



Substitute Senate Bill No. 153

Public Act No. 06-43

AN ACT CONCERNING TRAFFICKING IN PERSONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective July 1, 2006*) (a) A person is guilty of trafficking in persons when such person commits coercion as provided in section 53a-192 of the general statutes and the other person is compelled or induced to (1) engage in conduct that constitutes a violation of section 53a-82 of the general statutes, or (2) work.

(b) Trafficking in persons is a class B felony.

Sec. 2. Subsection (a) of section 53-394 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to intentionally aid, solicit, coerce or intimidate another person to commit any crime which, at the time of its commission, was a felony chargeable by indictment or information under the following provisions of the general statutes then applicable:

- (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
- (2) chapter 949a, relating to extortionate credit transactions;
- (3) chapter 952, part IV, relating to homicide;
- (4) chapter 952, part V, relating to

Substitute Senate Bill No. 153

assault, except assault with a motor vehicle as defined in section 53a-60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6) chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII, relating to burglary, arson and related offenses; (8) chapter 952, part IX, relating to larceny, robbery and related offenses; (9) chapter 952, part X, relating to forgery and related offenses; (10) chapter 952, part XI, relating to bribery and related offenses; (11) chapter 952, part XX, relating to obscenity and related offenses; (12) chapter 952, part XIX, relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212, relating to weapons and firearms; (14) section 53-80a, relating to the manufacture of bombs; (15) sections 36b-2 to 36b-33, inclusive, as amended, relating to securities; (16) sections 21a-277, 21a-278, as amended, and 21a-279, relating to drugs; (17) section 22a-131a, relating to hazardous waste; [or] (18) chapter 952, part XXIII, relating to money laundering; or (19) section 1 of this act, relating to trafficking in persons.

Sec. 3. (NEW) (*Effective July 1, 2006*) (a) No employer shall employ any person knowing that such person is being coerced by another person to engage in such employment in violation of section 1 of this act.

(b) The Attorney General, upon the request of the Labor Commissioner, may bring a civil action in the Superior Court to recover a civil penalty of not more than ten thousand dollars for each violation of subsection (a) of this section and such injunctive or other equitable relief as the court may, in its discretion, order.

Sec. 4. (NEW) (*Effective July 1, 2006*) Any person aggrieved by a violation of section 1 of this act may bring a civil action in the superior court for the judicial district where such person resides or the judicial district of Hartford against the person or persons who committed such violation to recover actual damages, statutory damages of not more than one thousand dollars for each day such person was coerced by

Substitute Senate Bill No. 153

another person in violation of section 1 of this act and a reasonable attorney's fee.

Sec. 5. Section 53a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) A person is guilty of prostitution when such person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

(b) In any prosecution for an offense under this section, it shall be an affirmative defense that the actor was coerced into committing such offense by another person in violation of section 1 of this act.

[(b)] (c) Prostitution is a class A misdemeanor.

Sec. 6. (NEW) (*Effective July 1, 2006*) The Permanent Commission on the Status of Women, in conjunction with the Police Officer Standards and Training Council, shall develop a training program on trafficking in persons and make such training program available, upon request, to the Division of State Police within the Department of Public Safety, the office of the Chief State's Attorney, local police departments and community organizations.

Sec. 7. Special act 04-8 is amended to read as follows (*Effective from passage*):

(a) There is established an interagency task force on trafficking in persons. For the purposes of this section, "trafficking" means all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage.

Substitute Senate Bill No. 153

(b) The task force shall consist of the following members or their designees:

- (1) The Attorney General;
- (2) The Chief State's Attorney;
- (3) The Chief Public Defender;
- (4) The Commissioner of Public Safety;
- (5) The Labor Commissioner;
- (6) The Commissioner of Social Services;
- (7) The Commissioner of Public Health;
- (8) The Commissioner of Children and Families;
- (9) The Child Advocate;
- (10) The chairpersons and ranking members of the joint standing committee of the General Assembly on the judiciary;
- (11) The chairperson of the Commission on Children;
- (12) The chairperson of the Permanent Commission on the Status of Women;
- (13) The chairperson of the Latino and Puerto Rican Affairs Commission;
- (14) The chairperson of the African-American Affairs Commission;
- (15) A municipal police chief appointed by the Connecticut Police Chiefs Association; [and]
- (16) Three representatives of the Judicial Branch appointed by the

