

THE NEW YORK STATE ANTI-TRAFFICKING COALITION

# THE TRAFFICKING VICTIMS PROTECTION AND JUSTICE ACT

STRENGTHENING NEW YORK STATE'S  
RESPONSE TO HUMAN TRAFFICKING

The New York State Anti-Trafficking Coalition (NYSATC) came together in 2005 to demand laws against trafficking in New York State. In 2007, six years after passage of federal laws against trafficking, New York State enacted its first laws specifically criminalizing trafficking. The NYSATC successfully advocated for the 2008 Safe Harbor Act, which aims to ensure that child trafficking victims receive services and shelter. As part of an on-going monitoring effort, the NYSATC has conducted extensive interviews with law enforcement officers, prosecutors, defense attorneys, and legal and social service providers to assess the adequacy of the current trafficking laws and the effective implementation of the Safe Harbor Act. This assessment effort identified specific loopholes and shortcomings in the current legal framework. In order to rectify these issues, the NYSATC is advocating for the passage of the Trafficking Victims Protection and Justice Act (TVPJA), which is a three dimensional approach to strengthening New York State's response to human trafficking. The proposed legislation:

- Increases the criminal accountability of the traffickers and the individuals who patronize child prostitutes
- Ends the victimization of trafficking victims in our justice system
- Ensures that trafficking victims have access services and shelter

Last year through the tireless efforts of the NYSATC a version of the TVPJA passed the Senate. This year we are working towards full passage of the bill. We already have strong support from the Governor, who has included the bill as one of his ten points in his Women's Equity Agenda, as well as critical support in the Assembly, with our sponsor Assembly woman Paulin, and in the Senate, with our sponsor Senator Lanza.

Our task is to build strong community support for the TVPJA to show our legislators that ending human trafficking and the sexual exploitation of children is a priority in their communities.

Thank you for joining us in fighting for this critical legislation.

# Overview

This pamphlet is intended to serve as a guide to help you reach out to your New York State representative and organize your community to help the New York State Anti-Trafficking Coalition push for the passage of the Trafficking Victims Protection and Justice Act. This powerful and target piece of legislation aims to protect trafficking victims while helping strengthen the laws to punish those who profit from trafficking.

**Joining us in the fight against trafficking is not complicated.**

There are many ways you can get involved. Read through this pamphlet and see how you can help end trafficking in New York State

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### Information & Documents You Can Use

Throughout this pamphlet you will see the following icon **i** this indicates a reference to a corresponding document within this pamphlet that has additional information you may find useful.

You will notice the name of each such document is in **purple** and the document can be found by looking for the page that begins with a larger orange icon and the same purple title.

The only document not included within these pages is the **TVPJA Outline** which has been attached as a separate document.

Follow the suggested

**i** **Schedule** provided below.

# 1. How to Lobby Your Elected Representative

It is important that representatives know the concerns and wishes of the people they are elected to represent. Communicating with your representatives through lobbying is your right as a private citizen. Lobbying is simply the conveyance of ideas and opinions to encourage the passage, defeat or amending of legislation.

## Who are Lobbyists?

- ANYONE with an interest in a particular issue
- ANYONE with a story to tell
- ANYONE who wants to change the law or status quo
- YOU are lobbyists/activists

## How to effectively lobby

**i** See the sheet: **Legislative Basics**, in section six.

### 1. Understand the legislative process

Become familiar with the legislative process. This will help you communicate with your representatives.

### 2. Know who your representatives are

Your maximum influence comes in addressing your comments directly to *your own* legislator. Look up your representatives:

- New York Senate: <http://www.nysenate.gov/>
- New York Assembly: <http://assembly.state.ny.us/mem/?sh=search>

### 3. Know the Supports and Sponsors of the TVPJA

For information on who supported past legislation check the voting record by going to: <http://open.nysenate.gov/legislation/> In the search box enter the bill number, either: **S.2135** or **A.2240**

### 4. Know Your Issue

It is important to understand the basics of the **Trafficking Victims Protection and Justice Act (TVPJA)**.

**i** **Review the materials in this pamphlet. Read the TVPJA Outline**, included as a separate document. Phrase the argument in your own words. Think about why the issue is important to you and to your community.

There are many different ways to lobby your representative – follow the suggested **i** **schedule**, provided below, here's how to escalate the action



Write a letter



Use Social Media



Organize a public meeting on the issue



Get a letter published in the local paper



Send an email



Give them a call



Visit them in person (call their office for times)



**TIPS** While it is important to review the materials in this pamphlet **no one can be expected to address every question or matter of concern regarding an issue**, don't hesitate to admit your lack of knowledge on a particular point. Be willing to pursue the answer and report back.



