

THE LEGAL AID SOCIETY

Justice in Every Borough.

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

60 Survivors of Human Trafficking, Advocacy Organizations Call on Governor Cuomo to Sign the Survivors of Trafficking Attaining Relief Together (START) Act

Legislation Would Provide Vacatur Relief to Trafficking Survivors, Opening up Housing, Employment and other Critical Opportunities

(NEW YORK, NY) - The Legal Aid Society, along with 60 criminalized survivors of human trafficking, issued [separate letters](#) calling on Governor Andrew Cuomo to enact the Survivors of Trafficking Attaining Relief Together (START) Act (S.674/A.459), a life-changing bill that would help survivors of labor and sex trafficking to clear or vacate criminal convictions that resulted from their victimization. Over 120 organizations that advocate for labor rights, racial justice, gender justice, immigrant justice, survivors of violence, and LGBTQ+ rights have joined the survivors' brave call, recognizing that the START Act would allow survivors to overcome previously insurmountable barriers to stability and safety caused by their criminal convictions.

The letter from the survivors states:

These convictions also make it much more difficult to rebuild our lives, creating hurdles for obtaining employment, student loans, housing, or legal immigration status. It is traumatic enough that trafficking survivors have to deal with the long term effects of being exploited.

Survivors should not also have to carry the weight and burden of criminal records, while attempting to recover and rebuild their lives. Until full relief is available to all of us, survivors will live with lifelong stigma and remain vulnerable to returning to exploitative situations. It is time for New York to join states like California, Florida, and Georgia and provide comprehensive criminal record relief for survivors of all forms of human trafficking. Partial relief is simply not enough.

The letter from the advocates states:

Clearing these convictions is a vital step for survivors to access jobs, housing, and education. Access to these basic human necessities is critical to ensuring that survivors are not revictimized. There are many survivors throughout the state who have been prevented from moving forward with their lives because of the law's current limitations who desperately need this remedy. Furthermore, COVID-19 has exacerbated survivors' ability to obtain financial stability, which threatens their re-trafficking and ongoing victimization. Passing the START Act is racial justice, gender justice, LGBTQ+ justice, economic justice, immigration justice, and human decency. In the midst of a global pandemic and great economic uncertainty, survivors need a clean start and a clear record. We strongly support any and all measures that protect human trafficking survivors from ongoing abuse and enable them to recover with dignity. Governor Cuomo, we urge you to stand with survivors and sign S.674/A.459 into law immediately

“We have seen first-hand how transformative vacatur has been for survivors who were able to obtain long sought-after employment, housing, and immigration documentation once their prostitution convictions were cleared. Still, there are many survivors throughout the state who have been prevented from moving forward with their lives because of the law's current limitations,” said **Abigail Swenstein with the Exploitation Intervention Project at The Legal Aid Society**. “Our clients share with us that vacatur helps them heal the emotional wounds inflicted upon them by their traffickers, allowing them to move beyond their victimization and get a fresh start. The Legislature answered the calls of New Yorkers by passing this legislation and we echo our clients and so many other survivors urging that Governor Cuomo enact the START Act into law at once.”

The START Act would:

- Allow survivors the opportunity to petition a court to clear convictions for all offenses that were a result of being trafficked;
- empower judges to evaluate evidence and decide whether relief is appropriate;
- extend relief to survivors of labor trafficking and offer critical protections to immigrant survivors;
- ensure survivors' information is kept confidential.

The START Act would not change current prostitution or human trafficking laws or impact open criminal cases or convictions.

Since 2010, The Legal Aid Society has filed nearly 190 vacatur motions for 120 trafficking survivors whose prostitution-related convictions were a result of their victimization. These clients have benefitted in countless emotional and tangible ways by having their convictions vacated.

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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 over 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