Substitute Senate Bill No. 153

Chief Court Administrator, one of whom shall be a representative of the Office of Victim Services and one of whom shall be a representative of the Court Support Services Division;

(17) The Victim Advocate; and

[[16]] (18) Seven public members appointed as follows: The Governor shall appoint one member who shall represent Connecticut Sexual Assault Crisis Services, Inc.; the president pro tempore of the Senate shall appoint one member who shall represent an organization that provides civil legal services to low-income individuals; the speaker of the House of Representatives shall appoint one member who shall represent the Connecticut Coalition Against Domestic Violence; the majority leader of the Senate shall appoint one member who shall represent an organization that deals with behavioral health needs of women and children; the majority leader of the House of Representatives shall appoint one member who shall represent an organization that advocates on social justice and human rights issues; the minority leader of the Senate shall appoint one member who shall represent the Connecticut Immigrant and Refugee Coalition; and the minority leader of the House of Representatives shall appoint one member who shall represent the Asian-American community.

(c) The chairperson of the Permanent Commission on the Status of Women or the chairperson's designee shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section. The task force shall select a chairperson from among its membership. The Permanent Commission on the Status of Women shall provide any necessary support staff or services for the task force.

(d) The task force shall:

(1) Collect and organize data on the nature and extent of trafficking

Substitute Senate Bill No. 153

in persons in the state;

(2) Investigate collaborative models for protecting victims of trafficking;

(3) Measure and evaluate the progress of the state in (A) preventing trafficking, (B) protecting and providing assistance to victims of trafficking, and (C) prosecuting persons engaged in trafficking;

(4) Identify available federal, state and local programs that provide services to victims of trafficking that include, but are not limited to, health care, human services, housing, education, legal assistance, job training or preparation, interpreting services, English as a second language classes, voluntary repatriation and victim's compensation;

(5) Evaluate approaches to increase public awareness of trafficking, and implement such approaches;

(6) Analyze existing state criminal statutes for their adequacy in addressing trafficking and, if such analysis determines that those statutes are inadequate, recommend revisions to those statutes or the enactment of new statutes that specifically define and address trafficking; [and]

(7) 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;

(8) Address access to rights, benefits and services for victims of trafficking including, but not limited to:

(A) Medical and related professional services;

(B) Legal services and protections;

Substitute Senate Bill No. 153

(C) Safe housing and shelter;

(D) Voluntary repatriation;

(E) Victim's compensation; and

(F) Protection while in custody; and

(9) Identify criteria for providing victim services.

(e) All state and local agencies shall cooperate with the task force and provide such data and other information as the task force may require in carrying out its duties under this section.

(f) The task force shall report its findings and recommendations to the General Assembly in accordance with section 11-4a of the general statutes not later than January 1, [2006] 2007.

Sec. 8. (*Effective July 1, 2006*) The sum of twenty-five thousand dollars is appropriated to the Permanent Commission on the Status of Women, from the General Fund, for the fiscal year ending June 30, 2007, for purposes of section 6 of this act.

Sec. 9. (*Effective July 1, 2006*) The sum of fifty thousand dollars is appropriated to the Police Officer Standards and Training Council, from the General Fund, for the fiscal year ending June 30, 2007, for purposes of section 6 of this act.

Sec. 10. (*Effective July 1, 2006*) The sum of seventy-five thousand dollars is appropriated to the Division of Criminal Justice, from the General Fund, for the fiscal year ending June 30, 2007, for the purposes of providing protective services in accordance with sections 54-82t and 54-82u of the general statutes to victims of the offense of trafficking in persons as provided in section 1 of this act.

Sec. 11. (*Effective July 1, 2006*) The sum of twenty-five thousand

Substitute Senate Bill No. 153

dollars is appropriated to the Judicial Department, from the General Fund, for the fiscal year ending June 30, 2007, to be administered by the Office of Victim Services for the purposes of contracting with a community provider to provide shelter and other services to victims of the offense of trafficking in persons as provided in section 1 of this act.

Approved May 8, 2006