

LEGAL ACTION CENTER

ALERTS!

Do you have prostitution convictions?

In 2010, a law went into effect in New York State, allowing survivors of “sex trafficking” to **vacate and seal** their convictions of **prostitution or loitering for the purpose of prostitution** as a result of being trafficked. In some cases, other convictions related to being trafficked may be sealed as well. This law is called the “Vacating Convictions Law” and is in Section 440.10(1)(i) of the Criminal Procedure Law.

“Sex trafficking” occurs when someone uses force, dishonesty, drugs or other coercive tactics to encourage another person to commit prostitution. The law also applies if you were under 18 at the time of the convictions and applies no matter how old your convictions are.

To get convictions vacated and sealed under this law, a person’s lawyer needs to make a motion to the Court to vacate the convictions. If a motion is successful, the Court must vacate the convictions and dismiss the accusatory instrument. The case is then sealed.

If you think you might be eligible for this motion, please contact the organizations listed below for help. (The Legal Action Center does not represent people in these types of cases.)

Legal Aid Society
Attorney: Kate Mogulescu
49 Thomas Street
New York, NY 10013
212-298-5029
kamogulescu@legal-aid.org

Sex Workers Project, Urban Justice Center
Attorney: Melissa Sontag Broudo
123 William Street, 16th Floor
New York, NY 10038
646-459-3024; mbroudo@urbanjustice.org
www.sexworkersproject.org

Have you been charged with loitering under Penal Law 240.35(1), (3) or (7)?

Violation charges under Penal Law 240.35(1), (3) or (7) have been found to be unconstitutional. These charges include **loitering for the purpose of begging**, for the purpose of “**sexual behavior of a deviate nature**” or **loitering in a transportation facility** without a “satisfactory explanation.” If you were convicted of these offenses, that conviction should be **vacated and sealed** without further action on your part. For more information, you can call 1-718-874-6000 or toll-free 1-800-846-0798.