# Schedule

## APRIL

- Week Four:
  1. Review Materials
  2. Reach out to friends, colleagues and other organizations
  3. Start or join a social media campaign
  4. Write a personal letter asking your assembly person to co-sponsor the Trafficking Victims Protection and Justice Act
  5. Write a personal letter asking your senator to support the Trafficking Victims Protection and Justice Act

## MAY

- Week One:
  1. Organize a letter writing campaign asking your representative in the Assembly to co-sponsor the Trafficking Victims Protection and Justice Act
  2. Continue outreach efforts, write and send outreach letters to other organizations
  3. Host a screenings to gather members
  4. Gather endorsements and make sure endorsement letters are sent
- Week Two:
  1. Write letters to the editor and op-eds
  2. Meet with your organization or group members to discuss a schedule for more outreach, in-person meetings and rally days
  3. Organize a rally (make sure to send a press release a few days prior to the event)
  4. Check local papers for coverage of your event and follow up with letters to the editor or op-eds
- Week Two/Three
  1. Schedule an in-person meeting
  2. Continue outreach
- Week Four:
  1. Join our online letter campaign to collect signatures in support of the TVPJA and get other to join with you.
  2. Join the May 21<sup>st</sup> lobby day or Schedule your own meetings

## JUNE

- Week One:
  1. Write follow-up thank you letters to the representatives you meet with
  2. Call or email legislators you were unable to meet with
- **Week Three: END OF THE LEGISLATIVE SEASON**

## 2. Letter Writing

The letters you write are very significant. The amount of mail received on a particular piece of legislation frequently helps determine the legislators' approach to that issue. Many legislators believe that your one letter represents the views of at least 100 other voters who did not take the time to express their opinion.



### Tips on Writing to a State Legislator

<p><b>Be Brief</b></p> <ul style="list-style-type: none"><li>• Try to stick to one typewritten page, two pages at most. Don't write on the back of a page. If writing longhand, take care to write legibly.</li><li>• In a short first paragraph, state your purpose. Stick with one subject or issue. Support your position with the rest of the letter.</li></ul>	<p><b>Be Original</b></p> <ul style="list-style-type: none"><li>• Use your own words and your own stationery. A personal letter is better than a form letter.</li><li>• You can include facts, that you find compelling from the <b>i Key Points</b>, and <b>i Fact Sheet</b> provided below. Also refer to the <b>i Sample Letters</b>, provided below, but translate them into your own words.</li></ul>
<p><b>Be Positive</b></p> <ul style="list-style-type: none"><li>• Everyone likes a compliment. <b>If your legislator has supported the TVPJA in the past thank them for the support.</b> For information on who supported past legislation check the voting record by going to: <a href="http://open.nysenate.gov/legislation/">http://open.nysenate.gov/legislation/</a> In the search box enter the bill number, either: <b>S.2135</b> or <b>A.2240</b></li><li>• Write positively about the <b>TVPJA, Senate Bill S.2135 and Assembly Bill A.2240</b>. Legislators hear mostly from constituents who are against something. This is your chance to be for something!</li></ul>	<p><b>Be Specific</b></p> <ul style="list-style-type: none"><li>• Cite the bill by both name and number. Try not to use acronyms.</li><li>• Be factual and support your position with information about how legislation is likely to affect you and others. Avoid emotional, philosophical arguments.</li><li>• Be sure to include your address and sign your name legibly. You should also include your telephone number.</li></ul>



## Key Points

The Trafficking Victims Protection and Justice Act (TVPJA) is a comprehensive and strategic measure that fixes inconsistencies in the law that allows for lower penalties for crimes related to trafficking and prevents the re-victimization of women and children subjected to the horrors of trafficking.

The key components of the TVPJA are:

- **Sex trafficking is a violent crime**

Under the law sex trafficking should be punished as a violent felony. Currently, trafficking is prosecuted as a non-violent felony. Sex trafficking victims are subject to profound sexual abuse and suffer severe psychological trauma. Charging traffickers, who inflict this abuse, with a non-violent felony is simply inadequate. The penalty must correspond with the severity of this brutal crime.

- **Children who are trafficked for sex are victims**

The TVPJA removes the New York State requirement of showing **force, fraud or coercion** in prosecutions for the sex trafficking of children. This would bring New York State law in line with the Federal law which already establishes that all prostituted children are victims of trafficking.

- **Trafficking victims must not be treated a criminals**

The TVPJA creates an affirmative defense to prostitution charges which will protect the victims of this horrific abuse and encourage defense counsel to bring trafficking concerns to the attention of the prosecutors and the courts.

Currently, although a trafficking victim can have their conviction vacated (*erased from their record after they have been convicted*), they cannot offer an affirmative defense at the time of the trial.

- **Paying for sex with a child is statutory rape**

Ignorance of the child's age is not a defense for statutory rape or other forms of child abuse and it should not be a defense just because someone paid for the sex.

Currently, someone convicted of buying sex from a child receives a lower penalty than someone convicted of raping a child that same age.

