

The **Anti-Trafficking Initiative (ATI)** offers pro bono attorneys the opportunity to assist victims of human trafficking with their complex legal needs. Because the majority of ATI clients speak languages other than English, pro bono attorneys with language skills are particularly well-suited to assist with the opportunities below.

### **Immigration**

For undocumented immigrant victims of human trafficking, their lack of immigration status makes it impossible to work lawfully and to access the services and public benefits they so desperately need to rebuild their lives. Attorneys can represent foreign-born victims of trafficking in pursuing various forms of immigration relief, including:

- Asylum
- Petitions for T Nonimmigrant Status
- Petitions for U nonimmigrant status

### **Victim-Witness Cooperation**

Quite often, our foreign-born clients wish to apply for T nonimmigrant status, an immigration benefit available to victims of trafficking who provide assistance to law enforcement. As part of the T visa application process, we help our clients to report their trafficking to law enforcement, which in turn may spark subsequent criminal investigations and prosecutions. Other times, law enforcement agencies call upon Sanctuary to provide legal counsel to victims identified in raids and other enforcement actions. For a victim, serving as a witness in a criminal investigation or prosecution can be a terrifying ordeal. Pro bono attorneys are needed to assist victims in navigating interactions with law enforcement and ensure that victims' needs are taken into account. Pro bono attorneys may:

- Accompany the victim to meetings with criminal investigators and prosecutors;
- Advocate for the issuance of Continued Presence, a type of temporary immigration protection available to foreign-born trafficking victims;
- Advocate for the safety of the victim and her/his family members; and,
- Assist the victim in preparing a victim impact statement to present to a court at the sentencing phase.

### **Vacatur**

Many victims of sex trafficking have been convicted of prostitution-related offenses as a part of their trafficking ordeals. Such convictions carry enormous stigma and inhibit survivors from obtaining employment, housing, and education. Fortunately, under New York's Criminal Procedure Law, victims of sex trafficking have the ability to vacate prior convictions relating to their trafficking histories. Vacatur relief permanently removes a conviction from an individual's criminal record, thereby providing the victim with a fresh start and greater access to opportunities. Pro bono attorneys can assist victims in preparing and filing vacatur motions in New York's criminal courts.

### **Human Trafficking Intervention Courts**

New York's Human Trafficking Intervention Courts (HTICs) are a pioneering initiative to bring compassion and justice to victims caught up in the commercial sex trade. The guiding principle of the Courts is that individuals arrested on prostitution charges should be treated not as criminals, but as victims and survivors of commercial sexual exploitation and human trafficking. The Trafficking Courts connect defendants with life-changing legal and social

services that help them escape the violence and degradation of prostitution and trafficking while also avoiding a criminal record. Pro bono attorneys are playing a leading role in providing immigration consultations to the large number of foreign-born defendants who pass through the HTICs each month. Under Sanctuary supervision, pro bono attorneys meet with defendants to provide in-depth legal consultations that explore eligibility for immigration remedies. Many of these defendants have experienced sex trafficking and other crimes and are eligible for T nonimmigrant status and other forms of immigration relief.