

Sex Trade Survivors Justice & Equality Act

The Equality Model in New York State

Decriminalizes People in Prostitution

- Repeals the crime of selling sex, including loitering for the purpose of engaging in prostitution (the Walking While Trans Ban).
- Prevents the arrest of people in illicit massage parlors for “unlicensed practice of a profession,” a code often utilized by law enforcement in response to community complaints, if there is evidence of exploitation.
- Prevents people in the sex trade from being charged with Promoting Prostitution when they are helping others in prostitution like them and are not profiting.
- Prohibits usage of condoms as evidence in criminal trials for prostitution.

Expands Access to Social Services

- Expands the legal protections and comprehensive services afforded to minors arrested for prostitution under New York's Safe Harbor law, to cover young adults up to age 24.
- Enables a broader pool of people to access social services from organizations combating gender violence by aligning New York's definition of human trafficking with the federal definition.
- Creates a regionally, racially, and sexually diverse State task force with representation from people in the sex trade and advocates, to ensure access and administration of social services to people in prostitution across New York.



Strengthens Laws Against Trafficking

- Eliminates a loophole in New York State law that prevents sex buyers, like Jeffrey Epstein, from being charged with promotion of prostitution when they traffic people to themselves.
- Strengthens protections for children against exploitation by eliminating an ignorance defense afforded to those who buy sex from children under 11 (1st degree), 15 (2nd degree), or in a school zone.
- Laws that hold accountable pimps, sex traffickers, and other profiteers remain unchanged.

Advances Criminal Justice Reform

- Clears the criminal records of trafficking survivors for crimes committed while they were under the control of their exploiter.
- Automatically expunges all past charges for prostitution and loitering for the purpose of prostitution.
- Addresses the over-incarceration of people of color and implicit bias in law enforcement by penalizing the misdemeanor crime of buying sex with a fine (instead of jail) and utilizing an income-based fine scale to incentivize law enforcement to target buyers with disposable income. A portion of these fines will be directed to a victims compensation fund.