



General Assembly

February Session, 2006

Raised Bill No. 168

LCO No. 1486

01486_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

***AN ACT CONCERNING THE INTERAGENCY TASK FORCE ON
TRAFFICKING IN PERSONS.***

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

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

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

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8 repealed and the following is substituted in lieu thereof (*Effective*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

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

15 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
16 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
17 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
18 assault, except assault with a motor vehicle as defined in section 53a-
19 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
20 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
21 relating to burglary, arson and related offenses; (8) chapter 952, part
22 IX, relating to larceny, robbery and related offenses; (9) chapter 952,
23 part X, relating to forgery and related offenses; (10) chapter 952, part
24 XI, relating to bribery and related offenses; (11) chapter 952, part XX,
25 relating to obscenity and related offenses; (12) chapter 952, part XIX,
26 relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212,
27 relating to weapons and firearms; (14) section 53-80a, relating to the
28 manufacture of bombs; (15) sections 36b-2 to 36b-33, inclusive, as
29 amended, relating to securities; (16) sections 21a-277, 21a-278, as
30 amended, and 21a-279, relating to drugs; (17) section 22a-131a, relating
31 to hazardous waste; [or] (18) chapter 952, part XXIII, relating to money
32 laundering; or (19) section 1 of this act, relating to trafficking in
33 persons.

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

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

43 Sec. 4. (NEW) (*Effective October 1, 2006*) Any person aggrieved by a
44 violation of section 1 of this act may bring a civil action in the superior
45 court for the judicial district where such person resides or the judicial
46 district of Hartford against the person or persons who committed such

47 violation to recover actual damages, statutory damages of not more
48 than one thousand dollars for each day such person was coerced by
49 another person in violation of section 1 of this act and a reasonable
50 attorney's fee.

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

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

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

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

60 Sec. 6. (NEW) (*Effective October 1, 2006*) The Office of Victim Services
61 shall work with community providers to provide services to victims of
62 the offense of trafficking in persons, as provided in section 1 of this act,
63 who require emergency, high security protection.

64 Sec. 7. (NEW) (*Effective October 1, 2006*) There is established a victim
65 security account, which shall be a separate nonlapsing account within
66 the Judicial Department. Such account shall be administered by the
67 Office of Victim Services for the purpose of providing services for
68 victims of the offense of trafficking in persons, as provided in section 1
69 of this act, who require emergency, high security protection.

70 Sec. 8. (NEW) (*Effective October 1, 2006*) The Permanent Commission
71 on the Status of Women, in conjunction with the Police Officer
72 Standards and Training Council, shall develop a training program on
73 trafficking in persons and make such training program available, upon
74 request, to the Division of State Police within the Department of Public
75 Safety, local police departments and community organizations.

76 Sec. 9. Special act 04-8 is amended to read as follows (*Effective from*
77 *passage*):

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

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

88 (1) The Attorney General;

89 (2) The Chief State's Attorney;

90 (3) The Chief Public Defender;

91 (4) The Commissioner of Public Safety;

92 (5) The Labor Commissioner;

93 (6) The Commissioner of Social Services;

94 (7) The Commissioner of Public Health;

95 (8) The Commissioner of Children and Families;

96 (9) The Child Advocate;

97 (10) The chairpersons and ranking members of the joint standing
98 committee of the General Assembly on the judiciary;

99 (11) The chairperson of the Commission on Children;

100 (12) The chairperson of the Permanent Commission on the Status of

101 Women;

102 (13) The chairperson of the Latino and Puerto Rican Affairs
103 Commission;

104 (14) The chairperson of the African-American Affairs Commission;

105 (15) A municipal police chief appointed by the Connecticut Police
106 Chiefs Association; [and]

107 (16) Three representatives of the Judicial Branch appointed by the
108 Chief Court Administrator, one of whom shall be a representative of
109 the Office of Victim Services and one of whom shall be a representative
110 of the Court Support Services Division; and

111 [(16)] (17) Seven public members appointed as follows: The
112 Governor shall appoint one member who shall represent Connecticut
113 Sexual Assault Crisis Services, Inc.; the president pro tempore of the
114 Senate shall appoint one member who shall represent an organization
115 that provides civil legal services to low-income individuals; the
116 speaker of the House of Representatives shall appoint one member
117 who shall represent the Connecticut Coalition Against Domestic
118 Violence; the majority leader of the Senate shall appoint one member
119 who shall represent an organization that deals with behavioral health
120 needs of women and children; the majority leader of the House of
121 Representatives shall appoint one member who shall represent an
122 organization that advocates on social justice and human rights issues;
123 the minority leader of the Senate shall appoint one member who shall
124 represent the Connecticut Immigrant and Refugee Coalition; and the
125 minority leader of the House of Representatives shall appoint one
126 member who shall represent the Asian-American community.

127 (c) The chairperson of the Permanent Commission on the Status of
128 Women or the chairperson's designee shall schedule the first meeting
129 of the task force, which shall be held not later than sixty days after the
130 effective date of this section. The task force shall select a chairperson

131 from among its membership. The Permanent Commission on the
132 Status of Women shall provide any necessary support staff or services
133 for the task force.

134 (d) The task force shall:

135 (1) Collect and organize data on the nature and extent of trafficking
136 in persons in the state;

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

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

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

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

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

154 (7) Consult with governmental and nongovernmental organizations
155 in developing recommendations to strengthen state and local efforts to
156 prevent trafficking, protect and assist victims of trafficking and
157 prosecute traffickers;

158 (8) Address access to rights, benefits and services for victims of

159 trafficking including, but not limited to:

160 (A) Medical and related professional services;

161 (B) Legal services and protections;

162 (C) Safe housing and shelter;

163 (D) Voluntary repatriation;

164 (E) Victim's compensation; and

165 (F) Protection while in custody; and

166 (9) Identify criteria for providing victim services.

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

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

173 Sec. 10. (*Effective July 1, 2006*) (a) The sum of twenty-five thousand
174 dollars is appropriated to the Permanent Commission on the Status of
175 Women, from the General Fund, for the fiscal year ending June 30,
176 2007, for purposes of section 8 of this act.

177 (b) The sum of fifty thousand dollars is appropriated to the Police
178 Officer Standards and Training Council, from the General Fund, for
179 the fiscal year ending June 30, 2007, for purposes of section 8 of this
180 act.

181 (c) The sum of one hundred thousand dollars is appropriated to the
182 Judicial Department, from the General Fund, for the fiscal year ending
183 June 30, 2007, for deposit in the victim security account established
184 under section 7 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	53-394(a)
Sec. 3	<i>October 1, 2006</i>	New section
Sec. 4	<i>October 1, 2006</i>	New section
Sec. 5	<i>October 1, 2006</i>	53a-82
Sec. 6	<i>October 1, 2006</i>	New section
Sec. 7	<i>October 1, 2006</i>	New section
Sec. 8	<i>October 1, 2006</i>	New section
Sec. 9	<i>from passage</i>	SA 04-8
Sec. 10	<i>July 1, 2006</i>	New section

Statement of Purpose:

To implement the recommendations of the interagency task force on trafficking in persons and to continue the existence of the task force and increase membership and expand its duties.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]