www.nycourts.gov/LegacyPDFS/IP/human-trafficking/content/1.Lippman%20Human%20Trafficking%20Intervention%20Initiative%20SEND%20OUT.PDF>. (3) "What Are the Penalties for Prostitution in New York State?" Brill Legal Group, P.C. | Criminal Defense Lawyers. Accessed April 14, 2021. <https://www.brill-legal.com/our-services/criminal-defense/criminal-defense-faq/what-are-the-penalties-for-prostitution-in-new-york-state/#:~:text=In%20New%20York%20State%2C%20prostitution%20is%20considered%20a,in%20prison%20and%2For%20up%20to%20a%20%241%2C000%20fine.> (4) Mehlman-Orozco, Kimberly. "What Happens after a Human Trafficking Victim Is Rescued?" The Hill. Capitol Hill Publishing, July 29, 2016. <https://thehill.com/blogs/congress-blog/judicial/289709-what-happens-after-a-human-trafficking-victim-is-rescued.> (5) Lippman, Jonathan. "Announcement of Human Trafficking Initiative." NY Courts. Accessed April 16, 2021. <https://www.nycourts.gov/LegacyPDFS/IP/human-trafficking/content/1.Lippman%20Human%20Trafficking%20Intervention%20Initiative%20SEND%20OUT.PDF>. (6) Modzeleski, Jillian. "BDS Testifies at NYC Council Oversight Hearing on the Effectiveness of Human Trafficking Intervention Courts." Florida Law Review 68, no. 5 (September 2016): 1333-1402. <https://doi.org/https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1327&context=flr.> (7) Gruber, Aya, Amy J. Cohen, and Kate Mogulescu. "Penal Welfare and the New Human Trafficking Intervention Courts." Florida Law Review 68, no. 5 (September 2016): 1333-1402. <https://doi.org/https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1327&context=flr.> (8) Gruber, Aya, Amy J. Cohen, and Kate Mogulescu. "Penal Welfare and the New Human Trafficking Intervention Courts." Florida Law Review 68, no. 5 (September 2016): 1333-1402. <https://doi.org/https://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1327&context=flr.> (9) Beck, Allen J., Marcus Berzofsky, Rachel Caspar, and Christopher Krebs. "Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-2012." National Inmate Survey. U.S. Department of Justice. Accessed April 16, 2021. <https://www.hivlawandpolicy.org/sites/default/files/Sexual%20Victimization%20in%20Prisons%20and%20Jails%20Reported%20by%20Inmates%202011%20to%202012.pdf>. (10) "State Court Snapshot: New York State's Human Trafficking Intervention Courts." National Resource Center on Justice Involved Women. National Resource Center on Justice Involved Women. Accessed April 16, 2021. <https://cjininvolvedwomen.org/wp-content/uploads/2016/12/HTIC-1pager.pdf>.