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# Albany forum shows New York prosecutors ignore sex trafficking

In effect since 2007, few arrests have been made, authorities say at forum

By Robert Gavin

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*Albany*

Nine years after state leaders passed a sex trafficking law to crack down on predators who force young women and teenagers into prostitution, the crime is being largely ignored by prosecutors across New York.

The state's anti-trafficking law of 2007 increased penalties for patrons known as johns and made it so pimps could face up to 25 years in prison. But since its passage, 41 of the state's 62 counties have reported zero arrests for violating the law, according to data officials released Thursday at a forum at Albany Law School.

Over the same time, police made 18,656 arrests for prostitution and 10,000 arrests for people patronizing a prostitute. Ninety percent of the prostitution arrests were of females, officials said.

"We have areas of our state where our powerful laws are simply not being used," said Attorney General [Eric Schneiderman](#) addressing a continuing legal education class, as well as law enforcement officials, prosecutors and judges in attendance.

Albany City Court Judge [Rachel Kretser](#), who moderated the forum, said the 2007 law, which also made labor trafficking illegal, provided for social services and benefits to victims otherwise ineligible for them. It was signed into law by then-Gov. [Eliot Spitzer](#), who resigned the next year in a notorious prostitution scandal.

"New York's law was rightly hailed as a national model," Kretser said. "Unfortunately that powerful weapon has to a large extent fired blanks, especially in upstate New York."

Outside of New York City, human trafficking prosecutions are "almost unheard of," Kretser said, noting 61 arrests for sex trafficking and only four convictions.

Schenectady and Saratoga counties have never reported a sex trafficking arrest. Rensselaer County reported three sex trafficking arrests in 2015 (two of the defendants received jail time and probation, while the third was fined) but none convicted of the actual charge. In Albany County, there have five arrests for human trafficking; one resulted in a conviction for attempted sex trafficking, the other two convictions were for other crimes, statistics showed.

"I've been on the bench for over a decade and I've seen a steady parade of prostitution cases in that time," Kretser said. "I have seen sad, vacant looks in their eyes. I've seen the despair etched in their faces. These women have lost all sense of human dignity. In all that time, I have not had a single human trafficking prosecution — and I've seen exactly one john in my courtroom."

Kretser, who is retiring at the end of the year, was joined at the forum by, among others, Albany County District Attorney [David Soares](#), Albany Police Chief [Brendan Cox](#) and Cohoes City Court Judge [Andra Ackerman](#), a longtime sex crimes prosecutor who later served as the state's director of human trafficking prevention and policy.

Schneiderman said sex trafficking victims are often coerced, blackmailed, abused or fear being charged with prostitution. He said an estimated one-sixth of missing children end up being trafficked for sex — and that one-third of teenage runaways are approached by sex traffickers within 48 hours.

In 2012, a 16-year-old girl who escaped from an Albany juvenile facility took a bus to Utica, where a cabbie steered her to work for a brother-and-sister led prostitution ring that provided her with a new name, a crack pipe and customers willing to pay her money and drugs for sex. [State Police](#) later arrested ring members.

Cox said change in philosophy is needed to view sex trafficking victims as something other than participants of a crime.

"It's pathetic to hear that we arrest a 12-year-old for prostitution," Cox said. Instead of arresting prostitutes repeatedly in an endless cycle, he said, Albany police have tried to find out what drove the person to prostitution and address the root cause — be it drug addiction, domestic violence or poverty.

"By the penal law they are breaking the law, but in reality, in order for us to make the public safe and actually help that person out, we can do different things. So it's my hope that we stop, at least in the city of Albany, arresting prostitutes," Cox said. "We all recognize that we might need to do that, but we also recognize that we have to do things a little bit differently ... we're not doing any good by just arresting them."

Much of the sex trafficking around Albany County has involved prostitution in Colonie hotels. In 2014, Soares' office convicted [John "Pupi" Hammond](#), a pimp from Providence, R.I., who was plying women with heroin and cocaine and causing them to turn to prostitution to repay debts to him. Hammond was paroled last year after being sentenced to 2 to 6 years in state prison for attempted felony sex trafficking charges. He had posted ads for massage and escort services on [backpage.com](#).

To fight the problem, Schneiderman's office offers free software to police and prosecutors. Schneiderman said Soares' office and Albany police were the first two agencies locally to commit to obtaining access and training on the software.

The new technology called "Spotlight," developed by an anti-trafficking organization called Thorn, scans a database of online escort advertisements on sites such as [www.backpage.com](http://www.backpage.com) and craigslist often used by sex traffickers to locate potential trafficking victims. The Spotlight program can raise red flags about such things as the same phone number being used on multiple escort ads, or the same person or location on many listings, according to Schneiderman's office. Schneiderman's office said a few agencies use Spotlight but it is highly uncommon.

The [backpage.com](http://backpage.com) site became so notorious locally that in 2014 Soares added a section to his office website called "The Front Page" listing the names of convicted sex traffickers and johns convicted of patronizing a prostitute.

"Shaming will very much cut down on the demand, which will, of course, cut down on the supply and that's what we want," Kretser said.

[rgavin@timesunion.com](mailto:rgavin@timesunion.com) • 518-434-2403 • @RobertGavinTU