



General Assembly

Amendment

February Session, 2006

LCO No. 3998

SB0015303998SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. GAFFEY, 13th Dist.

SEN. HANDLEY, 4th Dist.
SEN. MCDONALD, 27th Dist.
SEN. STILLMAN, 20th Dist.

To: Subst. Senate Bill No. 153

File No. 7

Cal. No. 33

(As Amended)

**"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 July 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10 repealed and the following is substituted in lieu thereof (*Effective July*
11 *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 July 1, 2006*) (a) No employer shall employ
37 any person knowing that such person is being coerced by another
38 person to engage in such employment in violation of section 1 of this
39 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 July 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 July 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 July 1, 2006*) The Permanent Commission on
63 the Status of Women, in conjunction with the Police Officer Standards
64 and Training Council, shall develop a training program on trafficking
65 in persons and make such training program available, upon request, to
66 the Division of State Police within the Department of Public Safety, the
67 office of the Chief State's Attorney, local police departments and
68 community organizations.

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

71 (a) There is established an interagency task force on trafficking in
72 persons. For the purposes of this section, "trafficking" means all acts
73 involved in the recruitment, abduction, transport, harboring, transfer,
74 sale or receipt of persons, within national or across international

75 borders, through force, coercion, fraud or deception, to place persons
76 in situations of slavery or slavery-like conditions, forced labor or
77 services, such as forced prostitution or sexual services, domestic
78 servitude, bonded sweatshop labor or other debt bondage.

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

81 (1) The Attorney General;

82 (2) The Chief State's Attorney;

83 (3) The Chief Public Defender;

84 (4) The Commissioner of Public Safety;

85 (5) The Labor Commissioner;

86 (6) The Commissioner of Social Services;

87 (7) The Commissioner of Public Health;

88 (8) The Commissioner of Children and Families;

89 (9) The Child Advocate;

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

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

93 (12) The chairperson of the Permanent Commission on the Status of
94 Women;

95 (13) The chairperson of the Latino and Puerto Rican Affairs
96 Commission;

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

98 (15) A municipal police chief appointed by the Connecticut Police

99 Chiefs Association; [and]

100 (16) Three representatives of the Judicial Branch appointed by the
101 Chief Court Administrator, one of whom shall be a representative of
102 the Office of Victim Services and one of whom shall be a representative
103 of the Court Support Services Division;

104 (17) The Victim Advocate; and

105 [(16)] (18) Seven public members appointed as follows: The
106 Governor shall appoint one member who shall represent Connecticut
107 Sexual Assault Crisis Services, Inc.; the president pro tempore of the
108 Senate shall appoint one member who shall represent an organization
109 that provides civil legal services to low-income individuals; the
110 speaker of the House of Representatives shall appoint one member
111 who shall represent the Connecticut Coalition Against Domestic
112 Violence; the majority leader of the Senate shall appoint one member
113 who shall represent an organization that deals with behavioral health
114 needs of women and children; the majority leader of the House of
115 Representatives shall appoint one member who shall represent an
116 organization that advocates on social justice and human rights issues;
117 the minority leader of the Senate shall appoint one member who shall
118 represent the Connecticut Immigrant and Refugee Coalition; and the
119 minority leader of the House of Representatives shall appoint one
120 member who shall represent the Asian-American community.

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

128 (d) The task force shall:

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

130 in persons in the state;

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

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

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

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

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

148 (7) Consult with governmental and nongovernmental organizations
149 in developing recommendations to strengthen state and local efforts to
150 prevent trafficking, protect and assist victims of trafficking and
151 prosecute traffickers;

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

154 (A) Medical and related professional services;

155 (B) Legal services and protections;

156 (C) Safe housing and shelter;

157 (D) Voluntary repatriation;

158 (E) Victim's compensation; and

159 (F) Protection while in custody; and

160 (9) Identify criteria for providing victim services.

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

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

167 Sec. 8. (*Effective July 1, 2006*) The sum of twenty-five thousand
168 dollars is appropriated to the Permanent Commission on the Status of
169 Women, from the General Fund, for the fiscal year ending June 30,
170 2007, for purposes of section 6 of this act.

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

175 Sec. 10. (*Effective July 1, 2006*) The sum of seventy-five thousand
176 dollars is appropriated to the Division of Criminal Justice, from the
177 General Fund, for the fiscal year ending June 30, 2007, for the purposes
178 of providing protective services in accordance with sections 54-82t and
179 54-82u of the general statutes to victims of the offense of trafficking in
180 persons as provided in section 1 of this act.

181 Sec. 11. (*Effective July 1, 2006*) The sum of twenty-five thousand
182 dollars is appropriated to the Judicial Department, from the General
183 Fund, for the fiscal year ending June 30, 2007, to be administered by
184 the Office of Victim Services for the purposes of contracting with a
185 community provider to provide shelter and other services to victims of
186 the offense of trafficking in persons as provided in section 1 of this
187 act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>July 1, 2006</i>	53-394(a)
Sec. 3	<i>July 1, 2006</i>	New section
Sec. 4	<i>July 1, 2006</i>	New section
Sec. 5	<i>July 1, 2006</i>	53a-82
Sec. 6	<i>July 1, 2006</i>	New section
Sec. 7	<i>from passage</i>	SA 04-8
Sec. 8	<i>July 1, 2006</i>	New section
Sec. 9	<i>July 1, 2006</i>	New section
Sec. 10	<i>July 1, 2006</i>	New section
Sec. 11	<i>July 1, 2006</i>	New section