COFCCA

Leadership, Voice and Vision for Child Welfare in New York State

TESTIMONY OF JAMES F. PURCELL
CEO
COUNCIL OF FAMILY & CHILD CARING AGENCIES
CHIEF EXECUTIVE OFFICER
BEFORE THE
NEW YORK CITY COUNCIL COMMITTEE ON WOMEN'S ISSUES
JUNE 11, 2012

Good afternoon, I am James F. Purcell, the CEO of the Council of Family and Child Caring Agencies (COFCCA). COFCCA is the primary statewide membership organization for child welfare services providers, representing over 100 not-for-profit agencies that contract with the New York City Administration for Children's Services and the county departments of social services to provide foster care, preventive services, adoption, and aftercare services as well as education for children on our facility campuses. Our member agencies serve nearly all of New York City's at-risk children in preventive services programs and foster care.

On behalf of the vulnerable children and families served by these agencies, I thank Chair Julissa Ferrerras and members of the committee for your leadership in protecting sexually exploited youth. Your efforts to protect these young victims have brought much needed attention to this issue and furthered the efforts of the Children and Families committees in the New York State Legislature.

The crimes of sexual exploitation and trafficking require the dual response of prevention and assistance to the victims. Many of our agencies provide much needed help to the victims of sexual exploitation. You will hear from some of them today. However, we all understand that helping the victims is not enough—there must be a way to prevent more such abuse. COFCCA strongly supported the Committee's Resolution calling on the Village Voice media to stop accepting adult services advertisements on its online classified site, backpage.com, because it serves as a platform to traffic minors and adult victims for sex, and we strongly support the new Resolution calling upon the New York State Legislature to pass and the Governor to enact A.9804/S.7212, the "Trafficking Victims Protection and Justice Act".

It is our understanding that the "Trafficking Victims Protection and Justice Act" will strengthen the current Safe Harbor Act by making our laws more sensitive to victims and facilitating prosecution of exploiters. Currently, State law and the Federal Trafficking Victims Protection Act recognize that prostituted individuals under the age of 18 are sexually exploited youth. The Federal Law, however, establishes that all prostituted children are trafficking victims. A.9804/S.7212, will make State law consistent with Federal law by removing the New York State's requirement of coercion in prosecutions for the sex trafficking of children.

The Trafficking Victims Protection and Justice Act will also bring the penalties for an individual convicted of patronizing a minor into line with those of someone convicted of raping a minor of the same age. Doing so recognizes the exploited nature of the victim. In the words of Rachel Lloyd, founder of GEMS and a former victim, "Calling men who buy sex from children "johns" minimizes the harm they do. At the very least, they are statutory rapists and child abusers."

This bill will further protect victims who are 16 and 17 years of age by no longer treating them as criminal defendants. Under this bill they would be accorded the protections and services as part of PINS (Persons in Need of Supervision) proceeding. The bill will also close current loopholes that allow the use of livery and limousine drivers to facilitate sexual exploitation, and it will categorize the use of drugs to control or coerce a victim as a form of sex trafficking.

For all these reasons, we join the New York City Council Committee on Women's Issues in urging the New York State Legislature to pass and the Governor to enact the Trafficking Victims Protection and Justice Act.