



New York State Facts

Criminalization of DMST

1. New York has a separate sex trafficking law, but it does not define a sex trafficking victim to include a minor under 18 used in commercial sex acts regardless of the use of force, fraud, or coercion.
2. In 2007, a state commissioned survey of service providers found that 399 children were sexually exploited at 12-13 years, while 922 were exploited at 14-15 years of age.¹

Criminal Provisions Addressing Demand

3. New York Attorney General Eric Schneiderman was one of 51 Attorneys General who signed a letter to Backpage.com calling on the company to disclose its efforts to identify and delete advertisements that facilitate sex trafficking, specifically of minors.²
4. The state sex trafficking law does not make the purchase of commercial sex with minors a trafficking crime, leaving buyers subject only to patronizing prostitution law which only provides heightened penalties if the minor is under 14.
5. Arrested for purchasing sex with a 14-year-old runaway, sportscaster Marvell Scott was sentenced in August 2011 to only 20 days of community service after pleading guilty to a lesser charge. Scott met the girl in 2008, after making arrangements with a pimp to purchase sex with her.³

Criminal Provisions for Traffickers

6. In November 2011, a 28-year-old Buffalo man received a 4 year sentence for various charges, including promoting prostitution and rape of teenage girls.⁴
7. In 2008, New York Police Detective Wayne Taylor was arrested for forcing a 13-year-old girl into prostitution, transporting her to parties around the city and selling her for sex. He pled guilty to kidnapping and was sentenced to three years in prison.⁵ In October 2011, the victim filed a civil suit against the officer and New York Police Department.

Protective Provisions for Child Victims

8. The “rape shield” law, which reduces the trauma of cross-examination for testifying victims, does not extend to CSEC victims and specifically allows evidence of a victim’s sexual conduct that “tends to prove” willing involvement based on the victim having been convicted of the crime of prostitution within three years prior to the alleged sex offense.

¹ http://www.nytimes.com/2011/09/21/nyregion/snared-into-prostitution-at-13-and-now-given-a-chance-for-a-clean-legal-slate.html?_r=4&scp=1&sq=Leni%20johnson&st=cse

² <http://www.seattle.gov/mayor/newsdetail.asp?ID=12127&dept=48>

³ http://www.nypost.com/p/news/local/former_sportscaster_marvell_scott_7kv1ZSCjvJZK4FaXTZCz6L

⁴ <http://www.wkbw.com/news/local/Man-Sentence-for-Relations-with-Underage-Girls-133190473.html>

⁵ <http://www.courthousenews.com/2011/10/13/40584.htm>