

The New York Women's Bar Association Foundation Hosts a Breakfast on the Sex Trafficking of Girls in New York City

By Annie M. Ugurlayan

On April 18, 2012, the New York Women's Bar Association Foundation hosted a successful breakfast program at the Cornell Club in New York City, co-sponsored by the New York Women's Bar Association. The program was entitled "The First Step is Awareness: Stopping Sex Trafficking in New York City". Karen Mitchell, President of the New York Women's Bar Association Foundation, welcomed the attendees and introduced the guest speakers. The speakers were Rachel Lloyd, a nationally recognized expert on the issue of commercial sexual exploitation and domestic trafficking and author of "Girls Like Us," a memoir about her own experience and the work of her groundbreaking non-profit organization, Girls' Educational & Mentoring Services (GEMS); and Pamela Chen, Assistant United States Attorney for the Eastern District of New York and current chief of the criminal Civil Rights Section, which investigates and prosecutes cases involving human trafficking.

Ms. Lloyd explained that there has been a slow shift in the perception of sex trafficking – previously, survivors were not considered to be a "high priority" by law enforcement or lawmakers, as over 70 percent of the girls are in the child welfare system and minorities. Ms. Lloyd stated that in some instances, the girls are raped by policemen. She stated that her organization has saved 348 girls, and that her organization has a 72 percent success rate. Ms. Lloyd noted that young women stay with their abusers because they suffer from the "Stockholm Syndrome" -- they are afraid to leave because of threats against them and their families and a

girl's pimp is seen as the most important person in her life. Ms. Lloyd was pleased to announce that New York is the first state in the country to pass a Safe Harbor Act for victims of sex trafficking, allowing the girls to avoid incarceration. She stressed that there needs to be a legislative and societal shift in the perception of sex trafficking victims, away from a "rescue" mentality and toward empowering them so that they do not return to this way of life.

Ms. Chen provided an overview of the definitions of forced labor and sex trafficking pursuant to 18 U.S.C. §§ 1589 and 1591, and noted that the federal sex trafficking statute is reaffirmed every two years and has a broad base of bipartisan support, with the mandatory minimum sentences raised from 10 to 15 years. She then provided examples of cases that shed light on these crimes, specifically a crackdown by her office against the trafficking of deaf Mexican trinket peddlers on New York City subways and two cases involving sex trafficking, U.S. v. Jamali Brockett and U.S. v. Carreto.

In the Brockett case, the defendant Brockett forced women and girls into prostitution through violence and threats of violence (e.g., kidnapping girls from school) and used Craigslist to advertise the victims' services. Brockett maintained a stable of women and was seen as a "father figure" to them, with a hierarchy of preference (the "bottom" is considered the most prized prostitute and a "girlfriend" of sorts to Brockett). All of the money went to Brockett, who had sex with all the girls. He instructed the minor girls to lie about their age if arrested. Many of the women did not want to cooperate in the prosecution because of the strong psychological control Brockett had over the women. Brockett, 26, ultimately pled guilty to sex trafficking a minor, which carries a 10-year minimum sentence, and was sentenced to 287 months or about 24 years.

In Carreto, Ms. Chen explained that women were lured from Pueblo, Mexico to the US and all were forced into prostitution. In that case, the lead defendants, Josue and Gerardo Carreto, were sentenced to 50 years each, and the third defendant, Daniel Perez Alonso, was sentenced to 25 years. Restitution of nearly \$30,000 was obtained for the victims, all of whom were reunited with their children and all are living in the U.S. Ms. Chen explained that E.D.N.Y. judges take sex trafficking cases very seriously and they tend to give strict sentences.

The Sabhani case received extensive media coverage (e.g., a close-up picture of Mrs. Sabhnani on the front page of the *New York Post* dubbed “Cruella”) as the wealthy couple was charged with multiple counts of forced labor, harboring aliens, peonage, document servitude and conspiracy to commit these crimes against a 53-year old Indonesian woman and her daughter. Graphic photographs of the physical abuse illustrated the horror to which the enslaved women, often given little or nothing to eat and forced to sleep on a floor, were subjected to for several years. In 2008, the judge sentenced the wife to 132 months (11 years) in jail and the husband to 40 months in jail, with a fine of \$12,500. They were also ordered to pay restitution of almost \$1,000,000 (compensation) as payment for all the hours they worked and were not paid (the restitution was reduced to \$600,000 by the Second Circuit, which affirmed the convictions). In closing, Ms. Chen explained ways to help, such as supporting organizations like GEMS and providing pro bono counsel to victims.

A lengthy question and answer period followed and Ms. Mitchell thanked Ms. Lloyd and Ms. Chen for their excellent presentations and their work in helping victims of sex trafficking. While the subject matter is a difficult one to discuss, it is important to shed light on it, and programs such as this further the New York Women’s Bar Foundation mission.

The Foundation thanks the following firms for generously sponsoring the breakfast:

Baker Hostetler LLP; Berke-Weiss & Pechmann LLP; Boies, Schiller & Flexner LLP; Condon & Forsyth LLP; Davis, Polk & Wardwell LLP.

The New York Women's Bar Association Foundation, Inc. (NYWBAF) is a 501(c)(3) not-for-profit charitable organization that funds charitable and philanthropic programs to aid women and children throughout Manhattan and beyond. Its mission is (1) to eliminate gender bias and other forms of discrimination from the legal system and legal profession, (2) to promote the social and economic equality, safety and well being of women and children, and (3) to address the unmet legal needs of women and children. For more information, please visit its website at <http://www.nywba.org/foundation>.