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CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK, PART AR6

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

- against -

AFFIDAVIT

Docket No.

CLIENT NAME,

Defendant.

-----X

TO BE FILED UNDER SEAL PURSUANT TO CIVIL RIGHTS LAW § 50-B

STATE OF NEW YORK

ss.:

COUNTY OF NEW YORK

CLIENT NAME, being duly sworn, deposes and says:

Background

1. I am the defendant prosecuted [under the names ALIAS 1, ALIAS 2] (if applicable) in the above captioned docket[s].
2. I was born on August 8, 1985 in Miami, Florida. My parents are very conservative Southern Baptists and had difficulty raising a free-spirited girl.
3. Growing up, I was often bullied by my peers for everything from my clothing choices to the attention I received from boys. My parents did not deal with this well, and I didn't feel like they ever really listened to me. I was smart and did well in school when I was young, but had real problems fitting in.



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4. When I started 6th grade I began avoiding school and missing classes in response to the way I was treated by other kids my age. As a result, I changed school environments several times in two years. In my new school where I started 9th grade I again experienced bullying and abuse. Being in the best school program and one of the most dangerous areas was a bad combination. I did not feel safe there.
5. In 2000, at the beginning of 10th grade, a girl I didn't know approached me and asking if I wanted a ride home. She was a senior, and I thought she could be a new friend. She ended up taking me to her apartment where she gave me a drink which I thought was water. The next thing I knew I was regaining consciousness in the apartment. My clothes were disheveled and blood-stained and I was confused and afraid. I ran to a nearby McDonalds to try and gather myself and someone there called 911.
6. I was taken to Miami Hospital, where I learned later that I had been raped by three members of a gang.
7. From the hospital, my parents took me to the police precinct to make a report. The officers told me that what happened to me sounded like a gang initiation. When my parents heard this, they refused to let me come home with them. They told me that I was going to hell and should be ashamed of my behavior. I was placed in a group home in a nearby city. I felt horribly alone and neglected, and I was afraid because of the gang-related activity in the area.



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8. I ran away from the group home back to my own neighborhood. For about four months, I had no real home. I stayed on friends' couches or the bus terminal when the weather was good.
9. My parents showed up to my school one afternoon and told me they were ready to forgive me and I was to come home. There was a lot of friction when I returned home. I was upset, angry, and hurt that they could abandon me because I was raped. My parents, in turn, couldn't understand why I was angry with them. I left my parents' house and went to live with the one person I felt I could rely on, my boyfriend. His name was Alex.
10. I moved to Atlanta with Alex when I was 17 years old, and my life seemed to improve. I finally felt like I had someone in my life I could trust and that made me feel safe. We got engaged and I became pregnant.
11. After the birth of our daughter on April 2, 2003, Alex became controlling and abusive. He would lock me in our apartment and not allow me to leave. He also became violent. On one occasion, he beat me severely and threw a glass at my head.
12. During this time, I became depressed and was engaging in self-destructive behavior like cutting myself and drinking excessively. Alex threatened that he was going to take my daughter away from me because I was an alcoholic. I was terrified that he was telling me the truth, but I couldn't stop drinking.
13. One morning, I woke up and Alex and my daughter were gone. He left me a note saying they were going to St. Louis to stay with his family and that I was not welcome to follow them because I had to get my life together first.



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14. I was stunned and devastated that Alex had done this to me. For the next week, I called Alex repeatedly and, the few times he answered, he told me I needed help and that I could see our daughter when I was sober. I continued to drink heavily over this week. I wanted to fly to St. Louis but I had no money for a plane ticket, and I didn't even have money to keep paying rent on our small apartment. I didn't have a job and knew that I wouldn't be able to survive for long without an income.

Initial Interaction with Traffickers

15. After about a week, I was out drinking at a bar when I met a man named Jimmy who manipulated me into prostitution. We talked for a long time and I told him I was having trouble with money and I needed money for a flight to see my daughter. He told me he owned a business and that I could work for him if I wanted. I felt like it was too good to be true. He didn't give any more details about his business but said that I would make good money and I could start right away. He said we should celebrate and his friend would come give us a ride to another bar.

16. Within a minute a blue Honda pulled up, driven by a man I later learned was called "Slim". Slim and some other men put me into the backseat, with a man on one side of me, and took me to a one-story house in the Southern part of town. I was confused why were at a house and not another bar, but I didn't want to mess up my job offer.

17. When we entered the house, there were many young men there smoking marijuana, and some women there too. Jimmy took my identification, cell phone, and benefits card. He talked to me about pimping, then left the room to find me clothes I could



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wear to engage in prostitution. While he was looking for clothes for me, I thought about trying to escape. The latch on the window was painted over, but I tried to pry it open anyways. Jimmy entered the room as I was doing this and he punched me. He beat me up pretty bad, and then he locked me in a closet. I did not engage in prostitution that night. Instead, Jimmy kept me in the house and did not feed me for two days. From then on, I was rarely out of his sight; he would even accompany me to the bathroom.

