

# New York Toughens Anti-Trafficking Law

**Proskauer For Good Blog** on **August 28, 2018**

What I thought would be a simple bill signing ceremony for legislation intended to protect children from sex trafficking turned out to be something more. On August 15th in lower Manhattan, rock music blared in the community center gymnasium as hundreds of people found their seats amid TV cameras stationed in front of a make-shift stage with a large banner embracing the fight for women and girls. As the [New York Times reported](#), “[t]he event was ostensibly a bill-signing ceremony,” but it had all the trappings of a political rally.

[The legislation that Governor Cuomo signed](#) is significant. Prior to this law, a New York State prosecutor had to prove force, fraud or coercion to establish sex trafficking – regardless of whether the victim was a child. It made no sense that even though a child cannot legally engage in sexual activity, the State still had to meet that evidentiary burden. The legislation conforms New York law to that of 46 other states and federal law which recognize that all children involved in prostitution are victims of trafficking. According to Manhattan District Attorney Cyrus R. Vance, Jr.: “By eliminating the need to prove force, fraud, or coercion for children under 18-years-old, we will be able to bring stronger cases, and spare young survivors from the trauma of having to testify mere feet from their traffickers.”

Despite the significant substance of the legislation, it was a comment from Governor Cuomo that America “was never that great” which made headlines. While it was not meant as a put-down, but as a call to action, it seems that the Governor assumed the risk that by turning a bill signing into a political event, some of his comments would be taken out of context by those on the other side of the aisle. That being said, his point was important: he argued against looking back at some purportedly lost, great time in our history, and in favor of looking ahead with the goal that someday all Americans will be fully engaged in society and protected by its laws.

This new law, sponsored by Assemblywoman Amy Paulin (D-Scarsdale) and State Senator Andrew J. Lanza (R-Staten Island), is a great example of what engaged citizens can accomplish: it is a victory for the [New York State Anti-Trafficking Coalition](#), which spearheaded an impressive grassroots effort. Proskauer is honored to work with the Coalition, which is comprised of dozens of organizations from around the State, and which is led by Dorchen Leidholdt of [Sanctuary for Families](#), and meets every month at our New York office. My experience with the Coalition reinforces the importance of defining “pro bono” at Proskauer broadly – inclusive of standing up for changes in the law and public policy that help ensure equal access to justice.

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