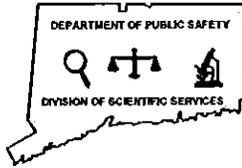




STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

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March 16, 2009

Rep. Michael P. Lawlor, Co-Chairman
Sen. Andrew J. McDonald, Co-Chairman
Judiciary Committee
Legislative Office Building
Hartford, CT 06106

HB 6671 AN ACT CONCERNING THE FORFEITURE OF MONEY AND PROPERTY RELATED TO CHILD SEXUAL EXPLOITATION AND HUMAN TRAFFICKING

The Department of Public Safety supports this bill.

Connecticut has an existing statutory procedure (C.G.S. 54-36h), in place since 1986, that provides for the forfeiture of assets including moneys and property from those involved in the illegal sale of narcotics. It is an ingenious public policy to seize assets illegally obtained in committing crimes that have devastating social impact and use those assets to provide resources for education, investigation, prosecution and treatment.

This proposed bill would allow the use of the tool of asset forfeiture in response to other crimes that also have devastating social impact, the sexual exploitation of children and trafficking in human beings.

Passage of the bill would provide law enforcement agencies and prosecutors battling crimes involving the sexual exploitation of children and trafficking of humans with an effective tool that would attack the very root that motivates those that are involved in these criminal enterprises: greed. The ability of the state to seize profits, equipment, vehicles, and buildings that serve as the infrastructure for these criminal activities will take a significant step in reducing the opportunity for these enterprises to continue to operate and may possibly serve as a deterrent to commission of these crimes.

This bill has an important procedural provision that will help victims' rights. The rights of victims of crimes have constitutional status in Connecticut pursuant to Article XXIX of the Amendments to the Constitution of the State of Connecticut. An oft raised question is how to craft remedies for those constitutional rights. This proposed bill presents a unique opportunity to facilitate, by operation of statute, the right to restitution that is outlined in Article XXIX. The proposed bill requires the state to give notice to any victim of the crime with respect to moneys or property seized and for a subsequent hearing to be held. This will

provide victims with an excellent opportunity for restitution in that the assets will be seized and protected with a quick opportunity to be heard in judicial proceedings regarding restitution.

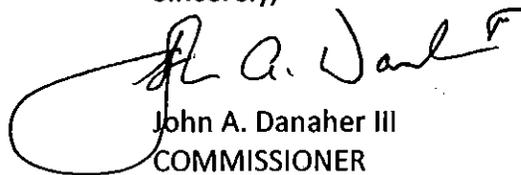
Proceeds from any sale of property seized pursuant to this proposed bill that are not used to satisfy liens of victims would be deposited in the child sexual exploitation and human trafficking assets forfeiture revolving account. Funds deposited would be allocated according to a formula similar to that used with drug asset forfeiture:

- Seventy per cent would be allocated to the Department of Public Safety and local police departments, fifteen per cent of which would be used for purposes of sexual assault treatment and education programs and eighty-five per cent of which would be used for the detection, investigation, apprehension and prosecution of persons for the violation of laws pertaining to the sexual assault, sexual exploitation or sexual abuse of children, trafficking in persons and the registration of sexual offenders and for the purposes of police training on sexual assault investigation and rape crisis intervention,
- twenty per cent would be allocated to the Department of Mental Health and Addiction Services for the assessment, treatment and management of persons with problem sexual behaviors and for educational programs concerning problem sexual behaviors, and
- ten per cent would be allocated to the Division of Criminal Justice for use in the prosecution of persons for the violation of laws pertaining to the sexual assault, sexual exploitation or sexual abuse of children, trafficking in persons and the registration of sexual offenders.

The exact size and extent of the crimes outlined in this bill is not entirely known. The FBI estimated in a 2006 report on Human Trafficking that yearly profits of nearly nine million dollars are attributed to human trafficking around the world. The report estimates that 15,000 to 18,000 people are trafficked each year in the United States. Likewise, in a February 2006 report from Top Ten REVIEWS (a publisher of Internet reviews), it was estimated that there are 100,000 websites offering child pornography with profits estimated at three billion dollars annually.

As the criminal element continues to seek new ways to utilize computer technologies and the internet to commit and aid in the commission of crimes, the criminal justice system needs to have the training, tools and personnel to recognize and respond to these changes. This bill seeks to provide funding to the criminal justice community derived from the assets realized from these crimes. We urge your support.

Sincerely,



John A. Danaher III
COMMISSIONER

Department of Public Safety