Forced into Prostitution

18. After a few days, Jimmy drove me to New York. The drive took us several days. When we got there, he had me begin to engage in prostitution. I was terrified of him, but I thought I might be able to get away from him. It turned out that Jimmy and his friends had an elaborate operation, working together to watch the girls of each pimp and communicating on throw-away cell phones. Jimmy only had other girls, but some of the other pimps had up to a dozen girls engaging in prostitution for them.
19. In my first week with Jimmy, I got into a car with a john and begged him to just drive me away. I told him I would do anything if he would just start driving and drop me off in a different neighborhood. Instead, he turned his car around and told my pimp that I was trying to escape. Jimmy was enraged. He threw gasoline on my feet and then threw his lighter at me. I was able to get the fire out before it burned me too badly, but I realized then how crazy he was. I tried to do what he told me after that, because I knew he could kill me.



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20. After I tried to escape, I was kept in a room in the house. I was still forced to engage in prostitution, but instead of getting into cars, johns would come to the house. I didn't have any more opportunities to leave.
21. After a few months of being kept at the house, Jimmy started putting me onto the streets again. We would go with other pimps and their girls, and although I would only see Jimmy to give him the money I was earning every couple of "dates," I was being constantly watched by the other pimps.
22. Even during this terrible period, I remained hopeful that I would be able to see my daughter again soon if I could hold on to some of my money. Although I no longer had my cell phone, I would call Alex from payphones in between "dates" and talk briefly to my daughter. I didn't tell Alex what I was doing but I think he knew I was in trouble. Jimmy also knew about my desire to go see my daughter, and he regularly told me that when I earned enough money he would buy me a plane ticket.
23. Although the pimps tried to avoid areas with a lot of police activity, I was arrested twice when I was engaging in prostitution for Jimmy – once in the County of New York and once in Queens. I actually did not mind getting arrested in a small way because then I could get some rest.
24. After my second arrest, Jimmy beat me again for "wasting his time." This time was even more severe than all the other times. I don't have any memories of the incident other than waking up in the hospital. I was told that the neighbors called the police after they saw me, naked and covered in blood, crawling out of the apartment, and Jimmy grabbing me by the hair and pulling me back into the apartment. The police



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asked if I wanted to press charges, but I said no because I was afraid. After the beating, one of Jimmy's cousins bought me a bus ticket to Miami because he thought I was causing too much trouble. Jimmy stayed in Las Vegas.

Road to Recovery

25. I was able to exchange the bus ticket to Miami for one to St. Louis. When I arrived there, I called Alex and he came and picked me up. He showed me that he had a final order granting him sole custody of my daughter. He said I could stay with them and his parents for a few days to visit and collect myself.
26. Seeing my daughter for those few days was amazing. She had gotten so much bigger and I felt so happy being around her. After four days, though, Alex told me I had to leave because I wasn't a good influence for her. I decided to stay in the area so that I could keep the chance of seeing my daughter again in the future. I also didn't really have anywhere else to go.
27. When my face healed I returned to prostitution for a short time because that was all I knew how to do. I got a cheap apartment that was near Alex and my daughter, and even though he didn't let me see her, I felt peace knowing she was close. Like before, I had to get drunk to engage in prostitution. Now, however, when I got drunk I was haunted by my memories. I realized I was killing myself. I realized I wanted more out of my life. I wanted my daughter back in my life. I stopped engaging in prostitution and began the three-year journey of reclaiming my life.
28. Despite my personal and family struggles, I have made other substantial changes in my life. I have fully reconciled with my parents and am working on a better



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relationship with them. Alex and I now have joint custody of my daughter, who remains the most important part of my life.

29. In 2008, I enrolled in a Veterinary Science Certificate Program with the Veterinary School of Florida, and I graduated a year later with my certificate.

30. I have been working to overcome the things I have gone through, but I believe that the convictions on my record have been a barrier to my success. For example, I was denied public housing in 2009, and I have been unable to gain employment using my certificate. I believe that if my convictions were vacated I would be able to move on with my life.

31. I recently began therapy at the recommendation of an organization I was referred to in Florida. I find therapy is helping me deal with these things from my past. I am excited to continue with my progress in life and am hopeful that if this conviction is vacated, I will be able to accomplish many of my goals.

32. For these reasons, I respectfully request that this Court grant this motion to vacate.

Dated: December __, 2017
New York, New York

CLIENT NAME

Sworn to before me this __ day of December, 2017.

NOTARY PUBLIC



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