

In 10 years as an Albany City Criminal Court judge, I've seen more prostitution cases than I care to remember—and a grand total of one “john” case. Not once have I had a human trafficking case, even though New York State in 2007 enacted a very robust anti-trafficking statute. How could that be?

My own experience, plus statistics provided by the Division of Criminal Justice Service (41 of the 62 counties in New York State have not reported a single sex trafficking arrest since 2007 despite that fact that there have been nearly 19,000 prostitution arrests), inspired a June 16 CLE program, Human Trafficking: An Upstate Perspective. The CLE was held at Albany Law School, sponsored by the Gender Fairness Committee for the Third Judicial District (which I chair) and co-sponsored by several organizations, including the New York State Bar Association. It was an eye-opening and deeply troubling afternoon.

Throughout the afternoon, a large crowd heard from Attorney General Eric Schneiderman (who, as a state senator, co-sponsored the Human Trafficking statute), judges who have presided over human trafficking cases and federal and local law enforcement officials. Additionally, the victim perspective was presented (the judicial and law enforcement panel discussions have been converted to audio podcasts which can be heard at <http://www.nycourts.gov/admin/amici/index.shtml>).

The picture was one of young girls, often run-aways or throw-aways, who end up on the street where they encounter someone they initially think is their guardian angel but is quite the opposite: a pimp who exploits young women and children, often gets them hooked on drugs and drags them into a lifestyle from which it is nearly impossible to escape.

The women/ girls are arrested occasionally, but even if sentenced to jail are likely back on the streets or marketed on the internet within a matter of weeks. The trafficker, on the other hand, is almost never held accountable. Victims develop a perverse loyalty to the pimp, akin to Stockholm Syndrome, and without their cooperation it's difficult (but I refuse to believe impossible) to make a trafficking case.

But there are steps that can be taken to address this modern day slavery, and one of them is attacking the demand side of the equation. Our program inspired Albany County District Attorney David Soares to promise a new initiative, aimed at arresting and publicly humiliating “johns” in the hope of making the risk of patronizing greater than the reward, while diminishing the demand, and hopefully supply. Additionally, Attorney General Schneiderman announced a new partnership with local law enforcement.

As a result of programs such as this, the justice system is finally taking a holistic approach to prostitution/human trafficking cases, providing services in lieu of incarceration for those arrested on prostitution charges, and holding pimps and johns accountable.