

F



NEW YORK

2023 Report Card

TIER II

GRADES ARE BASED SOLELY ON AN ANALYSIS OF STATE STATUTES. While we recognize the critical importance of non-legislative responses to propel progress, grading on statutory law provides a clear mechanism for evaluating policy goals across all states while ensuring that survivor-centered reforms are an enduring part of states' responses.

STATE HIGHLIGHTS:

- Between 2021-2023, raised score by 15 points.
- Sixth most improved in 2023 (raised score by 13 points this year alone).
- Child welfare is required to provide specialized services to system-involved children and youth with experiences of sex or labor trafficking victimization.
- State funds were appropriated to support the development and provision of specialized services to trafficking survivors.
- Allows child and youth victims of sex or labor trafficking to seek accountability for their offenders through civil processes.

SAFE HARBOR STATUS:

One of 21 states that fail to prohibit the criminalization of minors for prostitution offenses, thus allowing commercially sexually exploited minors to be held criminally accountable for their own victimization.

Issue		Grade	Score	Summary
	1. Criminal Provisions	C	$\frac{12.5}{17.5}$	Policy goals accomplished related to buyer and trafficker accountability under state CSEC laws, mistake of age defenses, decoy defenses, and business entity liability under the trafficking law. Gaps remain related to buyer accountability under the trafficking law and financial penalties.
	2. Identification of and Response to Victims	F	$\frac{8}{27.5}$	Policy goals accomplished related to foreign national victims and child abuse definitions. Gaps remain related to third party control, screening through child welfare and the juvenile justice system, non-criminalization for prostitution offenses, expanded non-criminalization, juvenile court jurisdiction, and non-caregiver trafficking cases.
	3. Continuum of Care	D	$\frac{9}{15}$	Policy goals accomplished related to services through child welfare and appropriations. Gaps remain related to community-based services, MDT responses, services through the juvenile justice system, and extended foster care services.
	4. Access to Justice for Trafficking Survivors	D	$\frac{9}{15}$	Policy goals accomplished related to restitution and civil remedies. Gaps remain related to civil orders of protection, crime victims' compensation, vacatur, and statutes of limitation.
	5. Tools for a Victim-Centered Criminal Justice Response	F	$\frac{3}{10}$	Gaps remain in all areas, including hearsay exceptions, alternatives to live, in-court testimony, victim-witness supports, and privileged communications.
	6. Prevention and Training	F	$\frac{6.5}{15}$	Policy goal accomplished related to prevention education in schools. Gaps remain related to training for child welfare, juvenile justice agencies, law enforcement, prosecutors, and school personnel.
EXTRA CREDIT	Youth		2	Protections related to appropriations and civil remedies are extended to sex trafficked youth.
	Child Labor Trafficking		4	Protections related to child abuse definitions, appropriations, restitution, and civil remedies are extended to child labor trafficking victims.

OVERALL GRADE
TIER II

F 54