The TVPJA eliminates ignorance of age as a defense and aligns the penalties for buying sex from a minor with those for statutory rape. This will make it easier for prosecutors to go after people who hire out underage prostitutes.



## **Facts Sheet**

### **TRAFFICKING IN NEW YORK**

- Between 2000 and 2010, 11,268 trafficking victims were provided with social and legal services in New York City (of these, 6,580 were minors).
- In 2011, 3,893 people in prostitution were arrested in New York State.
- The director of Midtown Community Court identified 70% of the people arrested for prostitution in their court as trafficking victims.

### **TRAFFICKING OF CHILDREN**

- The National Center for Missing and Exploited Children estimates that over 100,000 U.S. children are victims of sex trafficking.
- In the U.S., the average age of entry into prostitution is 13 years of age.
- A 2007 Office of Child and Family Services study found 2,253 children are trafficked annually in New York City, and an additional 399 children are trafficked in upstate counties. However, this report noted it was likely undercounting due to the fact that many children are exploited behind closed doors.
- New York's Safe Harbor Act defines a "sexually exploited child" as someone under 18 who is subject to sexual exploitation because s/he engages in sexual conduct in exchange for something of value. Under federal law, anyone engaged in prostitution under the age of 18 is considered a victim of sex trafficking.

### **PROSTITUTION IS NOT A VICTIMLESS CRIME**

- 68% of people in prostitution experience Post Traumatic Stress Disorder.
- The tactics used by traffickers are categorized as psychological torture by Amnesty International and include isolation of the victim, threats, induced debility via forced drug use or deprivation of food/sleep, and degradation, including humiliation, insults, and denial of personal hygiene.
- Trafficked children are significantly more likely to abuse substances, engage in prostitution as adults, develop serious mental health problems, and either commit or be victimized by violent crime later in life.



## Sample Letters

The suggested address and style is:

The Honorable \_\_\_\_\_  
New York State Senate  
Albany, New York 12247

**OR**

The Honorable \_\_\_\_\_  
New York State Assembly  
Albany, New York 12248

Dear Senator \_\_\_\_\_

Dear Assemblyman  
or Assemblywoman \_\_\_\_\_

### Sample Assembly Letter

Dear \_\_\_\_\_,

I am writing to urge you to stop the selling of girls by supporting the Trafficking Victims Protection and Justice Act (TVPJA A.2240/S.2135).

As a resident of \_\_\_\_\_, I consider sex trafficking a top priority. It is estimated that more than 300 children are trafficked in counties in upstate New York alone. We must not let this stand in our communities.

Sex trafficking is a violent crime. It must be a violent felony. Victims are subject to profound sexual abuse and suffer severe psychological trauma. Charging traffickers, who inflict this abuse, with a non-violent felony is inadequate. The penalty must correspond with the severity of this brutal crime.

Victims must not be treated a criminals. I feel strongly that in cases involving sex trafficking creating an affirmative defense to prostitution charges will protect the victims of this horrific abuse. This will better protect victims and provide law enforcement with the evidence they need to hold traffickers accountable.

As a voter, I strongly urge you to co-sponsor A.2240. Human trafficking can and must be ended within our borders. It is vitally important to me that my representatives take action to help stop the selling of women and children in our community. Thank you for your time.

Sincerely,

[NAME]

[ADDRESS]



## Sample Senate Letter

Dear \_\_\_\_\_,

I am writing to urge you to stop the selling of girls by supporting the Trafficking Victims Protection and Justice Act (TVPJA A.2240/S.2135).

As a resident of \_\_\_\_\_, I consider sex trafficking a top priority. It is estimated that more than 300 children are trafficked in counties in upstate New York alone. We must not let this stand in our communities.

Sex trafficking is a violent crime. It must be a violent felony. Victims are subject to profound sexual abuse and suffer severe psychological trauma. Charging traffickers, who inflict this abuse, with a non-violent felony is inadequate. The penalty must correspond with the severity of this brutal crime.

Despite the fact that sex trafficking victims can have prostitution convictions expunged from their record, they cannot offer evidence of trafficking to defend themselves against prostitution charges. Sex trafficking victims should be able to present an affirmative defense to a charge of prostitution. This will better protect victims and provide law enforcement with the evidence they need to hold traffickers accountable.

As a voter, I strongly urge you to support S.2135. It is vitally important to me that my representatives take action to help stop the selling of women and children in our community. Thank you for your time.

Sincerely,

\_\_\_\_\_  
[NAME]

\_\_\_\_\_  
[ADDRESS]

## Letter to a Supportive Senator/Assembly Person

Dear [ \_\_\_\_\_ ]:

As one of your constituents, I am writing to thank you for your on-going support for the Trafficking Victims Protection and Justice Act (TVPJA A.2240/S.2135), which strengthens New York State's anti-trafficking laws. I believe that human trafficking is one of the worst crimes in our society today, and it is extremely important that we enhance criminal penalties for those involved in human trafficking and recognize the victimization of the women and children who are exploited by the traffickers.

