



CHIEF DEFENDERS ASSOCIATION OF NEW YORK

Memo of Support Survivors of Trafficking Attaining Relief Together (START) Act S.674 (Ramos) /A.459 (Gottfried)

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The Chief Defenders of the State of New York urge the New York State Legislature to pass S.674 (Ramos) /A.459 (Gottfried), the Survivors of Trafficking Attaining Relief Together (START) Act, which would provide greater protection for survivors of sex and labor trafficking.

The Chief Defenders Association of New York (CDANY) is a vibrant organization uniting the leadership of New York State's providers of the right to counsel. CDANY was founded to advocate for people facing loss of liberty, family separation and related consequences in the legal system. We do this by strengthening the effectiveness of our members and their staff; collaborating on best practices for the provision of high quality and effective legal representation; seeking to increase resources for our offices and programs to best serve our clients; advocating for legislation and policies to ensure fairness and justice in our legal systems; engaging with the communities we serve.

We strongly support the START Act, a criminal record relief bill which will enable victims of trafficking to vacate criminal convictions from records that were the result of exploitation. New York currently only allows survivors of trafficking to vacate a narrow subset of prostitution related convictions, which provides incomplete relief to a small group of survivors. However, both sex and labor trafficked survivors are forced to commit a wide-ranging spectrum of crimes, and all survivors would benefit from an expanded criminal record relief statute.

The START Act will remedy the shortcomings of the current law to account for the myriad other offenses that result from human trafficking. CDANY supports the START Act because a criminal record prevents trafficking survivors from fully moving forward with their societal re-entry.

A criminal record can also result in severe immigration consequences, including the threat of deportation and the inability to adjust immigration status or become a citizen.

Criminal records continue to haunt survivors long after they have escaped the victimization and exploitation of trafficking. It is imperative that the legislature recognize the ways a narrow record relief law hinders survivors' complete healing and reintegration.

The New York State Legislature must pass the START Act, a comprehensive criminal record relief law, to alleviate the life-long impact that criminal convictions have on trafficking survivors. CDANY believes all trafficking survivors deserve a fresh START.

If you have any questions, please contact CDANY Lobbyist Robert Perry at robt.perry@gmail.com.