

# THE LEGAL AID SOCIETY

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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

## ***Statement in Response to DA Vance Announcement to Dismiss all Future and Pending Prostitution and Unlicensed Massage-Related Cases***

(NEW YORK, NY) – **Abigail Swenstein, Staff Attorney with The Legal Aid Society’s Exploitation Intervention Project**, released the following statement in response to an announcement from New York County District Attorney Cyrus Vance Jr. that his office will dismiss all pending and future prostitution and unlicensed massage-related criminal cases:

“We welcome this action from DA Vance to dismiss all pending prostitution and unlicensed massage related cases as well as his new policy to decline to prosecute these arrests going forward.

We thank the DA’s office, and most notably, the prosecutors in the human trafficking unit, who have listened to and acted on the knowledge gained from speaking to advocates and most importantly, survivors and those with lived experience as sex workers.

Countless sex workers, those profiled as sex workers, and trafficking victims have suffered under the weight of convictions and warrants. These perpetual punishments extend into family and immigration court, and impact our clients’ ability to find stability through housing and employment.

However, today’s announcement should not supplant the need to pass legislation that would fully decriminalize sex work and provide for criminal record relief for people convicted of prostitution offense. The Legal Aid Society reaffirms the need for Albany to enact S6419/A8230, legislation that would accomplish this, immediately this session.”

**Sharifa, a member of the Exploitation Intervention Project’s Advisory Board, remarked,** “being arrested for prostitution when I was being trafficked made me feel hopeless, like there was no way out. Even after leaving my trafficker, prostitution was the only job that I could get for a while. This left me with a criminal record. Until all records are vacated, all people with prostitution arrests will still be limited in their employment options. The DA’s new policy is helpful, but our hope is that the NYPD stops making these arrests altogether.”

### **Background**

In 2013, the New York State Unified Court System [announced](#) the Human Trafficking Intervention Initiative, the nation's first statewide system of dedicated courts designed to “intervene in the lives of trafficking

victims.” Through these courts, most individuals arrested on prostitution offenses were offered social services rather than face jail time. The vast majority of individuals eventually had their cases dismissed and many have benefitted from access to legal, social, and medical services.

Still, the court has faced criticism on many levels. Advocates have highlighted the [dire immigration consequences](#) of prostitution arrests, the [predatory behavior](#) of the NYPD Vice Unit, and the gendered and racist policing which occurred under the now repealed “Walking While Trans” law. Arguing that broad decriminalization for adults reduces stigma, prevents exploitation, and minimizes harmful police interactions, some sex workers, former sex workers, and trafficking survivors have urged for full decriminalization of sex work and vacatur of related offenses, as proposed in the Stop Violence in the Sex Trades Act (SVSTA) [S6419/A8230](#) (Salazar/Gottfried).

While DA Vance’s office has not expressed support for SVSTA, [some candidates](#) running for Manhattan District Attorney have. Vance’s office, however, has recently taken a new approach, turning to advocates, former sex workers and trafficking survivors for advice in shaping this new policy. Ari, another member of the Exploitation Intervention Project’s Advisory Board, said, “I feel honored that their office asked for my opinion and that they have an open mind about what I say. I am proud - I have been to hell and back but now I can take a lead to minimize the harms of the criminal legal system. My work is done when sex work is decriminalized.”

Under the new policy, the Manhattan DA’s office will decline to prosecute all new prostitution and unlicensed massage related cases. Instead, DA Vance’s office has asked the NYPD to provide all individuals who are arrested with a written list of resources and an explanation that their case will not be processed. The Legal Aid Society’s Exploitation Intervention Project will continue to serve as a legal resource for anyone in the commercial sex industry, including those with related convictions, and will continue to advocate for the Stop Violence in the Sex Trades Act S6419/A8230 (Salazar/Gottfried).

To find out if you are eligible to have your prostitution-related convictions vacated and the records sealed, contact Leigh Latimer, Supervising Attorney of the Exploitation Intervention Project at 646-385-5025 or [lelatimer@legal-aid.org](mailto:lelatimer@legal-aid.org).

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*