I consider the Trafficking Victims Protection and Justice Act to be an extremely important piece of legislation. I think it is absolutely critical to address the re-victimization of trafficking victims. This is a particularly sensitive issue for sexually exploited women and children, whose sense of self-worth has been devastated by systematic emotional and physical abuse. It is morally reprehensible that we should continue to treat women and children who have been subject to profound sexual abuse as criminals.

I feel strongly that creating an affirmative defense to prostitution charges will protect the victims of this horrific abuse and encourage defense counsel to bring trafficking concerns to the attention of the prosecutors and the courts. The TVPJA is an important step towards protecting these vulnerable citizens.

I know that you share our profound concern about the situation of people who are trafficked in our State. I thank you again for your leadership on this critical matter and for your strong commitment to supporting anti-trafficking legislation.

Sincerely,  
[NAME]  
[ADDRESS]

### **Letter from a young adult**

Dear [ ]:

Human Trafficking is wrong on many levels. As a young adult in [ ], I am concerned about kids like me who are being commercially sexually exploited, and treated like criminals instead of victims. A 2007 Office of Child and Family Services study found 2,253 children are trafficked annually in New York City, and an additional 399 children are trafficked in upstate counties. The Trafficking Victims Protection and Justice Act (A.2240/S.2135) improves our State's efforts to end human trafficking by enhancing protection for trafficking victims—particularly for trafficked young people. It also increases accountability for buyers and traffickers who are fueling the growth of this massive underground industry and it helps prevent re-victimization of trafficking victims by the justice system.

In New York, trafficking victims are being treated as criminals. Instead of being treated with care as victims who have been traumatized by rape, they are being prosecuted and jailed. Victims should be helped, not hurt. Trafficking victims should be offered housing and services, and the people who buy and sell their bodies should be punished.

Please support the Trafficking Victims Protection and Justice Act.

Need change to break chains!

Sincerely,  
[NAME]  
[ADDRESS]

# 3. Use Social Media

In any movement it is important to be able to connect with your community and group members. Social media is everywhere these days and it is an important and effective tool for organizing and getting your message out to friends, colleagues and others in your community.



58 percent of U.S. smartphone owners check their phones at least every hour.

## 3. Linking, Liking, and Following

It is important to stay informed about the progress of the TVPJA. Information can be found on a number of existing social media sites. Linking, liking, following and sharing these sites is an important way to spread the word about the TVPJA.



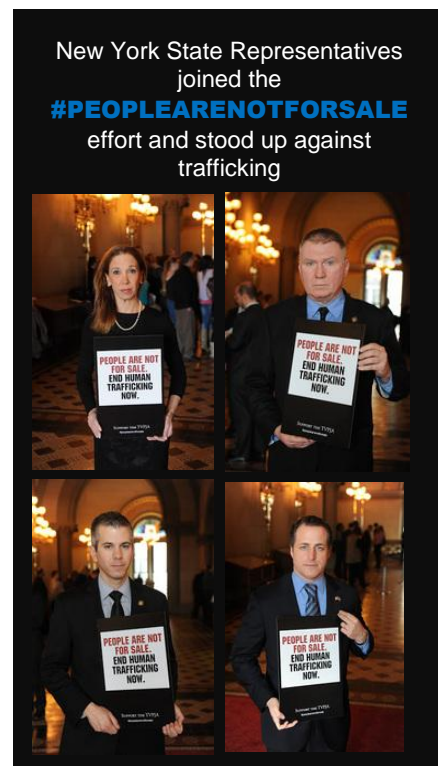
## 4. Twitter

Post facts & information from the **TVPJA Outline** and the **iFact Sheet**, from section two, on your facebook and twitter accounts to raise awareness of the issue.

- **Tweet about your actions and events**
- **Join our campaign**  
The Junior League of New York created the campaign **#PEOPLEARENOTFORSALE** to raise awareness about trafficking in New York and the urgent need for passage of the TVPJA. Take photos of yourself and others holding a sign reading “**PEOPLE ARE NOT FOR SALE.**” And post it on your social media sites.
- **Tweet your support on Twitter**
- **Twibbon your profile picture.** For information go to <http://twibbon.com/support/people-are-not-for-sale>

## 5. Facebook

- Post about your actions and events
- Follow the NYSATC on facebook
- Post on the NYSATC facebook wall



# 4. Organize Your Community

## 1. Recruit and Cultivate Members

### • Get others to join

Reach out to friends and co-workers. Think of like-minded groups and already existing organizations that share your concerns about human trafficking. There is strength in numbers. By joining forces you will have a more noticeable presence and a more powerful impact.

