



General Assembly

**Amendment**

February Session, 2006

LCO No. 3750

**\*SB0015303750SD0\***

Offered by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.  
SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. GAFFEY, 13<sup>th</sup> Dist.

SEN. HANDLEY, 4<sup>th</sup> Dist.  
SEN. MCDONALD, 27<sup>th</sup> Dist.  
SEN. STILLMAN, 20<sup>th</sup> Dist.

To: Subst. Senate Bill No. 153

File No. 7

Cal. No. 33

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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

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

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10 repealed and the following is substituted in lieu thereof (*Effective*  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

12 (a) "Racketeering activity" means to commit, to attempt to commit,

13 to conspire to commit, or to intentionally aid, solicit, coerce or  
14 intimidate another person to commit any crime which, at the time of its  
15 commission, was a felony chargeable by indictment or information  
16 under the following provisions of the general statutes then applicable:  
17 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;  
18 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter  
19 952, part IV, relating to homicide; (4) chapter 952, part V, relating to  
20 assault, except assault with a motor vehicle as defined in section 53a-  
21 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)  
22 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,  
23 relating to burglary, arson and related offenses; (8) chapter 952, part  
24 IX, relating to larceny, robbery and related offenses; (9) chapter 952,  
25 part X, relating to forgery and related offenses; (10) chapter 952, part  
26 XI, relating to bribery and related offenses; (11) chapter 952, part XX,  
27 relating to obscenity and related offenses; (12) chapter 952, part XIX,  
28 relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212,  
29 relating to weapons and firearms; (14) section 53-80a, relating to the  
30 manufacture of bombs; (15) sections 36b-2 to 36b-33, inclusive, as  
31 amended, relating to securities; (16) sections 21a-277, 21a-278, as  
32 amended, and 21a-279, relating to drugs; (17) section 22a-131a, relating  
33 to hazardous waste; [or] (18) chapter 952, part XXIII, relating to money  
34 laundering; or (19) section 1 of this act, relating to trafficking in  
35 persons.

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

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

45 Sec. 4. (NEW) (*Effective October 1, 2006*) Any person aggrieved by a

46 violation of section 1 of this act may bring a civil action in the superior  
47 court for the judicial district where such person resides or the judicial  
48 district of Hartford against the person or persons who committed such  
49 violation to recover actual damages, statutory damages of not more  
50 than one thousand dollars for each day such person was coerced by  
51 another person in violation of section 1 of this act and a reasonable  
52 attorney's fee.

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

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

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

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

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

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

72 Sec. 8. (NEW) (*Effective October 1, 2006*) The Permanent Commission  
73 on the Status of Women, in conjunction with the Police Officer  
74 Standards and Training Council, shall develop a training program on  
75 trafficking in persons and make such training program available, upon

76 request, to the Division of State Police within the Department of Public  
77 Safety, local police departments and community organizations.

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

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

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

90 (1) The Attorney General;

91 (2) The Chief State's Attorney;

92 (3) The Chief Public Defender;

93 (4) The Commissioner of Public Safety;

94 (5) The Labor Commissioner;

95 (6) The Commissioner of Social Services;

96 (7) The Commissioner of Public Health;

97 (8) The Commissioner of Children and Families;

98 (9) The Child Advocate;

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

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

102 (12) The chairperson of the Permanent Commission on the Status of  
103 Women;

104 (13) The chairperson of the Latino and Puerto Rican Affairs  
105 Commission;

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

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

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

113 (17) The Victim Advocate; and

114 [(16)] (18) Seven public members [appointed as follows: The  
115 Governor shall appoint one member who shall represent Connecticut  
116 Sexual Assault Crisis Services, Inc.; the president pro tempore of the  
117 Senate shall appoint one member who shall represent an organization  
118 that provides civil legal services to low-income individuals; the  
119 speaker of the House of Representatives shall appoint one member  
120 who shall represent the Connecticut Coalition Against Domestic  
121 Violence; the majority leader of the Senate shall appoint one member  
122 who shall represent an organization that deals with behavioral health  
123 needs of women and children; the majority leader of the House of  
124 Representatives shall appoint one member who shall represent an  
125 organization that advocates on social justice and human rights issues;  
126 the minority leader of the Senate shall appoint one member who shall  
127 represent the Connecticut Immigrant and Refugee Coalition; and the  
128 minority leader of the House of Representatives shall appoint one  
129 member who shall represent the Asian-American community.

130 (c) The chairperson of the Permanent Commission on the Status of  
131 Women or the chairperson's designee shall schedule the first meeting

132 of the task force, which shall be held not later than sixty days after the  
133 effective date of this section. The task force shall select a chairperson  
134 from among its membership. The Permanent Commission on the  
135 Status of Women shall provide any necessary support staff or services  
136 for the task force.

137 (d) The task force shall:

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

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

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

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

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

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

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

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

163 (A) Medical and related professional services;

164 (B) Legal services and protections;

165 (C) Safe housing and shelter;

166 (D) Voluntary repatriation;

167 (E) Victim's compensation; and

168 (F) Protection while in custody; and

169 (9) Identify criteria for providing victim services.

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

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

176 Sec. 10. *(Effective October 1, 2006)* The sum of twenty-five thousand  
177 dollars is appropriated to the Permanent Commission on the Status of  
178 Women, from the General Fund, for the fiscal year ending June 30,  
179 2007, for purposes of section 8 of this act.

180 Sec. 11. *(Effective October 1, 2006)* The sum of fifty thousand dollars is  
181 appropriated to the Police Officer Standards and Training Council,  
182 from the General Fund, for the fiscal year ending June 30, 2007, for  
183 purposes of section 8 of this act.

184 Sec. 12. *(Effective October 1, 2006)* The sum of one hundred thousand  
185 dollars is appropriated to the Judicial Department, from the General  
186 Fund, for the fiscal year ending June 30, 2007, for deposit in the victim  
187 security account established 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>October 1, 2006</i> | New section |
| Sec. 11   | <i>October 1, 2006</i> | New section |
| Sec. 12   | <i>October 1, 2006</i> | New section |