



Connecticut Laws Regarding Human Trafficking and Related Issues As of 2016

Special Act 04-8, An Act Establishing An Interagency Task Force On Trafficking In Persons

Established the task force for: data collection and analysis; investigating models; evaluating and measuring the state progress; identifying available local, state and federal programs; evaluate approaches in increasing public awareness; analyze existing state criminal statutes; and consulting with both governmental and non-governmental organizations.

Public Act 06-43, An Act Concerning Trafficking In Persons

Created the felony crime of trafficking in persons – it is a class B felony. It applies to those who coerce others to engage in prostitution or work, and authorizes the state to charge traffickers with racketeering and to seize property related to the crime when there is a pattern of such activity. It allows people charged with prostitution to avoid conviction by proving that they were acting because of a trafficker's coercion. It also allows (1) the attorney general to sue employers who knowingly employ victims and (2) victims to sue traffickers for money damages.

Required the Task Force to implement public awareness strategies, and; identify criteria for providing victim services and address access to rights, benefits, and services for trafficking victims, including: medical and related professional services, legal services and protections, safe housing and shelter, voluntary repatriation, victim compensation, and protection while in custody.

Appropriated \$ 75,000 for training programs and witness protection services and \$25,000 for shelter and victim services.

Public Act 07-4, An Act Implementing The Provisions Of The Budget Concerning General Government (Section 29, June Special Session)

Provided funding, within available appropriations, to the Office of Victim Services for the purpose of contracting with nongovernmental organizations to develop a coordinated response system to assist victims of the offense of trafficking.

Note: This funding was used to develop uniform curriculum, a train-the-trainers program, brochures, and housing.

Public Act 07-107, An Act Establishing A Trafficking In Persons Council

Changed the name of the Taskforce, and council membership to remove the legislative committee appointments. The Council was charged to provide updates and progress reports; identify criteria for providing services to victims, and; consult with governmental and nongovernmental organizations in developing recommendations to strengthen state and local efforts to prevent trafficking, protect and assist victims of trafficking, and prosecute traffickers.

Public Act 10-112, An Act Concerning the Forfeiture of Money and Property Related to Child Sexual Exploitation and Human Trafficking, the Possession of Child Pornography and the Sitting of Residential Sexual Offender Treatment Facilities

Establishes a civil forfeiture procedure to seize tainted funds and property (i. e. , money and property used or obtained from crimes involving sexual offenses). The crimes that trigger forfeiture are: 1) the risk of injury to a minor statute involving sale of a child under age 16; 2) 1st or 2nd degree promoting prostitution; 3) enticing a minor using an interactive computer; 4) voyeurism, disseminating voyeuristic material, and employing or promoting a minor in an obscene performance; 5) human trafficking; and 6) importing child pornography. The funds and property subject to forfeiture are: all money used or intended for use in violation of the laws listed above; all property constituting the proceeds obtained, directly or indirectly, from a violation of those laws; all property derived from the proceeds obtained, directly or indirectly, from any sale or exchange for pecuniary gain from those criminal violations; and all property used or intended for use, in any manner or part, to commit or facilitate the violation of those laws for pecuniary gain. The chief or deputy chief state's attorney, state's attorney, or assistant or deputy state's attorney can file a petition for forfeiture. This must occur no later than 90 days after the money or property was seized.

It also expands what constitutes 1st degree possessing child pornography to include knowingly possessing one or more visual depictions of child pornography that depicts the infliction or threatened infliction of serious physical injury to that child. This is a class B felony and requires a five-year mandatory minimum sentence.

Public Act 10-115, An Act Providing A Safe Harbor For Exploited Children

If a 16- or 17-year-old is charged with prostitution, there will be a presumption that the person was coerced into committing the offense by another person in violation of the laws against trafficking in persons. It also increases the penalty for someone who is charged with promoting prostitution using a person who is under age 18 by changing the crime to a Class B felony instead of a Class C felony; creates a mandatory minimum sentence of nine months for anyone convicted of promoting prostitution of someone under age 18; and included language that clarifies that a person who patronizes or promotes the prostitution of a person under age 18 cannot use age in their defense.

Public Act 11-180, An Act Concerning Notification by the Department of Children and Families When a Youth is Arrested for Prostitution and Out-of State Placements of Children and Youth.

Requires a police officer who arrests a 16- or 17-year-old on prostitution charges to report suspected child abuse or neglect to the Department of Children and Families.

PA 12-141, AAC Commercial Sexual Exploitation of a Minor (HB 5504)

Creates a class C felony when an individual or organization buys advertising space to advertise a commercial sex act depicting a minor.

PA 13-166, AAC Sexual Exploitation and Trafficking in Persons (HB 5666)

This bill enhances the penalties for human trafficking by: 1) expanding the definition of human trafficking; 2) providing that funds and property seized from the commercial sexual exploitation of a minor or prostitution that occurred due to human trafficking are subject to forfeiture; 3) increasing the penalty for patronizing a prostitute from a class A misdemeanor to a class C felony when the patron knew or reasonably should have known that the person was under the age of 18 or a victim of human trafficking; and 4) allows a defendant who was convicted of prostitution to apply to the

Superior Court to vacate the judgment of conviction on the basis that, at the time of the offense, the defendant was a victim of human trafficking.

It also requires: 1) the Office of the Chief Court Administration to develop a concise card or brochure concerning a victim's rights and services to be distributed to municipalities and the State police for distribution to crime victims; 2) all truck stops or locations and certain establishments that serve or sell alcohol to post notices in plain view; 3) the Office of Victim Services to conduct an analysis of the compensation and restitution services provided to victims of sexual exploitation and human trafficking and make recommendations to the Legislature by January 15, 2014.

Finally, it changes the membership of the Trafficking in Persons Council, which is chaired and convened by PCSW. It requires the Council to examine existing law related to trafficking in person, identify any deficiencies, and report its findings and recommendations to the Legislature by January 1, 2014.

PA 14-186, AAC the Department of Children and Families and Protection of Children (SB 5040)

This bill requires that the Department of Children and Families (DCF) provide services to human trafficking victims classified as "uncared for". Additionally, the bill has DCF provide training to law enforcement on human trafficking of minors and creates multidisciplinary teams to work with human trafficking cases.

PA 15-195, AA Strengthening Protections for Victims of Human Trafficking (HB 6849)

This bill aligns Connecticut law with recommendations from the Protected Innocence Legislative Framework, an analysis of state laws compiled by the American Center for Law and Justice and Shared Hope International, by: 1) eliminating the requirement of proving use of force or threat of use of force, fraud, or coercion in the sex trafficking of a minor under the age of 18; 2) expanding counseling regarding human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), HIV-related testing, and referral service for appropriate health care and support services to victims of human trafficking and sexual exploitation; 3) expanding the membership of the TIP Council to include those working with child victims of commercial sexual exploitation and human trafficking; 3) permitting a minor who has incurred a criminal record as a result of being trafficked the opportunity to seek the expungement of the records immediately or, at the latest, upon turning 18 years of age; 4) permitting prosecutors to make application to a panel of judges for an order authorizing the interception of any wire communication by investigative officers when such interception may provide evidence of the commission of trafficking in persons, promoting prostitution in the first degree, aggravated sexual assault of a minor, enticing a minor, and employing a minor in an obscene performance; and 5) allowing minors under the age of 18 who are victims of commercial sexual exploitation to apply for crime victim compensation.