### • Keep your members informed

Make sure you have materials that you can distribute to your members. This pamphlet is, of course, a good place to start. You may also want to include news articles or updates on the work of the New York State Anti-Trafficking Coalition. You can find information and keep up to date by visiting <http://www.tvpja.com/> and the **i Social Media Sites** listed in above in section three.

Use the **TVPJA Outline** and the **i Fact Sheet** provided in section two, as recruitment materials

## 2. Start a Letter Writing Campaign

- It's easy. Get a group together and use the **i Sample Letters**, included above in section two.

## 3. Organize a Rally

- Think Visually. Keep an image in mind for use by the media. Signs with slogans are also useful.
- Location, location, location. Hold rallies in highly visible places rather than symbolic places. Send a **i Press Release**, see the sample provided in below in section five media outreach, announcing the event to your local media.

## 4. Get Endorsements

- Reach out to organizations in your community and get them to endorse the TVPJA. Send out endorsement requests, use the **i Sample Outreach Letter**, provided below or meet with them in person. **Be sure to let us know when an organization has endorsed the TVPJA** so we can add them to our list.

## 5. Organize a Screening

- Films are a great way to raise awareness. There are two powerful documentaries about trafficking: **Very Young Girls** and **Not My Life**. For information visit: <http://www.gems-girls.org/get-involved/very-young-girls> and <http://notmylife.org/>

## 6. Talk

Tell your friends, neighbors and family about human trafficking.

### Organizations across New York State that support the TVPJA

- African Services Committee, NY, NY
- Be a Sister 2 a Sister, New York, NY
- Coalition Against Trafficking Women, NY, NY
- ECPAT, Brooklyn, NY
- Empire State Coalition, Brooklyn, NY
- Equality NOW, NY, NY
- Graham Windham, NY, NY
- inMotion, NY, NY
- InterVarsity Christian Fellowship, NY, NY
- Latin Women in Action, Queens, NY
- Legal Information for Families Today, NY, NY
- LifeWay Network, Queens, NY
- Maryknoll Office for Global Concerns, Westchester, NY
- Media 4 Humanity, NY, NY
- Mercy Center, Bronx, NY
- Met Council, NY, NY
- NOW Brooklyn-Queens, Brooklyn, NY
- NOW New York City, NY, NY
- NY State Coalition Against Sexual Assault, Albany, NY
- NYC Urban Project, NY, NY
- Restore NYC, NY, NY
- Rivers in the Dessert Advocacy Center, Queens, NY
- Sanctuary for Families, NY, NY
- Turning Point, NY, NY
- UNANIMA International, NY, NY
- Violence Intervention Program, Inc., NY, NY
- YWCA Brooklyn, Brooklyn, NY
- YWCA Orange County, Orange County, NY

 i

## Sample Outreach Letter

Since 2007, New York State has criminalized human trafficking, but there continue to be major gaps, loopholes and implementation problems. For example, did you know that someone convicted of buying sex from a child receives a lower penalty than someone convicted of raping a child that same age?

Please join [ **our group** ] in our fight to strengthen New York's response to human trafficking by advocating for the Trafficking Victims Protection and Justice Act (TVPJA). We are a group of [ **describe your group** ] that came together to fight human trafficking.

The TVPJA:

- Increases the accountability of the buyers and traffickers who are fueling the growth of this massive underground industry,
- Halts the re-victimization of trafficking victims in our justice system
- Ensures that trafficking victims are able to access shelter and services

Please join us in fighting to end sex trafficking in New York State. A letter of endorsement from your organization is an important step in towards demonstrating to our legislators that putting a stop to sex trafficking is an important issue for our community.

For more information about the TVPJA or to endorse the TVPJA please visit [www.TVPJA.com](http://www.TVPJA.com) and use the form on the Contact Page to reach the New York State Anti-Trafficking Coalition.

Sincerely,  
[**YOUR Info**].

# 5. Media Outreach

Another powerful way to speak out on current issues is to write a letter to the editor or an op-ed in a local newspaper. **Most representatives are more concerned about their local media coverage than about the national press. Never underestimate the influence of local papers.**

- **Follow the Rules**  
Follow the printed guidelines of the newspaper or newsmagazine. Most publications will not print letters longer than 250 words. Keep in mind that the editor may cut some of your letter. State your point as briefly as possible. Make it well written free from grammar and spelling errors.
- **Stay Focused**  
Make your letter simple and direct, and be sure of your facts. Use the **i Fact Sheet**, provided in section two. Use short quotes to support your viewpoint. Also, if you are writing in response to a specific article you read in the newspaper or magazine, be sure to note it. Editors are more likely to print those letters that refer to articles from their publication.
- **Keep it Local**  
Localize information. Make information newsworthy. Monitor the media and see if there is a tie-in to a local story.

- **Use Legislators' Names**

**If your printed letter mentions a representative or senator by name, be sure to clip it out and send it to them.**

- **Identify Yourself**  
Sign your name and give your phone number. Most editors refuse to publish anonymous letters and will usually call to verify that you are the author of the letter. Some may even require your address.

## Letter to the Editor in Four Steps

**Step 1.** What prompted you to write this letter, try and relate it to recent news coverage by the paper you are submitting your letter to for publication.

**Step 2.** Be succinct, carefully choosing facts or anecdotes as supporting evidence.

**Step 3.** Include 1-2 facts, observations or personal statements that back up your main point. Include facts and **i Key Points** that you find compelling.

**Step 4.** In conclusion, drive your point home. Call on a specific legislator for support of the TVPJA.



## More Tips for Effective News Submissions

- **Be persistent.** It may take you several tries to get a letter published, but even unpublished letters have an impact.
- **Work with friends or groups.** Letter writing is a great group or volunteer activity, and the more unique letters on a given subject, the greater the chance that one or more will be published.
- **Send us a copy** if your letter or op-ed is published.

i

## Sample Letter to the Editor

Last year headlines were made in upstate New York when police arrested Thomas Cramer, a Monroe County resident, for promoting and profiting from the commercial sex trade of six girls between the ages of 15 and 17.

We must not forget this tragic crime. Although, that case made headlines more often the crime goes unseen. Since 2007, New York State has criminalized human trafficking, but there continue to be major gaps in the law. For example, did you know that someone convicted of buying sex from a child receives a lower penalty than someone convicted of raping a child that same age?

Currently, the New York State Senate and Assembly are considering passage of the Trafficking Victims Protection and Justice Act (TVPJA). This legislation has been recognized as an important and powerful way to fight trafficking in our communities. New York State Democratic Assembly member Amy Paulin, and Republican State Senator Andrew Lanza, are sponsoring the TVPJA (A.2240/S.2135).

Trafficking harms not only the victims but our local communities. [ **Name your legislative representatives** ] has an opportunity join this important fight and sponsor the TVPJA.

[ **Sign your Name** ]

*Remember if your Letter gets printed  
send a copy to your  
legislative representative.  
And be sure to let us **know!***

i

## Sample Op-ED

For many New Yorkers sex-trafficking conjures images of huddled women being secreted across international borders to exotic locations like Bangkok and Amsterdam. The idea that this form of modern slavery is taking place in our own communities can come as quite a shock. However, last year headlines were made in upstate New York when police arrested Thomas Cramer, a Monroe County resident, for promoting and profiting from the commercial sex trade of six girls between the ages of 15 and 17. Although, that case made the news more often the crime goes unseen.

Trafficking victims are often too traumatized to speak to law enforcement and are prosecuted as criminals, while their traffickers remain in the shadows. This makes it hard to estimate the exact number of trafficking victims in New York. Governor Andrew Cuomo has recognized that “human trafficking is not only a global problem, it’s happening in our own backyard with many victims we may never know about.” A 2007 Office of Child and Family Services study found 2,253 children are trafficked annually in New York City, and an additional 399 children are trafficked in upstate counties.

Trafficking harms not only the victims but our local communities. We have an obligation to make sure our criminal justice system is able to affectively punish the criminals responsible for

trafficking and to protect the vulnerable women and children who fall prey to traffickers. Trafficking is a complex criminal enterprise and fighting it requires a multifaceted approach, including strong penalties for perpetrators and strategies for ensuring that victims are given the protection they need to break free from the cycle of violence and exploitation.

The Trafficking Victims Protection and Justice Act (TVPJA) is a comprehensive and strategic measure that fixes inconsistencies in the law that allows for lower penalties for crimes related to trafficking and prevents the re-victimization of women and children subjected to the horrors of trafficking. The key components of the TVPJA are:

- **Sex trafficking is a violent crime.** Under the law sex trafficking should be punished as a violent felony. Currently, trafficking is prosecuted as a non-violent felony. Sex trafficking victims are subject to profound sexual abuse and suffer severe psychological trauma. Charging traffickers, who inflict this abuse, with a non-violent felony is simply inadequate. The penalty must correspond with the severity of this brutal crime.
- **Children who are trafficked for sex are victims.** The TVPJA removes the New York State requirement of showing **force, fraud or coercion** in prosecutions for the sex trafficking of children. This would bring New York State law in line with the Federal law which establishes that all prostituted children are victims of trafficking.
- **Trafficking victims must not be treated as criminals.** It is morally reprehensible that we should continue to treat women and children who have been subject to profound sexual abuse as criminals. The TVPJA creates an affirmative defense to prostitution charges which will protect the victims of this horrific abuse and encourage defense counsel to bring trafficking concerns to the attention of the prosecutors and the courts.
- **Paying for sex with a child is statutory rape.** Ignorance of the child's age is not a defense for statutory rape or other forms of child abuse and it should not be a defense just because someone paid for the sex. The TVPJA eliminates this defense and aligns the penalties for buying sex from a minor with those for statutory rape. This will make it easier for prosecutors to go after people who hire out children for prostitution.

The TVPJA has been recognized as an important and powerful piece of legislation. New York State Democratic Assembly member Amy Paulin, who represents part of Westchester County, and Republican State Senator Andrew Lanza, from Staten Island, are sponsoring the Trafficking Victims Protection and Justice Act (A.2240/S.2135). The TVPJA also has the support of the Governor Cuomo.

- New York State Governor Andrew Cuomo included it in his State Of The State speech and it has become part of the Governor's ten point plan.
- Assembly Member Amy Paulin is a sponsor of A.2240. "Exploiting human beings for sex has to be one of the most heinous crimes in our modern day society," Assembly Member Amy Paulin said. "I am proud to reintroduce this bill, which recognizes that buying children for sex is child abuse. It also increases penalties for the criminals – the traffickers supporting this brutal trade – and gives law enforcement increased tools to put



them in jail. By ensuring access to social services, it also helps the victims break the vicious cycle of dependency and humiliation."

- Senator Andrew Lanza is a sponsor of S.2135. "Our bill is a long awaited measure to help protect those people in New York State who are particularly vulnerable," said Senator Andrew Lanza. "We must pass the Trafficking Victims Protection and Justice Act to end the re-victimization of trafficked people by our justice system and hold those who exploit them accountable."

Passage of the TVPJA would significantly strengthen New York State's response to human trafficking, especially of minors, and would make New York State a national leader in combating traffickers and protecting victims. It is vitally important that we fix the inconsistencies and loopholes on our laws to make sure justice is done and victims are protected. We must reach out to our representatives and demand that they take action to help stop the selling of women and children throughout New York State.

i

## Sample Press Release

[Name of Your Group]  
123 Address Avenue, Albany NY 11111  
(555) 777-1234]

### News Release

[DATE, 2013]

For Immediate Release

For more information contact [YOUR NAME],

### Rally

Members from the [Community Group/Organization Name] will hold a rally in support of the Trafficking Victims Protection and Justice Act, [Date and Time]. Participants will gather at [Location].

The rally, initiated by the [Community Group/Organization Name], is intended to show community support for the Trafficking Victims Protection and Justice Act (TVPJA), proposed anti-trafficking legislation currently before the New York State Senate and Assembly.

The [Community Group/Organization Name] brings together [describe your group: students, clergy, union members, community leaders, congregations, local businesses] in the [Your Location] to demonstrate their support for the TVPJA and raise awareness about the negative impact human trafficking can have in our local communities.

Since 2007, New York State has criminalized human trafficking, but there continue to be major gaps, loopholes and implementation problems. For example, did you know that someone convicted of buying sex from a child receives a lower penalty than someone convicted of raping a child that same age?

The TVPJA:

- Increases the accountability of the buyers and traffickers who are fueling the growth of this massive underground industry,
- Halts the re-victimization of trafficking victims in our justice system
- Ensures that trafficking victims are able to access shelter and services

We strongly support this important legislation. [Add a quote from your group leader, example: “Modern day slavery will not be tolerated in our community, says Jane Smith, “we are united and committed to supporting this legislation to strengthen our laws to prevent human trafficking and to protect the victims of this terrible crime.” ]

For general information about the TVPJA visit [www.TVPJA.com](http://www.TVPJA.com). Interested parties are welcome to join our rally. For information about the rally or our group please contact us at [YOUR Info ].

# 6. Visit Your Representative

A visit visibly demonstrates your interest in what your legislator is doing. You will have an opportunity to more thoroughly explain your concerns and provide them with information.

## 1. Set up an Appointment

Contact *your* representative's local office to set up an appointment. Mention who you are and that you would like to discuss the **Trafficking Victims Protection and Justice Act, Senate Bill S.135 and Assembly Bill A.2240**. Assume the meeting will be brief, about 15 minutes. If the representative is unavailable, it is useful to meet with a legislative aide. If you are meeting with more than one legislator, schedule meetings 30 minutes apart.

*Don't be disappointed if you can't meet directly with a legislator. Staffers are often key players and should not be underestimated.*

## 2. Before the meeting

★★★★★★

★★★★★

Know the number and title of the bill.

**A.2240**  
**S.2135**

Legislators deal with hundreds of bills each session many on the same topic so be specific.

★★★★★★

★★★★★

- **Presentation is important.** It's not only what you say it's how you say it. The way you communicate your message is almost as important as what it is.
- **Review.** Read the materials in this pamphlet, review the website, [www.TVPJA.com](http://www.TVPJA.com), and think about why the issue is important to you and your community. But remember you don't *have* to be an expert - you just need to be familiar with the issue and be able to explain why you think it's an important issue for them to address.
- **Practice.** Practice your presentation before the meeting and limit it to ten minutes.
- **Organize.** If you are in a group, decide on whether you will make individual appointments or go together as a party (normally not more than 3 or 4 people per group). Select a spokesperson if others are going with you and agree on your presentation in advance of your meeting. Have some practice sessions beforehand to make sure your message comes across as clearly as possible.

## 3. You Got the Meeting? Great! Now What?

- **Introduce yourselves** and mention the general reason for your visit -- support of the TVPJA.
- **Start on a positive note.** If you know that this assembly person or senator has been supportive of the TVPJA in the past, mention your appreciation. If the person's record has not been supportive, say something general about the progress that has been made protecting trafficking victims by the legislature -- there is always common ground.




**Always be prompt, patient & polite**

- **Be on time**, but know that you may have to wait. Legislators often have last minute scheduling changes.
- **Be flexible**, you may meet with a staff member rather than the Senator or Assembly person.
- **Be respectful**, Staff members may be younger than you, always speak to them as peers, not students.


- **Stay Focused.** Give a consistent message. State your concerns clearly, stick to the issue and try not to get diverted. Let them know what you want:

**You want their support for the TVPJA S.2135/A.2240**

- **Be honest.** If you don't know the answer to a question just say so and offer to follow up.
- **Listen carefully.** Offer your perspective -- but follow up with a question. It's not enough to tell them what's on your mind -- we need to know what's on their minds.
- **Leave Information.**  The **Fact Sheet** and **Key Points**, included in section two, and the **TVPJA Outline** are good documents to leave with the individuals you meet with.

#### 4. After the meeting

- **Write and thank your elected representative and let us know what the outcome of the meeting was.** This letter is also a good opportunity to restate any key points and remind them of any action they agreed to take.

 Use the **Key Points** – included in section two, as talking points, but remember to speak in your own words to express why the issue is important you and your community.



### Some DOs and DON'Ts

#### Do:

- Address your Senator or Assembly Person properly and keep track of the staff member or legislative aid you meet with.
- Identify yourself immediately at each contact. Public officials meet too many people to remember everyone.
- Know the status of the legislation. Refer to a bill by number whenever possible.
- Use your own words.
- Be brief and explicit, courteous and reasonable.

#### Don't:

- Don't begin, "As a citizen and tax payer" (your elected representative knows we all pay taxes).
- Don't apologize for taking his or her time. If you are brief and to the point s/he will be glad to hear from you.
- Don't be arrogant, condescending or threatening toward legislators or their staff.
- Don't argue or back recalcitrant legislators into a corner where they take a definite position against you.



## Legislative Basics

### The Legislative Branch

The primary function of the legislature is to make laws. The legislative branch consists of the two houses of the legislature – a Senate of 63 members and an Assembly of 150 members. State legislators serve two-year terms of office and are elected in even-numbered years.

Legislative leadership is centered in the Speaker of the Assembly and the Senate Majority Leader, who control the resources, organization, and most of the important functions of their respective houses. They also appoint the chairpersons of Assembly and Senate standing committees.

### How a bill becomes a law

To become law in New York state, a bill must pass both houses of the State Legislature – the Assembly and the Senate – and then be enacted by the Governor.

Ideas for laws come from many sources – officials, citizens, newspaper articles, and interest groups. To be considered by the Legislature, an idea must be sponsored by an Assembly person or a Senator. It is then drafted into legal language and is assigned a bill number.

Bills before the State Assembly have “A” before their numbers and bills before the State Senate have “S” before their numbers. The bill is identified by this number throughout the legislative process.

A bill is assigned to a standing committee for study. When it addresses more than one area of interest or has the potential to affect state expenditures, it may be reviewed by more than one committee. After review, the committee votes on whether to “report” the bill for consideration by the entire house.

After a bill is passed by one house of the Legislature, it must move through the committee process and be approved in the second house. This sometimes happens simultaneously. If different versions of the bill are passed by the two houses, a conference committee may be convened to work out differences.

After a bill has passed both houses of the legislature, it is forwarded to the Governor, who will either sign the bill into law or veto it. If the bill is vetoed, the Governor must supply an explanation to the Legislature. The Legislature may override the veto by a two-thirds majority vote of each house.



To find out more about the New York State Senate or to find your Senator visit:

<http://www.nysenate.gov/>

To find out more about the New York State Assembly or to find your Assembly person visit:

<http://assembly.state.ny.us/>



# 7. Join Us

**The NYSATC is organizing a Lobby Day in Albany this spring on May 21<sup>st</sup>. Please join us and spread the word.**

Check our website  <http://www.tvpja.com/> and Facebook for updates and information.

**Together we can help  
end trafficking  
in New York!**